ACT

Approved by the People, November 3, 1964
Chapter 740, Acts of 1964

AND

ACTS AND RESOLVES

PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1965

TOGETHER WITH

RETURNS OF VOTES UPON QUESTION SUBMITTED TO VOTERS

TABLES SHOWING CHANGES IN THE STATUTES, ETC.

PUBLISHED BY

KEVIN H. WHITE
Secretary of the Commonwealth



BOSTON
WRIGHT & POTTER PRINTING COMPANY
1965

CHAPTER 740.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SIXTY-FOUR.

AN ACT REPEALING STATUTORY POWERS OF THE GOVERNOR'S COUNCIL WHICH INTERFERE WITH THE EFFICIENT OPERATION OF THE EXECUTIVE DEPARTMENT OF THE COMMONWEALTH.

Be it enacted by the People, and by their authority:

SECTION 1. As used in this act, the phrase "the council" shall mean the council for advising the governor established in accordance with Part II, Chapter 2, Section 3, of the Constitution of the Commonwealth.

As used in this act, the phrase "advice and consent of the council" shall include, without limitation, approval, advice, consent, and advice and consent, however phrased in the General Laws and in any special law of the commonwealth.

As used in this act, the phrase "executive department" shall include, without limitation, all departments, divisions, boards, bureaus, commissions, institutions, councils and offices of state government and of county government, and any instrumentality or agency within or under any of the foregoing, whether or not serving under the governor or under the governor and council, and any independent authority, district, commission, instrumentality or agency, but expressly excluding therefrom the legislative and judicial departments and any instrumentality or agency of a city or town.

SECTION 2. The provisions of this act shall not be applicable to section sixty-five of chapter six, to section fifteen of chapter twenty-three, to section two of chapter twenty-five, to section four of chapter twenty-seven, or to section one of chapter fifty-eight A of the General Laws, except, however, that if the council shall neither grant nor refuse its advice and consent with respect to any appointment or removal under any of the aforesaid provisions of the General Laws within the thirty calendar days next following any such appointment or removal, then the person so appointed or removed shall be deemed to have been appointed or removed, as the case may be, as if such advice and consent had been granted.

SECTION 3. Subject to section two of this act and except as required by the constitution of the commonwealth, so much of each provision of the General Laws and of any special law as requires the advice and consent of the council to any appointment in the executive department, or to the fixing of any salary, or other compensation for services rendered, in the executive department, or to the removal of any person holding office in the executive department, including without limitation, any person appointed prior to the effective date of this act, is hereby repealed.

Any such appointment in the executive department by any officer other than the governor which heretofore required the advice and consent of the council shall instead require the approval of the governor.

At any time within fifteen days after the making of any such appointment which heretofore required the advice and consent of the council the governor may, without cause, remove the person so appointed.

SECTION 4. Subject to section two of this act and except as required by the constitution of the commonwealth, so much of each provision of the General Laws and of any special law as requires the advice and consent of the council with respect to any action or omission to act by the governor or by any officer, agency or instrumentality in the executive department, including without limitation, any deposit, borrowing, loan, investment, endorsement, validation, surety or bond, or any lease, license, purchase, acquisition, sale, conveyance, disposition or transfer, or any contract or other agreement, or any permit or license, or any rules or regulations, is hereby repealed.

SECTION 5. Notwithstanding anything in this act contained to the contrary, the governor shall at all times, in his sole discretion, be free to seek the advice and consent of the council upon any matter.

SECTION 6. The provisions of this act are severable. If any provision of this act shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect any other provisions of this act.

OFFICE OF THE SECRETARY, Boston, November 16, 1964.

I hereby certify that the foregoing law entitled "An Act Repealing Statutory Powers of the Governor's Council which Interfere with the Efficient Operation of the Executive Department of the Commonwealth" was approved by the People at the State Election held on November 3, 1964, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, as amended by Article LXXIV of said Amendments.

KEVIN H. WHITE,
Secretary of the Commonwealth.

ACTS AND RESOLVES

OF

MASSACHUSETTS

1965

☞The General Court, which was chosen November 3, 1964, assembled on Wednesday, the sixth day of January, 1965, for its first annual session.

The oaths of office were taken and subscribed by His Excellency JOHN A. VOLPE and His Honor ELLIOT L. RICHARDSON, on Thursday, the seventh day of January, in the presence of the two Houses assembled in convention.

ACTS.

Chap. 1. AN ACT PROVIDING LIFE TENURE FOR HENRY J. CARROLL, INCUMBENT OF THE OFFICE OF TOWN ACCOUNTANT OF THE TOWN OF SPENCER.

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

SECTION 1. The tenure of office of Henry J. Carroll, incumbent of the office of town accountant of the town of Spencer, 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 Spencer 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-five, entitled 'An Act providing life tenure for Henry J. Carroll, incumbent of the office of town accountant of the town of Spencer', 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 1, 1965.

Chap. 2. 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 Willette, incumbents of the position of chief 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 after hearing 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 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-five, 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 1, 1965.

Chap. 3. AN ACT PROVIDING LIFE TENURE FOR EDWARD F. BERRY, INCUMBENT OF THE OFFICE OF TAX COLLECTOR OF THE TOWN OF RANDOLPH.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Edward F. Berry, incumbent of the office of tax collector of the town of Randolph shall, upon the effective date of this act, be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

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

Approved February 1, 1965.

Chap. 4. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR ROBERT J. RAPPA, INCUMBENT OF THE OFFICE OF TOWN TREASURER OF THE TOWN OF FRANKLIN.

Be it enacted, etc., as follows:

SECTION 1. Robert J. Rappa, incumbent of the office of town treasurer of the town of Franklin, 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 Franklin 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-five, entitled 'An Act providing tenure of office until age seventy for Robert J. Rappa, incumbent of the office of town treasurer of the town of Franklin', 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 1, 1965.*

Chap. 5. AN ACT PROVIDING LIFE TENURE FOR VANCE R. BATES, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF HIGHWAYS OF THE TOWN OF LEICESTER.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Vance R. Bates, incumbent of the office of superintendent of highways of the town of Leicester, 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 Leicester 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-five, entitled 'An Act providing life tenure for Vance R. Bates, incumbent of the office of superintendent of highways of the town of Leicester', 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 1, 1965.*

Chap. 6. AN ACT PROVIDING LIFE TENURE FOR GEORGE C. BROOKS, INCUMBENT OF THE OFFICE OF HIGHWAY SURVEYOR OF THE TOWN OF GRAFTON.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of George C. Brooks, incumbent of the office of highway surveyor of the town of Grafton, 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 Grafton 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-five, entitled 'An Act providing life tenure for George C. Brooks, incumbent of the office of highway surveyor of the town of Grafton', 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 1, 1965.*

Chap. 7. AN ACT CONSOLIDATING THE OFFICES OF TOWN ENGINEER AND SUPERINTENDENT OF PUBLIC WORKS IN THE TOWN OF NORTH READING.

Be it enacted, etc., as follows:

SECTION 1. The office of town engineer in the town of North Reading is hereby abolished.

SECTION 2. Section 3 of chapter 9 of the acts of 1945 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — A majority of the members of the board shall appoint and fix the compensation of a superintendent of public works who shall have a degree in engineering and who shall exercise and perform, under its supervision and direction, such of the powers, rights and duties transferred to it under section two as it may from time to time designate, and the duties usually performed by a town engineer.

SECTION 3. This act shall take effect upon its acceptance by the town of North Reading. *Approved February 1, 1965.*

Chap. 8. AN ACT PLACING THE OFFICE OF CHIEF OF POLICE AND THE POSITIONS OF THE REGULAR OR PERMANENT MEMBERS OF THE POLICE FORCE OF THE TOWN OF OXFORD UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

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

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Oxford 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-five, entitled 'An Act placing the office of chief of police and the positions of the regular or permanent members of the police force of the town of Oxford under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved February 1, 1965.

Chap. 9. AN ACT REQUIRING THAT THE ANNUAL REPORT OF THE DIRECTOR OF CIVIL SERVICE BE MADE ON A FISCAL YEAR BASIS.

Be it enacted, etc., as follows:

Paragraph (*k*) of section 2A of chapter 31 of the General Laws, as appearing in section 2 of chapter 725 of the acts of 1945, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — On or before October first of each year, the director shall also make a report to the commission concerning the work of the division for the previous fiscal year, including his recommendations, if any, for the improvement of such work.

Approved February 3, 1965.

Chap. 10. AN ACT EXEMPTING CERTAIN RECORDS FROM THE LAW PROHIBITING DISCLOSURE OF INFORMATION ABOUT CERTAIN VITAL STATISTICS.

Be it enacted, etc., as follows:

Section 2A of chapter 46 of the General Laws, as most recently amended by section 1 of chapter 48 of the acts of 1960, is hereby further amended by adding the following sentence: — The provisions of this section shall not apply to such records, returns or notices recorded or filed prior to January first, eighteen hundred and forty-one or to such copies thereof.

Approved February 3, 1965.

Chap. 11. AN ACT RELATIVE TO THE SOLEMNIZATION OF MARRIAGES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 207 of the General Laws is hereby amended by striking out section 38, as most recently amended by chapter 249 of the acts of 1949, and inserting in place thereof the following section: — *Section 38.* A marriage may be solemnized in any place within the commonwealth by a minister of the gospel who resides in the commonwealth or who if a non-resident is the pastor of a church or denomination duly established in the commonwealth and who is recognized by his church or denomination as duly ordained and in good and regular standing as a minister of such church or denomination, including ordained deacons in The Methodist Church; by a rabbi of the Israelitish faith, duly licensed by a congregation of said faith established in the commonwealth, who has filed with the clerk or registrar of the city or town where such congregation is established, a certificate of the establishment of the synagogue therein, the date of his appointment thereto and of the term of his engagement; by a justice of the peace if he is also clerk or assistant clerk of a city or town, or a registrar or assistant registrar, in the city or town where he holds such office, or, if he is also clerk or assistant clerk of a court, in the city or town where the court is authorized to be held, or, if he has been designated as provided in the following section and has received a certificate of designation and has qualified thereunder, in the city or town where he resides; and it may be solemnized in a regular or special meeting for worship conducted by or under the oversight of a Friends or Quaker Monthly Meeting, according to the usage of their Society; and it may be solemnized and witnessed by a local spiritual assembly of the Baha'is according to the usage of their society; and it may be solemnized by the leader of an Ethical Culture Society duly established in the commonwealth and who resides in the commonwealth or who, if a non-resident, is recognized by the American Ethical Union or by an Ethical Culture Society affiliated with the American Ethical Union as duly appointed and in good and regular standing as an Ethical Culture Leader; and it may be solemnized according to the usage of any other church or religious organization which shall have complied with the provisions of the second paragraph of this section.

Churches and other religious organizations shall file in the office of the state secretary information relating to persons recognized or licensed as aforesaid, and relating to the usages of such organizations, in such form and at such times as the secretary may require.

SECTION 2. Section 40 of said chapter 207, as amended by section 3 of chapter 197 of the acts of 1946, is hereby further amended by inserting after the word "Baha'is", in line 3, the words: — , leader of an Ethical Culture Society, — by inserting after the word "Baha'is", in line 20, the words: — or of said leader of an Ethical Culture Society, — and by striking out, in lines 25 and 26, the words "or 'chairman of an incorporated local spiritual assembly'" and inserting in place thereof the words: — "chairman of an incorporated local spiritual assembly"; or "leader of an Ethical Culture Society".

SECTION 3. Said chapter 207 is hereby further amended by striking out section 42, as most recently amended by section 4 of said chapter 197, and inserting in place thereof the following section: — *Section 42.* A

marriage solemnized by a person professing to be a justice of the peace having authority to solemnize marriages, a minister of the gospel or a rabbi, the leader of an Ethical Culture Society, the chairman of an incorporated local spiritual assembly of the Baha'is or by a Friends or Quaker Monthly Meeting, shall not be void, nor shall the validity thereof be in any way affected by want of authority in such person or society, or by an omission or by informality in the manner of filing the notice of intention, if the marriage is in other respects lawful and is consummated with a full belief of either of the persons so married that they have been lawfully married. *Approved February 3, 1965.*

Chap. 12. AN ACT RELATIVE TO THE RECORDING OF CERTAIN BIRTHS, MARRIAGES AND DEATHS.

Be it enacted, etc., as follows:

SECTION 1. Section 1B of chapter 46 of the General Laws, inserted by chapter 72 of the acts of 1952, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

If such certificate, written evidence or photostatic copy is not, in the opinion of the town clerk, sufficient to establish such birth, and he refuses to file the same, a judge of probate in the county wherein such town lies may, on petition and after a hearing at which the clerk shall have an opportunity to be heard, order him to receive such certificate, written evidence or photostatic copy as sufficient evidence to establish such birth, whereupon such clerk shall file the same.

SECTION 2. Section 1C of said chapter 46, as so inserted, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

If such certificate, written evidence or photostatic copy is not, in the opinion of the town clerk, sufficient to establish such death, and he refuses to file the same, a judge of probate in the county wherein such town lies may, on petition and after a hearing at which the clerk shall have an opportunity to be heard, order him to receive such certificate, written evidence or photostatic copy as sufficient evidence to establish such death, whereupon such clerk shall file the same.

SECTION 3. Said chapter 46 is hereby amended by striking out section 13A, inserted by chapter 542 of the acts of 1945, and inserting in place thereof the following section: — *Section 13A.* A person who is unable to furnish an affidavit for the establishment of his birth record under section thirteen may petition the city or town clerk of the city or town where it is claimed the birth occurred for the recording of such birth. If the evidence submitted by the petitioner is satisfactory to the city or town clerk as a basis for establishing such record, he shall accept the same and record the birth. If, however, in the opinion of the clerk such evidence is not satisfactory, the clerk shall refuse in writing to record the birth. The petitioner may then present a petition, together with such written refusal and his evidence to establish the validity of such record, to a judge of the probate court of the county in which such city or town is located. Written notice shall be given to the clerk of the time and place of the hearing on such petition. After such hearing, if it is the opinion of the court that said birth should be

recorded, it shall be so ordered. Upon receipt of such order from said judge, the clerk shall establish the record.

SECTION 4. Section 36 of chapter 207 of the General Laws, as amended by section 1 of chapter 273 of the acts of 1946, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

If such certificate, declaration, written evidence, photostatic copy or attested copy is not, in the opinion of the clerk or registrar, sufficient to establish such marriage, and he refuses to file the same, a judge of probate in the county wherein such town lies may, on petition and after a hearing, at which the clerk shall have an opportunity to be heard, order him to receive such certificate, declaration, written evidence, photostatic copy or attested copy as sufficient evidence to establish such marriage, whereupon such clerk or registrar shall file the same.

Approved February 3, 1965.

Chap. 13. AN ACT PROVIDING LIFE TENURE FOR WILLIAM R. KERWIN, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF GEORGETOWN.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of William R. Kerwin, incumbent of the office of chief of police of the town of Georgetown, 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 Georgetown 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-five, entitled 'An Act providing life tenure for William R. Kerwin, incumbent of the office of chief of police of the town of Georgetown', 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, 1965.*

Chap. 14. AN ACT PLACING THE POSITIONS OF CUSTODIAN AND SUPERVISORS OF CUSTODIANS, AND THE POSITIONS IN THE CLASSIFIED LABOR SERVICE IN THE PUBLIC SCHOOLS OF THE TOWN OF READING UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The positions of custodian and supervisors of custodians, and the positions in the classified labor service of the civil service classification in the public schools of the town of Reading shall, upon the effective date of this act, be subject to the civil service laws and rules, and the tenure of office of any incumbent thereof shall be unlimited,

subject, however, to said laws. The incumbent on said effective date of each such position in the classified official service of the civil service classification shall be subjected to a qualifying examination for such position by the division of civil service, and, if he passes said examination, shall be certified for said position and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Reading at the 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-five, entitled 'An Act placing the positions of custodian and supervisors of custodians, and the positions in the classified labor service in the public schools of the town of Reading under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved February 4, 1965.*

Chap. 15. AN ACT PROVIDING FOR THE RE-ESTABLISHMENT OF THE ELIGIBLE LIST FOR SCHOOL NURSE, NORWOOD SCHOOL DEPARTMENT, TO CORRECT AN INEQUITY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section twelve of chapter thirty-one of the General Laws, the eligible civil service list for School Nurse, Norwood school department, established on May sixteenth, nineteen hundred and sixty-two is hereby re-established for the purpose of certification from said list on a requisition dated May first, nineteen hundred and sixty-four from said school department for one permanent full-time female school nurse, which requisition was received in the division of civil service prior to the expiration of said eligible list.

Approved February 9, 1965.

Chap. 16. AN ACT PROVIDING THAT A REPRESENTATIVE OF OLD STURBRIDGE INC. BE A MEMBER OF THE ADVISORY COMMITTEE ON VACATION TRAVEL ESTABLISHED TO ASSIST THE DEPARTMENT OF COMMERCE AND DEVELOPMENT.

Be it enacted, etc., as follows:

Section 6 of chapter 23A of the General Laws, as appearing in section 1 of chapter 636 of the acts of 1964, is hereby amended by striking out, in lines 7 and 8, the words "fourteen members including the chief executive officers of the nine" and inserting in place thereof the words: — fifteen members including the chief executive officers of the ten, — and by inserting after the words "Commerce, Inc.", in line 14, the words: — , Old Sturbridge Inc. *Approved February 9, 1965.*

Chap. 17. AN ACT RELATIVE TO THE SERVICE OF PROCESS UNDER THE UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 273A of the General Laws, as most recently amended by section 1 of chapter 239 of the acts of 1958, is hereby further amended by adding the following sentence: — Any officer authorized under the laws of the commonwealth to serve criminal process may serve any process under this chapter.

SECTION 2. Section 9 of said chapter 273A is hereby amended by striking out the third sentence, inserted by chapter 74 of the acts of 1957.

Approved February 9, 1965.

Chap. 18. 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-FOUR.

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-four may be made not later than October first, nineteen hundred and sixty-five, notwithstanding any provision of law to the contrary.

Approved February 9, 1965.

Chap. 19. AN ACT PROVIDING LIFE TENURE FOR JAMES J. MORAN, INCUMBENT OF THE OFFICE OF HIGHWAY SURVEYOR OF THE TOWN OF MONSON.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of James J. Moran, incumbent of the office of highway surveyor of the town of Monson 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 Monson at its annual town meeting to be held in the year nineteen hundred and sixty-six 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-five, entitled 'An Act providing life tenure for James J. Moran, incumbent of the office of highway surveyor of the town of Monson', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved February 9, 1965.

Chap. 20. AN ACT ELIMINATING FILING FEES IN PROCEEDINGS UNDER THE UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT.

Be it enacted, etc., as follows:

SECTION 1. Section 15 of chapter 273A of the General Laws is hereby amended by striking out the first and second paragraphs, as amended by section 1 of chapter 110 of the acts of 1957, and inserting in place thereof the following two paragraphs: — Except as provided by section fifteen A, when the commonwealth is the initiating state, the petitioner shall pay no entry fee but shall pay such sum as may be required under the laws of the responding state, such sum being payable after entry of the petition upon verification of the amount in accordance with the rules of court.

Except as provided by section fifteen A, when the commonwealth is the responding state, the petitioner shall in the first instance pay to the clerk the sum of two dollars for the service of process upon the responding obligor. The court may, after hearing, order the respondent to reimburse the petitioner for costs or disbursements incurred under this chapter.

SECTION 2. Said chapter 273A is hereby further amended by striking out section 15A, inserted by section 2 of said chapter 110, and inserting in place thereof the following section: — *Section 15A.* When the commonwealth is the responding state, the petitioner shall be excused from the payment of the sum for the service of process, except, however, that the petitioner shall not be so excused if the laws of the initiating state do not provide substantially similar process available to a petitioner of this commonwealth; provided, there is received from said petitioner an affidavit which states (*a*) that the application is made in good faith and (*b*) that he is unable to pay said sum and that this inability is due to the fact that his assets do not exceed the value of one hundred dollars apart from clothes, household goods and tools of trade.

Approved February 9, 1965.

Chap. 21. AN ACT REPEALING THE LAW PLACING THE OFFICE OF BUILDING INSPECTOR OF THE TOWN OF CANTON UNDER THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and forty-six of the acts of nineteen hundred and sixty-two is hereby repealed.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Canton 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-five, entitled 'An Act repealing the law placing the office of building inspector of the town of Canton under the civil service laws and rules', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise. *Approved February 9, 1965.*

Chap. 22. AN ACT PROVIDING THAT THE AVERAGE WEEKLY HOURS OF DUTY OF PERMANENT MEMBERS OF THE FIRE DEPARTMENT OF THE TOWN OF MILFORD SHALL NOT EXCEED FIFTY AND FOUR-TENTHS.

Be it enacted, etc., as follows:

SECTION 1. The hours of duty of the permanent members of the uniformed fire fighting force in the town of Milford shall be so established by the chief of the fire department that the average weekly hours of duty in any year, other than hours during which such members may be summoned and kept on duty because of conflagrations, shall not exceed fifty and four-tenths. Sections fifty-six, fifty-seven, fifty-eight A, and fifty-nine of chapter forty-eight of the General Laws shall not apply to the permanent members of the uniformed fire fighting force of said town.

SECTION 2. This act shall be submitted for acceptance by the voters of the town of Milford at its annual town meeting in the current year in the form of the following question, which shall be placed on the official ballot to be used at said meeting: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-five, entitled 'An Act providing that the average weekly hours of duty of permanent members of the fire department of the town of Milford shall not exceed fifty and four-tenths', be accepted?"

If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved February 9, 1965.

Chap. 23. AN ACT RELATIVE TO THE JURISDICTION OF THE ART COMMISSION OVER WORKS OF ART LOCATED IN SPACE IN THE STATE HOUSE ASSIGNED TO THE GENERAL COURT.

Be it enacted, etc., as follows:

Section 20 of chapter 6 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph: —

Said commission shall have the custody and care of all historical relics in the state house, and of all works of art, as herein defined, erected or maintained therein including portraits or other memorials procured under the provisions of section nineteen or nineteen A of chapter eight; provided, however, that said commission shall not place in or remove from any space in the state house assigned to the general court any such historical relic or work of art without the approval of the committees on rules of the two branches, acting concurrently.

Approved February 13, 1965.

Chap. 24. AN ACT PLACING THE POSITIONS, WITH THE EXCEPTION OF THE PURCHASING AGENT, IN THE PURCHASING DEPARTMENT OF THE CITY OF NEW BEDFORD UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The positions, with the exception of the purchasing agent, in the purchasing department of the city of New Bedford, shall, upon the

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

SECTION 2. This act shall take effect upon its acceptance by the city of New Bedford. *Approved February 15, 1965.*

Chap. 25. AN ACT AUTHORIZING THE COMMISSIONER OF LABOR AND INDUSTRIES TO SUSPEND THE OPERATION OF CERTAIN LABOR LAWS.

Be it enacted, etc., as follows:

The commissioner of labor and industries is hereby authorized, in conformity with Article XX of Part the First of the Constitution of the Commonwealth, to suspend until July first, nineteen hundred and sixty-seven, the application or operation of any provision of chapter one hundred and forty-nine of the General Laws or of any rule or regulation made thereunder, regulating, limiting or prohibiting the employment of women, or of minors over the age of sixteen, or both. The commissioner shall exercise this authority when he finds, after opportunity has been given to interested parties to be heard, that an emergency exists or that conditions of hardship in an industry, branch of an industry, or individual establishment require or justify the suspension of any provision of such laws, rules or regulations. Suspensions issued by the commissioner shall prescribe, and may be either granted or limited to, one or more particular departments, operations or occupations within an establishment, or a particular industry or branch of an industry. The commissioner shall appoint industry advisory committees, on which employers and employees shall be equally represented, to consult and advise with him in matters relating to the suspensions authorized by this act. *Approved February 15, 1965.*

Chap. 26. AN ACT PERMITTING MARGARET JOYCE TO APPEAL TO THE CONTRIBUTORY RETIREMENT APPEAL BOARD A DECISION OF THE CITY OF QUINCY RETIREMENT BOARD AFTER THE EXPIRATION OF THE TIME REQUIRED FOR SUCH AN APPEAL.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, Margaret Joyce, a former employee of the library department in the city of Quincy, is hereby authorized to file with the contributory retirement appeal board an appeal from a decision of the retirement board of said city notwithstanding her failure to file such appeal within the time allowed. In the event such appeal is so filed by said Margaret Joyce the contributory retirement appeal board is hereby authorized and directed to hear and pass upon her appeal as if it had been filed within the required time for such appeals. *Approved February 15, 1965.*

Chap. 27. AN ACT INCREASING THE PENALTY FOR THE SALE OR DELIVERY OF HARMFUL DRUGS WITHOUT PRESCRIPTION.

Be it enacted, etc., as follows:

The ninth paragraph of section 187A of chapter 94 of the General Laws, as appearing in section 3 of chapter 577 of the acts of 1954, is hereby amended by inserting after the word "thousand", in line 4, the words: — five hundred. *Approved February 15, 1965.*

Chap. 28. AN ACT EXTENDING THE TIME WITHIN WHICH CERTAIN ELDERLY PERSONS MAY APPLY FOR AN EXEMPTION OR ABATEMENT OF REAL ESTATE TAXES.

Be it enacted, etc., as follows:

Chapter 808 of the acts of 1963 is hereby amended by adding at the end the following section: —

Section 3. Applications for abatement or exemption, as provided in section one, of taxes assessed in the year nineteen hundred and sixty-four may be made not later than October first, nineteen hundred and sixty-five, notwithstanding any provision of law to the contrary.

Approved February 15, 1965.

Chap. 29. AN ACT PROHIBITING THE SALE OF STINK BOMBS.

Be it enacted, etc., as follows:

Chapter 269 of the General Laws is hereby amended by adding the following section: —

Section 15. Whoever sells or offers for sale a stink bomb shall be punished by a fine of not less than ten nor more than two hundred dollars. As used in this section the words "stink bomb" shall mean a small bomb that gives off a foul odor on bursting or any compound or device prepared for the primary purpose of generating a foul odor and sold or offered for sale for such purpose. *Approved February 15, 1965.*

Chap. 30. AN ACT RELATIVE TO THE METHOD OF REVOCATION BY TOWNS OF THEIR ACCEPTANCE OF THE LAW PROVIDING FOR THE ESTABLISHMENT OF A DEPARTMENT OF PUBLIC WORKS EXERCISING THE POWERS OF CERTAIN OTHER DEPARTMENTS AND TOWN OFFICERS IN SUCH TOWNS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 69F, inserted by section 1 of chapter 101 of the acts of 1953, and inserting in place thereof the following section: — *Section 69F.* Any town which has accepted the provisions of sections sixty-nine C to sixty-nine F, inclusive, may, after the expiration of three years from the date of such acceptance, upon petition of ten per cent of the qualified voters of the town filed with the selectmen at least sixty days before an annual town meeting, vote at an annual meeting to revoke such acceptance, and the question of such revocation shall be submitted to the voters in the form of the following question: — "Shall the acceptance by the

town of sections sixty-nine C to sixty-nine F, inclusive, of chapter forty-one of the General Laws providing for the establishment of a board of public works exercising the powers of certain other departments and town officers be revoked?" If a majority of the votes cast in answer to said question is in the affirmative, then at the next annual town election held after said vote to revoke, the town shall elect such officers as are necessary to exercise and perform the powers, rights and duties transferred to the board of public works by said sections. Such action shall not affect any contract or liability then created or existing. All general laws respecting town administration and town officers, and any special laws relative to said town, the operation of which has been suspended or superseded by the acceptance of said sections sixty-nine C to sixty-nine F, inclusive, shall then be in full force and effect. Any by-law inconsistent with such special or general laws shall be revoked thereby. Any subsequent vote to revoke the acceptance of said sections shall not be taken more often than once in three years.

Approved February 15, 1965.

Chap. 31. AN ACT EXEMPTING CERTAIN OFFICES AND POSITIONS FROM THE APPLICATION OF THE CIVIL SERVICE RULES.

Be it enacted, etc., as follows:

Chapter 31 of the General Laws is hereby amended by striking out section 5, as most recently amended by chapter 526 of the acts of 1964, and inserting in place thereof the following section: — *Section 5.* No rule made by the commission shall apply to the selection or appointment of any of the following: — Judicial officers; officers elected by the people or, except as otherwise expressly provided in this chapter, by a city council; officers whose appointment is subject to approval or confirmation by the governor or the executive council, or by both; officers whose appointment is subject to confirmation by the city council of any city, except those expressly made subject to this chapter by section forty-seven C; officers elected by either branch of the general court and the appointees of such officers; heads of principal departments of the commonwealth or of a city or town except as otherwise provided by section four or as otherwise required by section forty-seven C; directors of divisions authorized by law in the departments of the commonwealth, except those expressly made subject to this chapter; employees of the state treasurer appointed under section five of chapter ten, employees of the commissioner of banks, and of the treasurer and collector of taxes of any city or town; two employees of the city clerk of any city or two employees of the town clerk of any town; public school teachers; secretaries and confidential stenographers of the governor, or of the mayor of any city or selectmen of any town; clerical employees in the registries of probate of all the counties; police and fire commissioners and chief marshals or chiefs of police and of fire departments, except as provided in section forty-eight; the lifeguard staff in the division of public beaches in the department of public works; male school traffic supervisors, or male employees not members of the regular police force who are doing only intermittent work protecting school children going to and from schools; and such others as are by law exempt from the operation of this chapter. *Approved February 15, 1965.*

Chap. 32. AN ACT REQUIRING THAT CERTAIN INFORMATION BE SUBMITTED BY APPOINTING AUTHORITIES TO INSURE COMPLIANCE WITH THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

The first paragraph of section 31 of chapter 31 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 319 of the acts of 1959, and inserting in place thereof the following sentence: — Said report shall be in the form prescribed by the commission or the director, shall be made on oath, and shall contain the following information: first, the full name of person appointed or employed or rendering bill for services or labor; second, title of the office or position authorized by the division of civil service wherever applicable, otherwise title authorized by the appointing authority; third, his salary, wages or other compensation; and fourth, dates of employment; provided, that such appointing or employing officer or board shall not be required to file in any month more than one such report with the commission or the director and one with the auditor or auditing officer. *Approved February 15, 1965.*

Chap. 33. AN ACT CLARIFYING THE COMPUTATION OF CERTAIN TIME LIMITATIONS CONTAINED IN THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*e*) of section 43 of chapter 31 of the General Laws is hereby amended by striking out the eighth sentence, as appearing in section 2 of chapter 569 of the acts of 1959.

SECTION 2. Paragraph (*g*) of said section 43, as amended by section 3 of said chapter 569 of the acts of 1959, is hereby further amended by striking out the seventh sentence.

SECTION 3. Said section 43 of said chapter 31 is hereby further amended by inserting after paragraph (*h*) the following paragraph: —

(*i*) In the computation of any period of time limited by this section, Saturdays, Sundays and holidays shall be excluded.

Approved February 15, 1965.

Chap. 34. AN ACT CLARIFYING THE LICENSING OF CORRESPONDENCE SCHOOL SALESMEN.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 75C of the General Laws, as appearing in section 1 of chapter 652 of the acts of 1963, is hereby amended by inserting after the word "not", in line 4, the words: — , unless the contrary is indicated by the context, .

SECTION 2. Section 3 of said chapter 75C, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — No representative of any correspondence school, which is located within or without the commonwealth, who, in person, solicits enrollments or sells courses therein in the commonwealth, shall make representations or give counsel concerning the educational content or quality of or the benefits to be derived from correspondence courses in such school unless licensed by the

commissioner and bonded in compliance with the provisions of section four.

SECTION 3. Section 9 of said chapter 75C, as so appearing, is hereby amended by striking out, in line 3, the word "licensed".

Approved February 15, 1965.

Chap. 35. AN ACT DEFINING THE WORD "AMBULANCE" UNDER THE MOTOR VEHICLE LAWS.

Be it enacted, etc., as follows:

Section 1 of chapter 90 of the General Laws is hereby amended by inserting before the definition of "Application" the following definition:— "Ambulance", a motor vehicle equipped and used exclusively for the transportation of sick, injured or wounded persons.

Approved February 15, 1965.

Chap. 36. AN ACT EXTENDING THE DESIGNATION OF A CERTAIN PORTION OF ROUTE 25 AS MASSACHUSETTS STATE GUARD VETERANS' HIGHWAY TO INCLUDE AN ADDITIONAL PORTION OF SAID ROUTE IN THE TOWNS OF MIDDLEBOROUGH AND RAYNHAM.

Be it enacted, etc., as follows:

Chapter 270 of the acts of 1961 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— That portion of state highway route 25 extending from AMVETS Memorial Highway in the town of Raynham for a distance of approximately twelve miles to a point just south of the circle at Main and Wareham streets in the town of Middleborough shall be designated and known as the Massachusetts State Guard Veterans' Highway.

Approved February 15, 1965.

Chap. 37. AN ACT RELATING TO THE REGISTRATION OF NOTICES OF LEASES.

Be it enacted, etc., as follows:

Chapter 185 of the General Laws is hereby amended by striking out section 71, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 71.* Leases, or notices of leases as defined in section four of chapter one hundred and eighty-three, of registered land for a term of seven years or more shall be registered in lieu of recording.

Approved February 16, 1965.

Chap. 38. AN ACT DESIGNATING A CERTAIN BRIDGE OVER THE MASSACHUSETTS TURNPIKE AT BOYLSTON STREET IN THE BACK BAY SECTION OF THE CITY OF BOSTON AS THE PATROLMAN JAMES B. O'LEARY BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The bridge over the Massachusetts Turnpike at Boylston street in the Back Bay section of the city of Boston shall be designated and known as the Patrolman James B. O'Leary bridge, in memory

of Patrolman James B. O'Leary, who was killed in the performance of his duty as a police officer of the city of Boston. A suitable marker bearing said designation shall be attached thereto by the city of Boston.

SECTION 2. This act shall take effect upon its acceptance by the Massachusetts Turnpike Authority. *Approved February 16, 1965.*

Chap. 39. AN ACT VALIDATING AND CONFIRMING THE ACTION OF THE VOTERS OF THE TOWN OF WELLFLEET IN VOTING TO HAVE ITS SELECTMEN SERVE AS PARK COMMISSIONERS.

Be it enacted, etc., as follows:

The action of the voters of the town of Wellfleet taken at the annual town meeting held in said town on February twenty-fifth, nineteen hundred and sixty-four, on the following question which appeared on the official ballot used at said meeting: — "Shall the town vote to have its selectmen act as park commissioners?", is hereby validated and confirmed, notwithstanding the fact that said question was not placed on the ballot in the manner provided by section twenty-one of chapter forty-one of the General Laws. *Approved February 16, 1965.*

Chap. 40. AN ACT REPEALING THE LAW RESTRICTING THE INCOME OF GIFTS, GRANTS, BEQUESTS AND DEVISES TO ANY ONE CHURCH.

Be it enacted, etc., as follows:

Section nine of chapter sixty-eight of the General Laws is hereby repealed. *Approved February 16, 1965.*

Chap. 41. AN ACT REQUIRING DISCLOSURE OF THE NAMES OF PERSONS OWNING CERTAIN STOCK IN TRUST COMPANIES.

Be it enacted, etc., as follows:

Section 23 of chapter 172 of the General Laws, as appearing in section 1 of chapter 493 of the acts of 1961, is hereby amended by inserting after the first sentence the following sentence: — Any agent or broker holding ten per cent or more of such stock for the benefit of one or more persons shall, upon written request of the commissioner, report to him the names of such persons. *Approved February 16, 1965.*

Chap. 42. AN ACT LIMITING THE TOTAL LIABILITIES OF CERTAIN PARTNERSHIPS, ASSOCIATIONS OR CORPORATIONS TO A SAVINGS BANK.

Be it enacted, etc., as follows:

Section 41 of chapter 168 of the General Laws is hereby amended by striking out paragraph 2, as appearing in section 1 of chapter 432 of the acts of 1955, and inserting in place thereof the following paragraph: —

2. *Liabilities of One Person.* — The total liabilities to any savings bank of a person, partnership, association or corporation and the total liabilities of more than one partnership, association or corporation, the

majority interest of which are owned or controlled directly or indirectly by the same person or persons, partnerships, associations or corporations, for money borrowed thereby under sections thirty-eight and thirty-nine, including in the liabilities of a partnership or company not incorporated the liabilities of the several members thereof, shall not at any one time exceed two per cent of the deposits of such bank. In computing such total liabilities there shall be included the direct liability of the borrower and his liability as endorser, guarantor or surety on the obligations of others held by the bank. *Approved February 16, 1965.*

Chap. 43. AN ACT REPEALING THE LAW AUTHORIZING THE GRANTING OF HIGH SCHOOL DIPLOMAS TO CERTAIN STUDENTS ENTERING THE ARMED SERVICES OF THE UNITED STATES.

Be it enacted, etc., as follows:

Section thirty-four C of chapter seventy-one of the General Laws is hereby repealed. *Approved February 16, 1965.*

Chap. 44. AN ACT RELATIVE TO THE CARRYING OF FIREARMS IN A VEHICLE.

Be it enacted, etc., as follows:

Section 131C of chapter 140 of the General Laws, as amended by section 18 of chapter 688 of the acts of 1957, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — No person carrying a firearm or firearms under a license issued under section one hundred and thirty-one, or one hundred and thirty-one F shall carry the same in a vehicle unless such firearm or firearms while so carried therein is under the direct control of such person, and whoever violates the foregoing shall be punished by a fine of not more than one hundred dollars. *Approved February 16, 1965.*

Chap. 45. AN ACT PROVIDING LIFE TENURE FOR MANUEL J. SILVIA, INCUMBENT OF THE OFFICE OF TOWN ACCOUNTANT OF THE TOWN OF WAREHAM.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Manuel J. Silvia, incumbent of the office of town accountant of the town of Wareham, shall, upon the effective date of this act, be unlimited. Said incumbent shall not be removed from office or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted to the voters of the town of Wareham 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-five, entitled 'An Act providing life tenure for Manuel J. Silvia, incumbent of the office of town accountant of the town of Wareham', 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 16, 1965.

Chap. 46. AN ACT RELATIVE TO THE QUALIFICATIONS OF APPLICANTS FOR EXAMINATION AND REGISTRATION AS VETERINARIANS.

Be it enacted, etc., as follows:

Section 55 of chapter 112 of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 4 of chapter 533 of the acts of 1958, and inserting in place thereof the following two paragraphs: —

Applications for registration as veterinarians, signed and sworn to by the applicant, shall be made upon blanks furnished by the board. Each applicant who shall furnish the board with satisfactory proof that he is twenty-one years of age or over, of good moral character, that he possesses the educational qualifications required for graduation from a public high school, that he has completed one year of collegiate work, including chemistry and biology, in a college or university approved by a body consisting of the secretary of the board and the director of the division of livestock disease control of the department of agriculture, in this section referred to as the approving authority, that he has attended courses of instruction for four years of not less than thirty-two school weeks in each year, or courses which in the opinion of the board are equivalent thereto, in one or more legally chartered schools of veterinary medicine, and that he has received the degree of doctor of veterinary medicine or its equivalent from a legally chartered school of veterinary medicine having the power to confer degrees in veterinary medicine and approved by the approving authority, shall, upon payment of twenty-five dollars, be examined, and, if found qualified by the board, shall be registered as a veterinarian and shall receive a certificate thereof, signed by the chairman and secretary. In the case of an applicant who has received from a school teaching veterinary medicine legally chartered in a sovereign state other than the United States or Canada the degree of doctor of veterinary medicine or bachelor of veterinary medicine or its equivalent, his qualifications shall be reviewed by a committee of three members consisting of the chief veterinary officer of the division of livestock disease control, the head of the department of veterinary and animal sciences in the University of Massachusetts or his designee, and the commissioner of education or his designee; and this committee shall certify to the board when, in their opinion, the qualifications of such applicant are equivalent to those required of applicants who have graduated from approved veterinary schools of the United States or Canada; and in the case of an applicant so certified the board may, upon payment of twenty-five dollars by said applicant, then admit him to examination for licensure. An applicant aggrieved by the refusal of the approving authority to approve a school of veterinary medicine under this section shall be entitled to have the reasonableness of such refusal reviewed by a justice of the superior court, whose decision shall be final. An applicant, failing to pass an examination satisfactory to the board, may be re-examined upon payment of twenty-five dollars for each appearance, at such time and place as the board shall determine. The board shall refuse to grant a license to any person who shall have been convicted of a felony, or who shall be addicted to any vice to such a degree as to render him unfit to practice veterinary medicine, surgery or dentistry, and after due notice and hearing, may revoke any certificate issued by it and cancel the registration of any veterinarian convicted of a

crime in the practice of his profession, and may, at any time after the expiration of one year thereafter, reissue any certificate so revoked, and register anew any veterinarian whose registration was so cancelled.

The board shall examine an applicant who is an alien only if he presents to it a certificate from the court in which he shall have filed his declaration of intention to become a citizen of the United States, or from the Immigration and Naturalization Service of the United States, showing that he has declared his intention to become such a citizen, or a copy of such declaration of intention, certified by the clerk of such court. In case the applicant is subsequently registered, unless he shall present to the board, within five years following the filing of the certificate or certified copy hereinbefore referred to, his completed naturalization papers showing that he is a citizen of the United States his certificate of registration shall be revoked and his registration cancelled.

Approved February 17, 1965.

Chap. 47. AN ACT AUTHORIZING THE TOWN OF WINTHROP TO REVOKE ITS ACCEPTANCE OF THE LAW RELATING TO TENEMENT HOUSES IN TOWNS.

Be it enacted, etc., as follows:

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

SECTION 2. This act shall take effect six months after its acceptance by the town of Winthrop. *Approved February 19, 1965.*

Chap. 48. AN ACT ESTABLISHING AN HISTORIC DISTRICT COMMISSION FOR THE TOWN OF CHATHAM, DEFINING ITS POWERS AND DUTIES, AND ESTABLISHING HISTORIC DISTRICTS THEREIN AND PROVIDING FOR THEIR PROTECTION.

Be it enacted, etc., as follows:

SECTION 1. *Purpose.* — The purpose of this act is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of buildings, places and districts of historic or architectural significance through the development and maintenance of appropriate settings for said buildings, places and districts, through the maintenance of said buildings, places and districts as sites and landmarks compatible with the architectural or historic tradition of the town of Chatham, and through the benefits resulting to the economy of said town in developing and maintaining its rural-seashore residential character through the preservation of these historic and architectural associations.

SECTION 2. *Establishment of Districts.* — There are hereby established in the town of Chatham four historic districts bounded and described as follows: —

A. *North Chatham District.* Beginning at a point on the center line of Scatteree Road, at its northern end on Pleasant Bay; thence following

the shore of Pleasant Bay and Chatham Harbor southeasterly, then southwesterly, then southerly approximately 5750 feet to the southeasterly bound of the land of Zaidee R. Morgan; thence westerly following the southerly boundary line of said Morgan land about 560 feet to the land of Eleanor Gay; thence southwesterly by the southeasterly boundary line of said Gay land approximately 170 feet to the land of Marinus C. and Sylvia Galanti; thence following the southeasterly boundary line of said Galanti land approximately 160 feet to the center line of Shore Road; thence northwesterly by the center line of Shore Road and crossing the intersection of Shore Road, Old Harbor Road and Orleans Road and continuing northwesterly along the center line of Orleans Road to a point 200 feet northwesterly of Old Harbor Road; thence northeasterly, 200 feet northwesterly from and parallel to the center line of Old Harbor Road to the center line of Hillcrest Road; then northwesterly following the center line of Hillcrest Road to a point 260 feet northwesterly from Old Harbor Road; thence northeasterly and then northerly, 260 feet westerly from and parallel to the center line of Old Harbor Road, approximately 2100 feet to the northerly boundary line of the property of Graeme G. and Anna Whytlaw; thence northeasterly following the northerly boundary line of said Whytlaw land to the center line of Old Harbor Road; thence northerly following the center line of Old Harbor Road to the intersection with Scatteree Road; thence easterly and northeasterly and easterly again following the center line of Scatteree Road to the intersection with Salt Pond Road; thence northerly by the center line of Scatteree Road to the point of beginning.

B. *Training Field District.* Beginning at a point at the center line of Old Queen Anne Road at the intersection with Training Field Road; thence westerly along the center line of Old Queen Anne Road to the intersection with Old Comers Road; thence northeasterly along the center line of Old Comers Road to the intersection with Training Field Road; thence southerly along the center line of Training Field Road to the point of beginning.

C. *Old Harbor Station — North Beach.* The land of Howard J. Rose; about 23.3 acres on North Beach, lying between the Atlantic Ocean and Pleasant Bay, shown as Parcel 11 on Plan "A" of properties at North Beach, Chatham, Massachusetts, dated December, 1957 and recorded with Barnstable County Deeds, Plan Book 144, page 125.

D. *"Old Village" District.* Beginning at the center line of Main Street, 200′ north of the intersection of Holway Street; thence easterly to Chatham Harbor parallel to and 200′ northerly from the center line of Holway Street; thence southerly approximately 2,460′ by the shores of Chatham Harbor to the southeasterly bound of the land of the Town of Chatham (lying easterly of the Chatham Light House); thence westerly approximately 420′ following the southerly bound of said land of the Town of Chatham and the northerly line of the adjoining land of Chatham Beach Club, Inc., LC Plan 11974-A; thence following the center line of Main Street southerly to Bridge Street and following the center line of Bridge Street westerly to a point opposite the westerly boundary line of the land of Everett Yeaw, et al approximately 590′; thence northerly following the westerly boundary line of said Yeaw land approximately 500′ to Ivy Lane so-called, thence following the easterly side line of Ivy Lane so-called approximately 520′ to the center line of

Water Street; thence westerly by the center line of Water Street 170′ to a point; thence northerly by a line 170′ westerly from and parallel to the center line of School Street approximately 640′ to a point 150′ southerly from the center line of Sunset Lane; thence westerly by a line 150′ southerly from and parallel to the center line of Sunset Lane about 200′ to the southeasterly corner of the land of Oscar M. Shaw et ux, L. C. Plan 15134–B; thence northerly and northeasterly by the easterly boundary line of said Shaw land to Sunset Lane; thence westerly and northerly by said Shaw land around the westerly end of Sunset Lane; thence westerly and northerly by said Shaw land to its northeasterly bound; thence northerly to the northwest corner of the land of the late Henry J. Erath about 20 feet; thence easterly about 130 feet by the northerly boundary line of said Erath land to the northeast corner thereof; thence by a straight line northeasterly to the northeast corner of the land of Victor Chase, et ux, shown as lot #1 on a subdivision plan of part of LC Plan 15134–A and Petitioners Plan 19653–A; thence northerly by a line 160′ westerly from and parallel to the center line of School Street to a point 200′ southerly from the center line of Main Street, thence westerly approximately 140′ parallel to and 200′ southerly from the center line of Main Street, thence northerly following the westerly boundary line of the land of Marjorie Hammond Brown (Pro. 25862) to the center line of Main Street; thence easterly following the center line of Main Street to a point opposite the southwest bound of lot known as 278 Main Street (land of Eva L. Howes); thence northerly and following the westerly boundary line of 278 Main Street to the northerly line of said lot; thence easterly by the northerly boundary line of said lot to the northerly line of the land of Elsbeth R. Gossow, thence easterly following the northerly line of said Gossow land to the center line of Shore Road; thence southerly following the center line of Shore Road, thence crossing the junction of Shore Road and Main Street in a straight line and thence following the center line of Main Street southerly to the point of beginning.

Wherever only part of any building or structure is within an historic district according to the boundary lines as heretofore defined in this section, there shall be included within the historic district the entire land area occupied, or to be occupied, by all of said building or structure so that the whole building or structure shall be considered to be within the historic district for the purposes of this act.

The boundary lines of all districts as generally defined by the several streets shall be the existing rear boundary lot line, as of the effective date of this act, of the lots bordering on the line of the streets named as boundaries or the named distances from the center line of streets named as boundaries, whichever is the lesser distance.

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 Chatham.

"Commission", the historic districts commission established by section four.

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

"Exterior architectural feature", the architectural style and general arrangement of the exterior of a building or structure including the kind, color and texture of the building materials and the type and style of all windows, doors, lights, signs and other fixtures appurtenant to the exterior.

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

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

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

SECTION 4. *Creation and Organization of Historic Districts Commission.* — An Historic Districts Commission in the town of Chatham is hereby established which shall consist of five unpaid members, four of whom shall be residents and voters of the town and one of whom may be a non-resident property owner, 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, active or retired, or in the event none is available to serve, a person who has had architectural training and background, 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 Chatham 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 districts whose initial appointment shall be for the term of the remainder of the calendar year in which such appointment is made and three years thereafter; one member shall be appointed 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 four years thereafter; and one member shall be appointed from two nominees of the planning board of the town of Chatham whose initial appointment shall be for the remainder of the calendar year in which such appointment shall be made and five years thereafter. As the terms of office of said members shall expire, their successors shall be appointed in like manner for terms of five years. All nominations for appointment of members of the said commission shall be submitted to the board of selectmen by letter which shall contain a statement of the qualifications of the nominees. Vacancies in the membership of the commission shall be filled by appointment for the unexpired term from nominees of the commission who nominated the member who shall have vacated his office. The commission shall elect a chairman and secretary from its membership. In the case of absence of the chairman from any meeting, the commission shall elect a chairman pro tempore for such meeting.

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

(*b*) No building or structure within the historic districts, except as provided in section six, shall be changed as to exterior color features unless and until an application for a certificate of appropriateness as to change in such color features shall have been filed with the commission and such certificate shall have been issued by the commission.

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

(*d*) No occupational, commercial or other sign, except as provided under section six, shall be erected or displayed within the historic districts unless and until an application for a certificate of appropriateness shall have been filed with the commission and such certificate shall have been issued by the commission. In the case of any such sign 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*) Except in cases excluded by section six: —

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

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

SECTION 6. *Exclusions.* — (*a*) Nothing in this act shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of any building or structure within the historic districts, nor shall anything in this act be construed to prevent the erection, construction, reconstruction, restoration, alteration or demolition of any such feature which the building inspector shall certify is required by the public safety because of an unsafe or dangerous condition; nor shall anything in this act be construed to prevent the erection, construction, reconstruction, alteration or demolition of any such feature under a permit issued by the building inspector prior to the effective date of this act.

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

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

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

(3) Occupational or other signs conforming in size with the Protec-

tive by-law or Sign Code, whichever is applicable, 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 or Residence District R–10A (Apartments) as defined in the zoning by-law of the town of Chatham.

(4) Open picket, rail, split rail or other types of fences which the commission may from time to time deem suitable, not exceeding four feet (4′ 0″) in height, above the finish grade.

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

SECTION 7. *Application to be filed with Commission.* — Excepting cases excluded by section six, any person who desires to erect, build, construct, reconstruct, restore, alter, move, demolish, remove or change the exterior color features of any building or structure now or hereafter within the historic districts, or to erect or display within the historic districts any sign 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. Three members of the commission shall constitute a quorum.

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

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

As soon as convenient after such public hearing but in any event within forty-five days after the filing of the application, or within such further time as the applicant shall allow in writing, the commission shall make

a determination on the application. If the commission shall fail to make a determination within said forty-five days, or within such further time allowed by the applicant, the commission shall be deemed to have approved the application.

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

(*a*) It shall pass upon:

(1) The appropriateness of exterior architectural features of buildings and structures to be erected within the historic districts.

(2) The appropriateness of changes in exterior color features of buildings and structures within the historic districts.

(3) The demolition or removal of any building or structure within the historic districts. The commission may refuse a permit for the demolition or removal of any building or structure of architectural or historic interest, the removal of which in the opinion of the commission would be detrimental to the public interest. In the event of a building of historic or architectural interests being damaged or destroyed by fire or other cause, the owner shall be encouraged to restore the building to its original exterior appearance.

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

In passing upon the appropriateness, demolition or removal, the commission shall determine whether the features, demolition or removal or sign 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 or sign involved, but not affecting the historic districts 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 or sign 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 and architectural value and significance of the site, building or structure, the general design, arrangement, texture, material and color of the features, or sign 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 districts. The commission shall also consider the applicable zoning and other by-laws of the town. The commission shall not consider interior arrangement and other building features not subject to view on the exterior.

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 chairman pro tempore, to be issued to the applicant.

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

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

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

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

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

SECTION 10. *Appeals.* — Any person aggrieved by a determination of the commission or by an approval of an application through failure of the commission to make a determination within the time allowed

under section eight, whether or not previously a party to the proceeding, or any officer or board of the town may, within twenty days after the filing of a notice of such determination or approval with the town clerk, appeal to the superior court sitting in equity for the county of Barnstable. 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 Barnstable 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 Districts.* — The districts 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 commission of the town shall hold a public hearing, duly advertised, thereon and shall report its recommendations to the town meeting.

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

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

SECTION 15. This act shall take effect upon its acceptance by the town of Chatham. *Approved February 19, 1965.*

Chap. 49. AN ACT ESTABLISHING IN THE TOWN OF SOUTHBRIDGE REPRESENTATIVE TOWN GOVERNMENT BY REPRESENTATIVE TOWN MEETINGS.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the town of Southbridge the form of representative town government by representative town meetings hereinafter set forth.

SECTION 2. The by-laws of the town shall determine the number of voting precincts or a minimum and maximum number into which the town shall be divided for the election of members of the representative town meeting.

SECTION 3. The membership of the representative town meeting elected in each precinct shall consist of one town meeting member for each one hundred voters or major fraction thereof as nearly as may be.

SECTION 4. The membership of the representative town meeting also shall include the following members at large: the moderator, town clerk, the selectmen, chairman of the finance committee, and chairman of the advisory board of review.

SECTION 5. Meetings of the registered voters of the several precincts for elections and primaries or for voting upon a question to be submitted to all the voters of the town shall be held at the same time and at such place or places as the selectmen shall direct in the warrant for the meeting.

SECTION 6. The nomination of candidates for representative town meeting members shall be made by nomination papers which shall bear no political designation. Such papers shall be signed by not less than ten registered voters of the precinct in which the candidate resides and shall be filed with the town clerk not later than the last day on which the nomination papers of candidates for other town officers must be filed. They shall be submitted to the registrars of voters and shall be certified in the manner provided by law for the certification of the nomination papers of candidates for town offices. Nomination papers shall not be valid for any candidate whose written acceptance is not endorsed thereon or attached thereto when filed.

SECTION 7. A town meeting member may become a candidate for re-election by giving written notice to the town clerk not later than the last day on which the nomination papers of candidates for other town offices must be filed. If a town meeting member is a candidate for re-election, there may be added to his name as it appears on the ballot for the election of town officers the words "candidate for re-election".

SECTION 8. The registered voters in each precinct, at the first annual town election held after the establishment of the precinct, and those in any precinct affected by a revision of precincts at the first annual town election following such revision, shall elect by ballot the number of registered voters in the precinct, determined as herein provided, to be representative town meeting members of the town.

SECTION 9. At the first election of members by the voters of each precinct, each precinct shall elect the total number of members to which it is entitled by virtue of the provisions of section three above. Of the total number of members elected, the first half in order of votes received shall serve for two years, the second half in order of votes received shall serve for one year from the date of the annual town election. In the event that the total number of members to which a precinct is entitled is an odd number, then one half of the largest even number that is one

less than the actual number, plus one, of those elected shall serve for two years and the balance of those elected shall serve for one year from the date of the annual town election.

SECTION 10. Thereafter, except as otherwise provided herein, the registered voters of each precinct at each annual town election shall elect for the term of two years in like manner one half of the number to which the precinct is entitled.

SECTION 11. If two or more candidates for representative town meeting member receive an equal number of votes, other than for the division into halves, for deciding their term of office, the remaining members elected in such precinct at the same election shall determine by ballot which of the candidates shall serve as a representative town meeting member. The terms of office of the representative town meeting members from any precinct whose boundaries are revised shall cease upon the election of their successors. The town clerk, after every election of representative town meeting members, shall notify each member by mail of his election. The provisions of this section shall be subject to the provisions of the General Laws pertaining to elections and the procedure for recount.

SECTION 12. If the boundaries of any precinct are revised or any new precinct established, there shall be a new election of representative town meeting members in such precinct at the first annual town election following such a revision.

SECTION 13. The representative town meeting members shall be elected in conformity with the laws relative to elections, and the provisions of law relating to precinct voting at elections shall apply to all elections and primaries in the town so far as such laws are not inconsistent herewith. The provisions of this act pertaining to the establishment of precincts shall not authorize any action contrary to the provisions of any law relative to the use of precincts in the formation of representative districts.

SECTION 14. A representative town meeting member may resign by filing a written resignation with the town clerk, effective upon the date of filing. A member who removes from the town shall cease to be a member forthwith upon removal, and a member who removes from one precinct to another may serve only until the next annual town meeting as a member from the precinct from which he has moved.

SECTION 15. A vacancy in the number of representative town meeting members shall be filled by the unsuccessful candidate receiving the highest number of votes at the preceding election in the precinct and who consents to accept the office. Such candidate shall be deemed to be elected and the town clerk shall give notice of his election upon the filing of his written acceptance. If there be no such candidate willing to accept, then the vacancy shall be filled by the remaining members from the precinct as hereinafter provided.

SECTION 16. Upon petition signed by not less than one third of the remaining representative town meeting members from the precinct, the town clerk shall call a meeting of the remaining members from the precinct for the purpose of filling the vacancy, notice of which shall be mailed to such members not less than seven days before the time of the meeting.

SECTION 17. At such a meeting a majority of the members from the precinct shall constitute a quorum and shall elect one of their number as

chairman and one as clerk. The vote shall be by ballot and a plurality of votes cast shall be necessary for a choice. The chairman and clerk shall count the ballots, and the chairman shall make a certificate of the choice which shall be filed with the town clerk together with a written acceptance of the person so chosen, who thereupon shall be deemed to be elected as a representative town meeting member.

SECTION 18. A moderator shall be elected by ballot at the annual town meeting when the term of office of a moderator expires, and he shall serve at all town meetings, except as otherwise provided by law, until a successor is elected and qualified. The nomination and election of a moderator shall be the same as for other elective town officers. If the moderator is absent, a moderator *pro tem* may be elected by the representative town meeting members.

SECTION 19. The articles in the warrant for every town meeting which relate to the election of a moderator, town officers, and representative town meeting members and to referenda and all matters to be acted upon and determined by ballot, shall be acted upon and determined by the registered voters of the town in their respective precincts. All other articles shall be acted upon and determined exclusively by the representative town meeting members at a meeting held at a time and place specified by the selectmen in the warrant for the meeting, subject to a referendum as herein provided.

SECTION 20. The town clerk shall post notices of the time and place at which meetings are to be held in accordance with the General Laws and the town by-laws at least seven days before the meeting. Notice of an adjourned meeting shall be posted as soon as practicable following the dissolution of the meeting from which adjournment is taken.

SECTION 21. The members shall receive no compensation for serving as members of the representative town meeting. A majority of the members shall constitute a quorum for the transaction of business. A lesser number may organize temporarily and may adjourn from time to time but a meeting shall not adjourn beyond the date of an election of representative town meeting members.

SECTION 22. There shall be no vote taken at any town meeting by secret ballot. Upon motion by a town meeting member, duly made and seconded, with at least ten per cent of the representative town meeting members, present and voting in favor thereof, a roll call vote shall be taken on any issue which may properly come before the town meeting.

SECTION 23. The representative town meeting may appoint such committees as it may consider necessary to investigate and report on any matters referred to them and to make a recommendation thereon, but no such committee shall have any executive or legislative powers and all matters shall be determined by the representative town meeting members.

SECTION 24. All representative town meetings shall be open to the registered voters of the town. Any registered voter of the town who is not a town meeting member may speak upon any matter at such a meeting, but he shall have no vote.

SECTION 25. The following votes of a representative town meeting shall not be operative until the expiration of seven days, exclusive of Sundays and holidays, from the dissolution of the meeting: (*a*) authorizing the expenditure of five thousand dollars or more as a special appropriation; (*b*) establishing a new board or office; (*c*) abolishing an old board or office; (*d*) merging two or more boards or offices; (*e*) fixing the

term of office of town officers where such term is optional; (*f*) increasing or reducing the number of members of a board; (*g*) adopting a new by-law; (*h*) amending or repealing an existing by-law.

SECTION 26. If within such period of seven days from the dissolution of a town meeting, a petition signed by not less than two hundred of the registered voters of the town is filed with the selectmen asking that any question involved in such a vote taken at the aforesaid town meeting be submitted to the voters of the town at large, then the selectmen after the expiration of seven days shall call a special meeting for the sole purpose of presenting the question to the voters at large.

SECTION 27. Any question submitted shall be stated upon the ballot substantially in the same language and form in which it was presented to the representative town meeting by the moderator as recorded in the records of the meeting.

SECTION 28. The polls for voting upon such a question shall be opened at eight o'clock in the morning and closed at eight o'clock in the evening. The vote shall be taken by ballot and the check list used in the several precincts in the same manner as for the election of town officers. A question submitted shall be determined by a majority of the registered voters of the town voting thereon, but an action of the representative town meeting shall not be reversed unless at least fifteen per cent of all the registered voters shall vote.

SECTION 29. If such a petition for a referendum is not filed within seven days the vote of the representative town meeting shall become operative and effective upon the expiration of that period.

SECTION 30. The town shall have the capacity to act through and to be bound by the action of its representative town meeting members, who when convened from time to time shall constitute a representative town meeting. The representative town meeting shall have and may exercise all powers vested in the municipal corporation so far as is consistent with the provisions of this act.

SECTION 31. Action by a representative town meeting in conformity with laws now or hereafter applicable to the transaction of town affairs in town meeting shall have the same force and effect as if taken in a town meeting open to all voters of the town, as organized and conducted before the establishment of representative town government.

SECTION 32. This act shall not abridge the right of the inhabitants of the town to hold general meetings, as secured to them by the constitution of the commonwealth, nor confer upon any representative town meeting the power finally to commit the town to any measure affecting its municipal existence or substantially changing its form of government without action thereon by the voters at large, using the ballot and check list therefor.

SECTION 33. This act shall be submitted for acceptance to the registered voters of the town of Southbridge at the next annual town meeting following its passage. The vote shall be taken by ballot in accordance with the provisions of law, so far as the same shall be applicable. The question to be placed upon the ballot to be used for the election of town officers in the town shall be: "Shall an act passed by the General Court in the year nineteen hundred and sixty-five, entitled 'An Act establishing in the town of Southbridge representative town government by representative town meetings', be accepted by the town?" If a majority of the voters voting on this question vote in the affirmative, this 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 election. It shall be the duty of all town officials having to do with elections and holding office at the time of such acceptance to do, in compliance with law, all things necessary for the nomination and election of officers first to be elected under this act.

Approved February 19, 1965.

Chap. 50. AN ACT AUTHORIZING CITIES AND TOWNS TO CONTRACT FOR LAUNDRY SERVICES FOR PERIODS NOT TO EXCEED THREE YEARS.

Be it enacted, etc., as follows:

Section 4 of chapter 40 of the General Laws is hereby amended by inserting before the last paragraph, added by section 2 of chapter 798 of the acts of 1951, the following paragraph: —

For laundry services for municipal hospitals and infirmaries for periods not exceeding three years. *Approved February 23, 1965.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, February 23, 1965.

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

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 50 of the Acts of 1965 entitled "An Act Authorizing Cities and Towns to Contract for Laundry Services for Periods not to Exceed Three Years." and the enactment of which received my approval on February 23, 1965, 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 general nature of this bill is such that it should be made available to the municipalities as soon as possible as it affects their fiscal problems and policies and it would be advantageous for them to immediately utilize the provisions of this legislation.

It has been brought to our attention that the City of Quincy, alone, would save themselves $30,000 by submitting this matter immediately for consideration to the bidding contractor so interested.

In view of this, and because other communities might also be affected, I deem it necessary to take this action.

Respectfully submitted,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, February 23, 1965.

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 accord-

ance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter fifty of the acts of nineteen hundred and sixty-five.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 51. AN ACT AUTHORIZING THE TOWN OF WEBSTER TO TAKE CERTAIN PARK LAND BY EMINENT DOMAIN FOR THE PURPOSE OF PROVIDING A SITE FOR A COMBINED POLICE AND FIRE STATION.

Be it enacted, etc., as follows:

SECTION 1. The selectmen of the town of Webster may take by eminent domain under chapter seventy-nine or eighty A of the General Laws a portion of the Webster Memorial park in the town lying at or near the northwesterly corner of the part of the park lying easterly of Cody street and Memorial Park drive, including any or all public and private rights and interests therein. The particular portion to be taken shall be designated by the selectmen in the order of taking under section one of said chapter seventy-nine or in the order of intention to take under section two of said chapter eighty A. The taking shall be for the purpose of providing a site for a combined police and fire station.

SECTION 2. Notice of the taking shall be given to the attorney general under section seven C of chapter seventy-nine of the General Laws or under section three of chapter eighty A of the General Laws. The attorney general shall represent the interests of the public in any taking under this act and in such capacity he may petition for the assessment of damages pursuant to said chapter seventy-nine if the taking is made under said chapter seventy-nine or shall be made a party respondent to the petition for the taking of real estate under said chapter eighty A if the taking is made under said chapter eighty A.

SECTION 3. The damages determined to be payable on account of the interests of the public in the property taken or the damages agreed upon in settlement of the right of the public to be compensated, including any interest thereon, shall be set aside and held by the town in trust to be used solely for the acquisition of real property for park purposes or, if such use is determined to be lawful by a court of competent jurisdiction, may be used by the town for the improvement of real property held by the town for park purposes. Either the superior court or the probate court in and for the county of Worcester shall have jurisdiction for the foregoing purpose.

SECTION 4. The damages set aside or to be set aside pursuant to this act, including any interest payable thereon pursuant to chapter seventy-nine or eighty A of the General Laws, shall be deemed to be a part of the cost of constructing the police and fire station for the purpose of appropriating or borrowing money therefor.

SECTION 5. Any proceedings heretofore taken by any town meeting in the town of Webster authorizing the planning or construction of the police and fire station or appropriating any money therefor and any such proceedings which are hereafter taken but which may have been initiated heretofore by the issue of a town meeting warrant or otherwise shall be deemed valid to the same extent as if this act had been in effect at the time such proceedings were taken or initiated.

SECTION 6. This act shall take effect upon its passage.

Approved February 23, 1965.

Chap. 52. AN ACT RELATIVE TO STANDARDS OF QUALITY OF EGGS SOLD AT RETAIL.

Be it enacted, etc., as follows:

Section 90D of chapter 94 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 393 of the acts of 1962, and inserting in place thereof the following sentence: — The standards of quality for the Massachusetts consumers grades of shell eggs shall be grade "AA", "A", "B" or "not graded".

Approved February 23, 1965.

Chap. 53. AN ACT PROVIDING THAT EXAMINATIONS TO ESTABLISH CIVIL SERVICE PROMOTIONAL LISTS FOR PROMOTION SHALL NOT BE RESTRICTED TO EITHER SEX.

Be it enacted, etc., as follows:

Section 2A of chapter 31 of the General Laws is hereby amended by striking out paragraph (*e*), as appearing in section 2 of chapter 725 of the acts of 1945, and inserting in place thereof the following paragraph:—

(*e*) Determine and pass upon the qualifications of applicants; and hold examinations for the purpose of establishing eligible lists of persons for appointment or promotion to positions in the official service of the commonwealth and the cities and towns thereof which are subject to any provision of this chapter. Examinations to establish a list for appointment may, in the discretion of the director, and with the approval of the director of personnel and standardization in the case of positions or employment in the service of the commonwealth, and if requested in the requisition of the appointing authority of a city or town in the case of positions or employments in the service thereof, be restricted either to male persons or to female persons. Examinations to establish a list for promotion shall not be restricted either to male persons or to female persons; provided, however, that whenever the duties and responsibilities of a position require special physical or medical standards or require custody or care of a person of a particular sex, the director may limit participation in examination or certification for promotion, as the case may be, to members of the appropriate sex.

Approved February 23, 1965.

Chap. 54. AN ACT PROVIDING THAT THE STATE SECRETARY MAY AUTHORIZE THE SOLEMNIZATION OF CERTAIN MARRIAGES BY NON-RESIDENT CLERGYMEN AND OTHERS.

Be it enacted, etc., as follows:

Section 39 of chapter 207 of the General Laws, as appearing in chapter 438 of the acts of 1958, is hereby amended by striking out the third and fourth sentences and inserting in place thereof the following sentence: — The state secretary may authorize the solemnization of any specified marriage anywhere within the commonwealth by a nonresident minister of the gospel, rabbi, chairman of a spiritual assembly of the Baha'is, or leader of an Ethical Culture Society, subject to such conditions as he may determine and shall issue to him a certificate of such authorization.

Approved February 23, 1965.

Chap. 55. AN ACT INCREASING FEES FOR SEALING CERTAIN WEIGHING AND MEASURING DEVICES.

Be it enacted, etc., as follows:

Chapter 98 of the General Laws is hereby amended by striking out section 56, as most recently amended by section 3 of chapter 447 of the acts of 1960, and inserting in place thereof the following section: — *Section 56.* Except as otherwise provided, sealers shall receive the following fees for sealing the following weighing or measuring devices: —

(*a*) Each scale with a weighing capacity of more than ten thousand pounds, twenty-five dollars.

(*b*) Each scale with a weighing capacity of five thousand to ten thousand pounds, ten dollars.

(*c*) Each scale with a weighing capacity of one hundred to five thousand pounds, five dollars.

(*d*) Scales and balances with a weighing capacity of more than ten pounds and less than one hundred pounds, two dollars.

(*e*) Scales and balances with a weighing capacity of ten pounds or less, one dollar.

(*f*) Each liquid capacity measure, except vehicle tanks, of the capacity of more than one gallon and measures on pumps, twenty-five cents.

(*g*) Each liquid measuring meter, except water meters, the diameter of the inlet pipe of which is one inch or less, two dollars; each such liquid measuring meter, the diameter of the inlet pipe of which is more than one inch and not more than four inches, five dollars; and for each such meter, the diameter of the inlet pipe of which is more than four inches, ten dollars.

(*h*) Each taximeter or measuring device used upon vehicles to determine the cost of transportation, two dollars.

(*i*) Each machine or other mechanical device used for determining linear or area measurement, one dollar.

(*j*) Milk bottles or jars, two dollars per gross.

(*k*) Vehicle tanks used in the sale of commodities by liquid measure and having a capacity of one hundred gallons or less, two dollars. For each additional one hundred gallons or fraction thereof, an additional fee of one dollar shall be received. When a vehicle tank is subdivided into two or more compartments, each compartment shall, for the purposes of this section, be considered as a separate tank.

(*l*) All weights and other measures, ten cents each.

They shall also receive reasonable compensation for necessary repairs, alterations and adjustments made by them.

Approved February 23, 1965.

Chap. 56. AN ACT RELATIVE TO THE CERTIFICATION OF COPIES OF PLANS REQUIRED TO ACCOMPANY THE MASTER DEED AND THE FIRST DEED IN A CONDOMINIUM.

Be it enacted, etc., as follows:

SECTION 1. Clause (*f*) of section 8 of chapter 183A of the General Laws, as appearing in section 1 of chapter 493 of the acts of 1963, is hereby amended by inserting after the word "registered", in line 5, the word: — land.

SECTION 2. The last paragraph of section 9 of said chapter 183A, as so appearing, is hereby amended by striking out, in line 4, the words "or registered professional engineer" and inserting in place thereof the words: — , registered professional engineer or registered land surveyor.

Approved February 23, 1965.

Chap. 57. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE FURNISHING OF NUMBER PLATES BY THE REGISTRAR OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

The seventh paragraph of section 2 of chapter 90 of the General Laws is hereby amended by striking out the fourth sentence, as appearing in chapter 274 of the acts of 1958, and inserting in place thereof the following sentence: — Any number plate furnished under this chapter shall, except as provided by section nine, and except in case the registrar for any valid reason extends the time, be valid only for the year for which it is issued.

Approved February 23, 1965.

Chap. 58. AN ACT EXEMPTING FARMERS FROM THE OPERATION OF THE LAW REQUIRING OPERATORS OF MOTOR VEHICLES TO CARRY THE CERTIFICATE OF REGISTRATION OF SUCH VEHICLE.

Be it enacted, etc., as follows:

Section 11 of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 454 of the acts of 1963, and inserting in place thereof the following sentence: — Every person operating a motor vehicle shall have the certificate of registration for the vehicle and for the trailer, if any, and his license to operate, upon his person or in the vehicle, in some easily accessible place, except that the certificates of registration of dealers, manufacturers, repairmen, owner-repairmen or farmers need not so be carried.

Approved February 23, 1965.

Chap. 59. AN ACT ESTABLISHING THE OFFICE OF DEPUTY CHIEF OF POLICE IN THE CITY OF EVERETT.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established the office of deputy chief of police in the police department of the city of Everett, which office shall, upon the effective date of this act, become subject to the civil service laws and rules.

The incumbent of the office of captain in said police department, William F. Childs, on said effective date, shall hold said office of deputy chief of police, but shall be subjected to a qualifying examination by the division of civil service. If he passes said examination, he shall be certified for said office of deputy chief of police and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

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

Approved February 24, 1965.

Chap. 60. AN ACT INCREASING THE AMOUNT THE TOWN OF NANTUCKET MAY APPROPRIATE FOR MUNICIPAL ADVERTISING PURPOSES AND FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 139 of the acts of 1937, as most recently amended by section 1 of chapter 55 of the acts of 1962, is hereby further amended by striking out, in line 2, the word "thirty-five" and inserting in place thereof the word: — fifty.

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

Approved February 25, 1965.

Chap. 61. AN ACT FURTHER DEFINING "SUBDIVISION" AS USED IN THE SUBDIVISION CONTROL LAW.

Be it enacted, etc., as follows:

The first sentence of the definition of "Subdivision" in section 81L of chapter 41 of the General Laws, as appearing in chapter 580 of the acts of 1963, is hereby amended by inserting after the word "approved", in lines 9 and 10, the words: — and endorsed.

Approved February 25, 1965.

Chap. 62. AN ACT REQUIRING THE DELIVERY OF NOTICE OF COMPLETION OF CERTAIN WORKS TO THE PLANNING BOARD.

Be it enacted, etc., as follows:

The eighth paragraph of section 81U of chapter 41 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 377 of the acts of 1958, and inserting in place thereof the following sentence: — Upon the completion of the construction of ways and the installation of municipal services in accordance with the rules and regulations of the planning board, security for the performance of which was given by bond, deposit or covenant, or upon the performance of any covenant with respect to any lot, the applicant shall send by registered mail to the city or town clerk and the planning board a written statement that the said construction or installation in connection with which such bond, deposit or covenant has been given has been completed in accordance with said rules and regulations, such statement to contain the address of the applicant.

Approved February 25, 1965.

Chap. 63. AN ACT TO PROVIDE FOR UNIFORM REQUIREMENTS FOR THE GRANTING OF A SPECIAL PERMIT UNDER THE ZONING LAW.

Be it enacted, etc., as follows:

Section 4 of chapter 40A of the General Laws, as appearing in section 2 of chapter 368 of the acts of 1954, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences: — Before granting such a special permit the board of appeals, or the city council or the selectmen, whichever the ordinance or by-law provides, shall hold a public hearing thereon, notice of which shall be

given in accordance with section seventeen. If the city council or the selectmen are designated to act upon such a special permit they shall be subject to the requirements of sections eighteen, nineteen, twenty and twenty-one in the same manner as the board of appeals.

Approved February 25, 1965.

Chap. 64. AN ACT RELATIVE TO THE NOTICE TO BE GIVEN BY A PLANNING BOARD ON ALL HEARINGS ON PROPOSED RULES AND REGULATIONS RELATIVE TO SUBDIVISION CONTROLS.

Be it enacted, etc., as follows:

Section 81Q of chapter 41 of the General Laws, as most recently amended by chapter 139 of the acts of 1957, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — After a public hearing, notice of the time and place of which, and of the subject matter, sufficient for identification, shall be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing or if there is no such newspaper in such city or town then by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of such hearing, a planning board shall adopt, and, in the same manner, may, from time to time, amend, reasonable rules and regulations relative to subdivision control not inconsistent with the subdivision control law or with any other provisions of a statute or of any valid ordinance or by-law of the city or town. *Approved February 25, 1965.*

Chap. 65. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAW RELATIVE TO THE APPROVAL AND DISAPPROVAL OF PLANS UNDER THE SUBDIVISION CONTROL LAW, AND THE EXEMPTION OF LOTS IN CERTAIN PLANS FROM THE APPLICABILITY OF ZONING ORDINANCES OR BY-LAWS.

Be it enacted, etc., as follows:

Chapter 40A of the General Laws is hereby amended by striking out section 7A, as most recently amended by chapter 688 of the acts of 1964, and inserting in place thereof the following section: — *Section 7A.* When a preliminary plan referred to in section eighty-one S of chapter forty-one has been submitted to a planning board, and written notice of the submission of such plan has been given to the city or town clerk, the land shown on such preliminary plan and on the definitive plan evolved therefrom, or in the absence of a preliminary plan, the land shown on a definitive plan submitted under the provisions of the subdivision control law, shall be governed by applicable provisions of the zoning ordinance or by-law in effect at the time of 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. Disapproval of a plan shall not serve to terminate any rights which shall have accrued under the provisions of this section, provided an appeal from the decision disapproving said plan is made under applicable provisions of the subdivision control law. Such appeal shall stay, pending an order or decree of a court of final jurisdiction, the applicability to land shown on said plan of the provisions of any zoning ordinance or by-law which became effective after the date of submission of the plan first submitted.

When a plan referred to in section eighty-one P of chapter forty-one has been submitted to a planning board and written notice of such submission has been given to the city or town clerk, the use of the land shown on such plan shall be governed by applicable provisions of the zoning ordinance or by-law in effect at the time of the submission of such plan while such plan is being processed under the subdivision control law including the time required to pursue or await the determination of an appeal referred to in said section, and for a period of three years from the date of endorsement by the planning board that approval under the subdivision control law is not required, or words of similar import, provided that a city or town may, in the manner prescribed in this chapter, increase the number of permitted uses of any land shown on such a plan. *Approved February 25, 1965.*

Chap. 66. AN ACT INCREASING THE AMOUNTS WHICH MAY BE APPROPRIATED BY CITIES AND TOWNS FOR LOCAL COUNCILS ON AGING.

Be it enacted, etc., as follows:

Clause (49) of section 5 of chapter 40 of the General Laws, as most recently amended by chapter 376 of the acts of 1959, is hereby further amended by striking out, in line 4, the words "three thousand" and inserting in place thereof the words: — seventy-five hundred, — so as to read as follows: —

(49) For the purpose of co-ordinating or conducting programs dealing with problems of the aging and to promote facilities for the health, education, welfare and recreation of the aging, as authorized by section eight B, not in excess of seventy-five hundred dollars annually.

Approved February 25, 1965.

Chap. 67. AN ACT FURTHER REGULATING THE DISPOSITION OF UNCLAIMED FUNDS OF CERTAIN FORMER PATIENTS IN STATE MENTAL INSTITUTIONS.

Be it enacted, etc., as follows:

The first sentence of section 39A of chapter 123 of the General Laws, as amended by chapter 455 of the acts of 1954, is hereby further amended by striking out, in lines 13 and 14, the words "provided, that so much of any monies so paid to the state treasurer" and inserting in place thereof the words: — except, that so much of the above mentioned funds.

Approved February 25, 1965.

Chap. 68. AN ACT PERMITTING CITIES AND TOWNS TO BORROW MONEY OUTSIDE OF THE DEBT LIMIT FOR BUILDINGS FOR WATER TREATMENT.

Be it enacted, etc., as follows:

Section 8 of chapter 44 of the General Laws is hereby amended by striking out clause (4), as most recently amended by chapter 82 of the acts of 1963, and inserting in place thereof the following clause: —

(4) For the construction or enlargement of reservoirs, and the construction of filter beds, standpipes, buildings for pumping stations, including original pumping station equipment, and buildings for water treatment, including original equipment therefor, and the acquisition of land or any interest in land necessary in connection with any of the foregoing, twenty years. *Approved February 25, 1965.*

Chap. 69. AN ACT REQUIRING CERTAIN MOTOR VEHICLES TO BE EQUIPPED WITH A FLASHING DEVICE FOR DIRECTIONAL SIGNALS FOR USE IN AN EMERGENCY.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 7 of chapter 90 of the General Laws is hereby amended by adding the following sentence: — Every motor vehicle registered in the commonwealth shall be equipped with a device to permit the front and rear directional signals to flash simultaneously, said device to be operated only when the vehicle is disabled or stopped in the event of emergency on or at the side of any way.

SECTION 2. The provisions of section one of this act shall apply only to motor vehicles manufactured for the model year nineteen hundred and sixty-seven and for subsequent model years.

Approved February 25, 1965.

Chap. 70. AN ACT RELATIVE TO THE IMPORTATION OF SHELLFISH FOR CONSUMPTION AS FOOD.

Be it enacted, etc., as follows:

Chapter 130 of the General Laws is hereby amended by striking out section 81, as most recently amended by section 3 of chapter 199 of the acts of 1961, and inserting in place thereof the following section: — *Section 81.* No person shall transport, or cause to be transported, into this commonwealth for consumption as food any shellfish taken or dug from areas outside the commonwealth, or sell, cause to be sold, or keep, offer or expose for sale for consumption as aforesaid any shellfish so taken or dug, unless such person has been certified by the regulatory authority in the United States or foreign country under the uniform sanitation requirements of the cooperative program for the certification of interstate shellfish shippers, nor shall any person transport or cause to be transported within this commonwealth any shellfish for consumption as food, unless the container of such shellfish shall, at all times while in such transportation, bear a label or tag legibly marked with the name and address of the producer and of the shipper thereof and the numbers

of such certificates, and the name of the place where and the date when taken, and absence of such label or tag so marked or failure to allow an inspection shall be prima facie evidence of violation of this section; provided, that the foregoing provisions relative to transportation shall not apply to common carriers, their servants or agents.

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 not more than thirty days, or both. The provisions of this section shall be enforced by the department of public health, local boards of health, the director and all officers qualified to serve criminal process; provided, that the provisions of this section and of section eighty-two shall not apply to shellfish taken from an area declared to be contaminated under the provisions of section seventy-four or corresponding provisions of earlier laws. *Approved February 25, 1965.*

Chap. 71. AN ACT TO PROVIDE THAT THE REGISTRAR OF MOTOR VEHICLES INCLUDE SEMI-ANNUAL INSPECTIONS IN HIS RULES AND REGULATIONS FOR THE INSPECTION OF SCHOOL BUSES.

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 amended by chapter 178 of the acts of 1964, 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, splash guards and chock blocks, and also rules and regulations providing for the inspection of those school buses 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 in addition to the periodic inspection hereinbefore referred to.

Approved February 25, 1965.

Chap. 72. AN ACT RELATIVE TO THE CONTROL AND ERADICATION OF BRUCELLOSIS IN BOVINE ANIMALS.

Be it enacted, etc., as follows:

SECTION 1. Section 36B of chapter 129 of the General Laws, as most recently amended by section 2 of chapter 527 of the acts of 1956, is hereby further amended by striking out the last two sentences and inserting in place thereof the following two sentences: — It shall be unlawful for any person to transport or offer for transportation any unvaccinated bovine animal over six months of age, and any vaccinated bovine animal over twenty-four months of age, that has been tested for

brucellosis and has reacted positively to such tests, except cattle moved under permit issued by the director to slaughtering establishments under state or federal inspection. Any person, firm or corporation who buys, sells or transports any cattle known to be positive to an approved test for brucellosis, except animals under twenty-four months of age which were vaccinated from the age four through eight months and accompanied by an official record of vaccination or except unvaccinated animals less than six months of age, or except animals for immediate slaughter, shall be fined not more than two hundred dollars for each animal bought, sold or transported.

SECTION 2. Said chapter 129 is hereby further amended by striking out section 36D, as most recently amended by chapter 371 of the acts of 1960, and inserting in place thereof the following section: — *Section 36D.* Vaccinated animals which are over twenty-four months of age may be imported into the commonwealth if within thirty days prior to entry they have been submitted to an agglutination blood test at a laboratory approved by the state of origin, and have reacted negatively. Vaccinated animals twenty-four months of age and under may be imported into the commonwealth without a blood test if accompanied by a certificate stating the animals have been vaccinated between the ages of four through eight months by an approved veterinarian.

The director, his authorized agent, or a veterinarian designated by the director shall make by random selection such blood tests for brucellosis of all cattle imported into the commonwealth which are over six months of age, as will effectively control brucellosis.

SECTION 3. Said chapter 129 is hereby further amended by striking out section 36F, as most recently amended by chapter 449 of the acts of 1958, and inserting in place thereof the following section: — *Section 36F.* The director, his authorized agent or a veterinarian designated by the director shall make by random selection such blood tests for brucellosis of all cattle imported into the commonwealth which are over six months of age and unvaccinated or over twenty-four months of age whether or not officially vaccinated, as will effectively control brucellosis.

Approved February 25, 1965.

Chap. 73. AN ACT PROVIDING THAT SERVICE AS A PERMANENT INTERMITTENT POLICE OFFICER 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 738 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, permanent intermittent 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 February 25, 1965.

Chap. 74. AN ACT RELATIVE TO GUARANTY FUNDS OF SAVINGS BANKS.

Be it enacted, etc., as follows:

Paragraph 1 of section 58 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The trustees shall, as of the close of each ordinary dividend period, cause to be transferred to the guaranty fund until it amounts to seven and one-half per cent of the whole amount of deposits, not less than one-eighth nor more than one-fourth of one per cent of the whole amount of deposits, if the dividend period is six months, or a proportional percentage of such amount of deposits if the dividend period is less than six months, provided that the trustees may at their election make the whole or any part of any such transfer to surplus instead of to the guaranty fund, if immediately after said transfer the guaranty fund shall amount to not less than five per cent of the whole amount of deposits; and provided further that no amount shall be required to be transferred to the guaranty fund if at the close of any dividend period the guaranty fund shall amount to not less than five per cent of the whole amount of deposits and either the guaranty fund and surplus in the aggregate amount to not less than eleven per cent of the whole amount of deposits, or the surplus, undivided profits and reserves, at the beginning of the taxable year of such corporation, determined in accordance with federal income tax laws and regulations relating to mutual savings banks, shall in the aggregate amount to not less than twelve per cent of the whole amount of deposits.

Approved February 25, 1965.

Chap. 75. AN ACT PLACING THE POSITIONS OF CUSTODIAN AND SUPERVISORS OF CUSTODIANS IN THE SCHOOL SYSTEM OF THE TOWN OF LUDLOW UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The positions of custodian and supervisors of custodians in the school system of the town of Ludlow shall, upon the effective date

of this act, be subject to the civil service law and rules, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said law and rules; provided, however, that no incumbent of any such position shall be required to take a qualifying examination for such position, and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall take effect upon its acceptance by the town of Ludlow. *Approved February 25, 1965.*

Chap. 76. AN ACT FURTHER REGULATING FISHING BY MEANS OF A BOW AND ARROW.

Be it enacted, etc., as follows:

Section 41 of chapter 131 of the General Laws is hereby amended by striking out the last sentence, as appearing in chapter 116 of the acts of 1957, and inserting in place thereof the following two sentences: — This section shall not prohibit spearing or taking by use of bow and arrow eels, carp or those species of fish commonly known as "suckers"; provided, that no arrows shall be released within one hundred and fifty feet of any hard surfaced state or paved highway for the purpose of taking such fish. This section shall not apply to ponds or waters now or hereafter held under lease from the department.

Approved February 25, 1965.

Chap. 77. AN ACT INCREASING THE TERMS FOR WHICH CERTAIN PERSONS SHALL BE ELECTED BY THE GILBERTVILLE WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 414 of the acts of 1949 is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — At the annual district meeting held in an even numbered year, the district shall elect by ballot, for a term of two years, a treasurer, and in an odd numbered year the district shall elect a clerk for a term of two years in like manner.

SECTION 2. At the annual district meeting in the year following the effective date of this act the Gilbertville Water District shall elect by ballot a treasurer for two years, and a clerk for one year.

SECTION 3. This act shall take effect upon its acceptance by the Gilbertville Water District at an annual district meeting or at a special district meeting called for the purpose. *Approved February 25, 1965.*

Chap. 78. AN ACT AUTHORIZING THE TOWN OF DALTON TO MAKE CERTAIN REPAIRS AND PERFORM OTHER WORK ON PRIVATE WAYS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section six I of chapter forty of the General Laws, the town of Dalton may resurface, reconstruct, provide for proper drainage and make other necessary repairs to

private ways in said town which have been used by the public for a period of twenty years or more.

SECTION 2. This act shall take effect upon its acceptance by the town of Dalton. *Approved February 25, 1965.*

Chap. 79. AN ACT AUTHORIZING THE CITY OF MARLBOROUGH TO REFUND CERTAIN TAXES ERRONEOUSLY ASSESSED AND COLLECTED FROM CHARLES B. AND EDNA L. MALLOY OF WALTHAM.

Be it enacted, etc., as follows:

SECTION 1. The city of Marlborough is hereby authorized to refund to Charles B. Malloy and Edna L. Malloy of Waltham the sum of one hundred and ten dollars and fifty cents, the same being the amount collected by said city from said Charles B. and Edna L. Malloy as taxes for the years nineteen hundred and fifty-eight to nineteen hundred and sixty-two, inclusive, upon certain real property which was erroneously assumed by the assessors of said city to have been located therein. No payment shall be made hereunder until there has been filed with the city auditor of the city of Marlborough an agreement signed by Charles B. and Edna L. Malloy that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this act shall not exceed ten per cent of the amount paid or payable hereunder.

SECTION 2. This act shall take effect upon its acceptance by the city of Marlborough. *Approved February 25, 1965.*

Chap. 80. AN ACT AUTHORIZING THE MEDICAL DIRECTOR AT THE BRIDGEWATER STATE HOSPITAL TO MAKE CERTAIN PROFESSIONAL DECISIONS REGARDING CERTAIN PRISONERS AT SAID INSTITUTION.

Be it enacted, etc., as follows:

Chapter 123 of the General Laws is hereby amended by striking out section 105, as most recently amended by section 2 of chapter 101 of the acts of 1961, and inserting in place thereof the following section: — *Section 105.* When, in the opinion of the superintendent of the state hospital to which a prisoner has been committed or removed under section one hundred, one hundred and three or one hundred and four, or of the medical director appointed under section eighteen of chapter one hundred and twenty-five in case of commitment or removal to the Bridgewater state hospital, the mental condition of the prisoner is such that he should be returned to custody or to the penal institution from which he was taken, he shall so certify upon the warrant or commitment, and notice, accompanied by a written statement regarding the mental condition of the prisoner, shall be given to the proper custodian or to the warden, superintendent, keeper or master, as the case may be, of such penal institution, who shall thereupon cause the prisoner to be reconveyed to such custodian, or to such penal institution, there to remain pursuant to the original sentence if committed or removed under section one hundred and three or one hundred and four, computing the time of his detention or confinement in the said hospital as part of the term of his imprisonment under such sentence; provided, that a prisoner

committed or removed to a state hospital under section one hundred, one hundred and three or one hundred and four for his proper care or observation pending the determination of his insanity shall, unless found to be insane as hereinafter provided, be returned in the manner hereinbefore provided to the penal institution or custody whence so taken, not later than thirty-five days thereafter, but such prisoner shall in all other respects be subject to the provisions of this section. If a prisoner committed as insane under section one hundred, who has not been restored to sanity, is returned as aforesaid because in the opinion of the superintendent, or of said medical director, as the case may be, neither the public interest nor the welfare of the prisoner will be promoted by his further retention in the hospital, he shall so certify upon the warrant or commitment and shall append thereto a report relative to the prisoner's mental condition as affecting his criminal responsibility and the advisability of his discharge or temporary release from the penal institution or custody to which he is returned. If a prisoner, committed or removed under section one hundred, one hundred and three or one hundred and four for his proper care or observation as aforesaid, is found by the superintendent or by said medical director, as the case may be, to be insane, the finding shall be certified upon the warrant or commitment, and the superintendent of the institution or said medical director, as the case may be, shall report the prisoner's mental condition to the court or judge issuing the warrant or commitment, or in case of the death, resignation or removal of the judge, to his successor in office, or in case of the absence or disability of the judge, to any judge or special justice of the same court, with the recommendation that the prisoner be committed as an insane person. The court, judge or justice may thereupon commit the prisoner to an institution for the insane, if, in the opinion of the court, judge or justice, such commitment is necessary. The provisions of this section relative to the return to custody or to a penal institution of a prisoner taken therefrom under section one hundred, one hundred and three or one hundred and four, shall apply, so far as apt, to a prisoner committed under this section.

If a prisoner under complaint or indictment is committed in accordance with section one hundred, and such complaint or indictment is dismissed or nol prossed, or if a prisoner is committed in accordance with section one hundred and three or one hundred and four, and his sentence has expired, the superintendent of the institution to which commitment was made or said medical director, in case of commitment to the Bridgewater state hospital, as the case may be, may permit such prisoner temporarily to leave such institution in accordance with sections eighty-eight and ninety, or may discharge such prisoner in accordance with section eighty-nine. Said superintendent or said medical director, as the case may be, shall, in case of the release or discharge of any such prisoner under complaint or indictment for arson, immediately prior to the date of such release or discharge, notify the state fire marshal of the intended date of the release or discharge of such prisoner. The word "prisoner" as used in this section shall include all persons committed under section one hundred, whether or not in custody when so committed; and in construing this section a maximum and minimum sentence shall be held to have expired at the end of the minimum term, and an indeterminate sentence, at the end of the maximum period fixed by law.

Approved February 25, 1965.

Chap. 81. AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO APPROPRIATE MONEY FOR THE PURCHASE OF UNIFORMS FOR ITS PARK POLICE FORCE.

Be it enacted, etc., as follows:

SECTION 1. The town of Brookline may, from time to time, appropriate money for the purchase of uniforms for the park police force of the park and recreation commission of said town.

SECTION 2. This act shall take effect upon its acceptance by the town of Brookline. *Approved February 25, 1965.*

Chap. 82. AN ACT PLACING THE POSITIONS OF CUSTODIAN AND SUPERVISORS OF CUSTODIANS IN THE SCHOOL DEPARTMENT OF THE TOWN OF AUBURN UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The positions of custodian and supervisors of custodians in the school department of the town of Auburn shall, upon the effective date of this act, become subject to the civil service laws and rules, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws and rules. The incumbent on said effective date of each such position shall continue to serve therein but shall be subjected to a qualifying examination for such position by the division of civil service, and if he passes said examination shall be certified for said position, and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Auburn at the annual town meeting in the year nineteen hundred and sixty-six 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-five, entitled 'An Act placing the positions of custodian and supervisors of custodians in the school department of the town of Auburn under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved March 1, 1965.*

Chap. 83. AN ACT ESTABLISHING THE WORLD WAR II MEMORIAL COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section 17 of chapter 6 of the General Laws is hereby amended by inserting after the words "the service corps commission", added by section 1 of chapter 622 of the acts of 1964, the words: — , the World War II memorial commission.

SECTION 2. Said chapter 6 is hereby further amended by adding after section 123, inserted by section 2 of chapter 622 of the acts of 1964, under the caption WORLD WAR II MEMORIAL COMMISSION, the following section: —

Section 124. There shall be a World War II memorial commission, hereinafter called the commission, consisting of the commissioner of veterans' services, ex officio, and two persons to be appointed by the governor, of whom one shall be a director of the U.S.S. Massachusetts Memorial Committee, Incorporated, a charitable corporation established under chapter one hundred and eighty. The appointive members of the commission shall be appointed for terms of three years. The members of the commission shall receive no compensation for their services as such members but shall be reimbursed for their necessary traveling expenses incurred in the performance of their duties.

Upon the transfer of the U.S.S. Massachusetts from the United States to said corporation said commission shall, with the consent of said corporation, erect and maintain thereon an honor roll in memory of those members of the armed forces of the United States from the commonwealth who died in the service of their country during World War II. *Approved March 1, 1965.*

Chap. 84. AN ACT AUTHORIZING THE RECREATION AND PARK COMMISSION OF THE TOWN OF MARBLEHEAD TO ESTABLISH RULES AND REGULATIONS RELATIVE TO THE PARKING OF MOTOR VEHICLES AT DEVEREUX BEACH.

Be it enacted, etc., as follows:

Chapter 11 of the acts of 1963 is hereby amended by inserting after section 3 the following section: —

Section 3A. Said recreation and park commission may, from time to time, establish such rules and regulations, as it may deem necessary, regulating the parking of any motor vehicle at Devereux beach, including the establishment of parking fees thereat.

Approved March 1, 1965.

Chap. 85. AN ACT FURTHER DEFINING THE WORD "MOTOR CYCLE".

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 90 of the General Laws is hereby amended by striking out the definition of "Motor cycle", as amended by section 1 of chapter 321 of the acts of 1950, and inserting in place thereof the following definition: —

"Motor cycle", a two-wheeled motor vehicle with or without a side-car attached thereto, and any bicycle with a motor or driving wheel attached.

SECTION 2. The provisions of section one of this act shall apply to motor cycles registered for the year nineteen hundred and sixty-six and subsequent years. *Approved March 1, 1965.*

Chap. 86. AN ACT AUTHORIZING CERTAIN NONRESIDENTS TO CARRY FIREARMS WITHIN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 131G, inserted by chapter 447 of the acts of 1964, and inserting in place thereof 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 firearm collectors or for the purpose of hunting; provided, that 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 which prohibit the issuance of permits or licenses to persons who have been convicted of a felony or who have been convicted of the unlawful use, possession or sale of narcotic or harmful drugs; provided, further, that in the case of a person traveling in or through the commonwealth for the purpose of hunting, he has on his person a hunting or sporting license issued by the commonwealth or by the state of his destination.

Approved March 1, 1965.

Chap. 87. AN ACT RELATIVE TO THE POWERS OF THE SELECTMEN OF THE TOWN OF WILMINGTON.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 592 of the acts of 1950 is hereby amended by striking out paragraph (*a*) and inserting in place thereof the following paragraph: —

(*a*) With the approval of the selectmen, he shall supervise and direct the administration of all departments, commissions, boards and offices except those mentioned in sections two, three and four, and shall appoint and may remove, subject to the provisions of chapter thirty-one of the General Laws where applicable, the cemetery commissioners, water commissioners, board of health, board of public welfare, planning board, library trustees, trustees of trust funds, a town collector, a town clerk, a town treasurer who may also act as town collector, a board of assessors of three members as hereinafter provided, a superintendent of highways, the chief of police and police officers, the chief and members of the fire department, and such other officers and employees, including school janitors, as may be necessary to carry out the powers and duties imposed upon him or upon the town either by this act or by other provisions of law. Officers and employees not subject to chapter thirty-one of the General Laws shall not be removed by the town manager except on ten days' notice in writing, setting forth the cause of such removal.

SECTION 2. This act shall be submitted to the voters of the town of Wilmington 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-five, entitled 'An Act relative to the powers of the selectmen of the town of Wilmington', 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 1, 1965.

Chap. 88. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY A SUM OF MONEY TO RAYMOND H. YOUNG.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Watertown is hereby authorized to appropriate and pay to Raymond H. Young a sum not exceeding eight hundred dollars for payment of a bill for legal services rendered and expenses incurred by him in an action brought on behalf of the planning board of said town against the board of appeals of said town, said bill being legally unenforceable against said town.

SECTION 2. This act shall take effect upon its acceptance by the town of Watertown. *Approved March 1, 1965.*

Chap. 89. 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 of the town of Wilmington: the town accountant and positions in the classified official service in the office of the town accountant; the town clerk and positions in the classified official service in the office of the town clerk; the town treasurer and positions in the classified official service in the office of the town treasurer; the collector of taxes, the deputy collector of taxes, and positions in the classified official service in the office of the collector of taxes; the building inspector and positions in the classified official service in the office of the building inspector; positions in the classified official and classified labor services in the highway department, including the superintendent of the department; positions in the classified official and classified labor services in the tree and moth department, including labor services in the tree and moth department, including the tree warden and superintendent of the department; positions in the classified labor services in the park, cemetery and school grounds department, including the superintendent of parks, cemeteries and school grounds; positions in the classified official service subject to the board of health, including the agent of the board of health, the sanitarian, and the public health nurse; positions in the classified official and classified labor services in the school and public buildings maintenance department, including custodial positions, and including the superintendent of school and public building maintenance; positions in the classified official and classified labor services in the water and sewer department, including the superintendent of the department; school crossing officers and school crossing supervisors; clerical positions in the office of the town manager; clerical positions in the police and fire departments; clerical positions in the town hall clerical pool.

The tenure of office of any incumbent of such offices and positions, on the effective date of this act who has had at least two months' service on said date, shall be unlimited, subject, however, to the provisions of the civil service law 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 the town of Wilmington 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-five, 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, this act shall thereupon take full effect, but not otherwise. *Approved March 1, 1965.*

Chap. 90. AN ACT RELATIVE TO THE JURISDICTION AND CONTROL OF AN ATHLETIC FIELD IN THE CITY OF REVERE.

Be it enacted, etc., as follows:

SECTION 1. The jurisdiction and control of the athletic field in Paul Revere park in the city of Revere, provided for in chapter thirty-one of the acts of nineteen hundred and twenty-seven, shall be vested in the city council of said city or in such other authority as it may designate.

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

(*This Bill, returned by the governor, to the House of Representatives, the branch in which it originated, with his objections thereto, was passed by the House of Representatives, February 24, 1965, and, in concurrence, by the Senate, March 1, 1965, the objections of the governor, notwithstanding, in the manner prescribed by the constitution; and thereby has the "force of a law".*)

Chap. 91. AN ACT RELATIVE TO THE ACCEPTANCE BY THE TOWN OF BILLERICA OF THE PROVISIONS OF LAW ESTABLISHING MINIMUM ANNUAL COMPENSATION FOR REGULAR POLICE OFFICERS.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of any general or special law, the following question shall be placed upon the official ballot to be used for the election of officers at the annual town meeting to be held in the town of Billerica in the current year: — "Shall the town vote to accept the provisions of section one hundred and eight G of chapter forty-one of the General Laws whereby, if accepted, the minimum annual compensation of each regular police officer in the police department of the town of Billerica shall be not less than fifty-five hundred dollars for the first year of service, six thousand dollars for the second year of service, and sixty-three hundred dollars for the third and each succeeding year of service?" If a majority of the votes in answer to said question is in the affirmative, said section shall thereupon become effective in said town. *Approved March 2, 1965.*

Chap. 92. AN ACT RELATIVE TO THE ACCEPTANCE BY THE TOWN OF BILLERICA OF THE PROVISIONS OF LAW ESTABLISHING MINIMUM ANNUAL COMPENSATION FOR FIRE FIGHTERS.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of any general or special law, the following question shall be placed upon the official ballot to be used for the election of officers at the annual town meeting to be held in the town of Billerica in the current year: — "Shall the town vote to accept the provisions of section one hundred and eight F of chapter forty-one of the General Laws whereby, if accepted, the minimum annual compensation of each fire fighter in the fire department of the town of Billerica shall be not less than five thousand five hundred dollars for the first year of service, six thousand dollars for the second year of service, and six thousand three hundred dollars for the third and each succeeding year of service?" If a majority of the votes in answer to said question is in the affirmative, said section shall thereupon become effective in said town. *Approved March 2, 1965.*

Chap. 93. AN ACT ESTABLISHING A TRAFFIC COMMISSION IN THE CITY OF WALTHAM.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the city of Waltham, hereinafter called the city, a traffic commission, hereinafter called the commission, to consist of the chief of police, the city engineer, the chief of the fire department, the planning director and the city clerk.

SECTION 2. The chief of police shall act as the chairman of the commission and shall be known as the traffic commissioner. All expenses incurred for the purpose of this act shall be paid by the city. All statutes and ordinances applicable generally to the departments of the city shall apply to the commission.

SECTION 3. The commission shall have exclusive authority, except as otherwise herein provided, to adopt, amend, alter and repeal rules and regulations, not inconsistent with general law as modified by this act, relative to pedestrian traffic and 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 throughway under and subject to the provisions of section nine of chapter eighty-nine of the general laws, and may prescribe penalties not exceeding fifty dollars for the violation of any rule or regulation adopted hereunder. No such rule or regulation, except such special rules and regulations as are declared by vote of the commission to be urgently required by considerations of public safety or convenience or such as are of a temporary nature and are to be effective for a period of not more than thirty days, shall take effect until published for two successive weeks in one or more newspapers published in the city. Upon petition of twenty-five registered voters of the city relative to any rule or regulation adopted or proposed to be adopted under this section, the commission shall hold a public hearing thereon within ten days after the filing with the commission of

such petition, and final action thereon shall be determined only by vote of a majority of the entire membership of the commission. The commission shall have power to erect, make and maintain, or cause to be erected, made and maintained, traffic signs, signals, markings and other devices for the control of such traffic in the city and for informing and warning the public as to rules and regulations adopted hereunder, subject, however, to section two of chapter eighty-five, and to sections eight and nine of said chapter eighty-nine, of the General Laws. Nothing in this act shall be construed to authorize the commission to adopt any rule or regulation excluding the trackless trolley vehicles or busses of a street railway or bus company from any way or part thereof in which it has a location or to modify or limit any power or authority of the metropolitan district commission, of the state department of public works or of the department of public utilities, or any power now vested in the mayor, city council or heads of departments with reference to the issuance of licenses or permits for the opening, using or occupying of streets and sidewalks.

SECTION 4. All existing ordinances and regulations relating to the control of vehicular traffic shall remain in full force and effect until superseded by rules and regulations adopted by the commission under this act and the adoption thereof by the commission shall not affect any act done, any right accrued, any penalty incurred, or any suit, prosecution or proceeding pending, at the time of said adoption.

SECTION 5. This act shall take effect upon its acceptance during the current year, by the city of Waltham and shall remain in effect until its acceptance is revoked, as provided in section six.

SECTION 6. At any time after the expiration of two years from the date of acceptance of this act, such acceptance may be revoked by the affirmative vote of a majority of the city council of said city. Upon such revocation all existing rules and regulations of the traffic commission shall remain in full force and effect until superseded by ordinances and regulations adopted in accordance with the provisions of law then applicable to said city, and neither such revocation nor such adoption of superseding ordinances or regulations shall affect any act done, any right accrued, any penalty incurred, or any suit, prosecution or proceeding pending prior to said adoption. *Approved March 2, 1965.*

Chap. 94. AN ACT PROVIDING THAT CERTAIN CALL MEMBERS OF THE FIRE DEPARTMENT IN THE TOWN OF HULL 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 Hull appointed after the effective date of this act.

SECTION 2. This act shall take effect upon its acceptance by the town of Hull. *Approved March 3, 1965.*

Chap. 95. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO ISSUE PERMITS TO PURCHASE OR RENT FIREARMS TO CERTAIN NONRESIDENTS.

Be it enacted, etc., as follows:

Section 131A of chapter 140 of the General Laws, as most recently amended by section 7 of chapter 296 of the acts of 1959, is hereby further amended by inserting after the first sentence the following sentence: — The commissioner of public safety or a person authorized by him, upon the application of a person licensed under section one hundred and thirty-one F, may grant to such licensee, other than a minor, a permit to purchase, rent or lease a firearm if it appears that such purchase, rental or lease is for a proper purpose, and may revoke such permit at will.

Approved March 3, 1965.

Chap. 96. AN ACT PROVIDING LIFE TENURE FOR THE REGULAR MEMBERS OF THE FIRE DEPARTMENT OF THE TOWN OF LONGMEADOW, EXCEPT THE CHIEF ENGINEER THEREOF.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of any regular member or engineman of the fire department of the town of Longmeadow who, upon the effective date of this act, has served in his respective office or position for a period of five consecutive years, except the chief engineer thereof, shall, upon said effective date, be unlimited. No such member shall 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 engineers of said department.

SECTION 2. This act shall be submitted to the voters of the town of Longmeadow at the annual town meeting in the current year or in the year nineteen hundred and sixty-six 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-five, entitled 'An Act providing life tenure for the regular members of the fire department of the town of Longmeadow, except the chief engineer thereof', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

Approved March 3, 1965.

Chap. 97. AN ACT PROVIDING LIFE TENURE FOR THE REGULAR MEMBERS OF THE POLICE FORCE OF THE TOWN OF LONGMEADOW, EXCEPT THE CHIEF THEREOF.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of any regular member of the police force of the town of Longmeadow who, upon the effective date of this act, has served in his respective office or position for a period of five consecutive years, except the chief thereof, shall, upon said effective date, be unlimited. No such member shall be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted to the voters of the town of Longmeadow at the annual town meeting in the current year or in the year nineteen hundred and sixty-six 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-five, entitled 'An Act providing life tenure for the regular members of the police force of the town of Longmeadow, except the chief thereof', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

Approved March 3, 1965.

Chap. 98. AN ACT RELATIVE TO TEMPORARY LOANS BY CITIES AND TOWNS.

Be it enacted, etc., as follows:

Section 8 of chapter 44 of the General Laws is hereby amended by striking out clause (1), as appearing in the Tercentenary Edition, and inserting in place thereof the following clause: —

(1) For temporary loans under sections four, five, five A and seventeen, one year, and under sections six and six A, two years.

Approved March 3, 1965.

Chap. 99. AN ACT RELATIVE TO WATER DEPARTMENTS OF CITIES, TOWNS, AND DISTRICTS.

Be it enacted, etc., as follows:

Section 69B of chapter 41 of the General Laws, inserted by section 4 of chapter 172 of the acts of 1938, is hereby amended by adding the following paragraph: —

The provisions of this section relative to the powers and duties of the water commissioners, or the selectmen acting as such, shall also apply to the commission, board or person having charge and control of the water department or water system of any city, town, or district established under special law, notwithstanding any contrary provision therein, upon the acceptance of this section by such city, town, or district.

Approved March 3, 1965.

Chap. 100. AN ACT PROVIDING LIFE TENURE FOR KENNETH S. WEBBER, INCUMBENT OF THE OFFICE OF CITY AUDITOR OF THE CITY OF GLOUCESTER.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Kenneth S. Webber, incumbent of the office of city auditor of the city of Gloucester, 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 Gloucester.

Approved March 3, 1965.

Chap. 101. AN ACT ESTABLISHING AN OLD AND HISTORIC DISTRICTS COMMISSION FOR THE TOWN OF MARBLEHEAD.

Be it enacted, etc., as follows:

SECTION 1. This act shall be designated and may be known as the Old and Historic Marblehead Districts Act.

SECTION 2. The purpose of this act is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of historic buildings, places and districts of historic interest in the town of Marblehead, through the maintenance of such districts as landmarks in the history of architecture and as a tangible reminder of the early days of the commonwealth and said town, through the development of appropriate settings for said buildings, places and districts, and through the benefits resulting to the economy of the commonwealth and said town through the promotion of such historic associations.

SECTION 3. The town of Marblehead by vote at a town meeting may by by-law establish historic districts in the town of Marblehead. Prior to the establishment or change in any such by-law or district the planning board of said town shall hold a public hearing thereon after due notice given and file a report on recommendations to town meeting; provided, that such by-law or district may be established or changed if twenty days shall have elapsed after such hearing without the submission of such report.

SECTION 4. After the effective date of this act and the establishment of an historic district, an Old and Historic Marblehead Districts Commission, hereinafter called the commission, consisting of not less than three nor more than five members, shall be established. Each member shall be a resident of the town of Marblehead and shall reside in an historic district established under this act. Such members shall be appointed by the board of selectmen for a term of one year. Any member of the commission so appointed may be removed by the board of selectmen at its pleasure. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the manner provided in section eleven of chapter forty-one of the General Laws. Said commission shall elect annually a chairman and a secretary from its own number. The commission shall have, in addition to the powers, authority and duties granted to it by this act, the powers, authority and duties as provided by said by-law.

SECTION 5. (*a*) It shall be the function and the duty of the commission to pass upon the appropriateness of the exterior architectural features of buildings, and structures hereafter to be erected, reconstructed, altered or restored in said districts wherever such exterior features are subject to public view from a public street or way. All plans, elevations and other information deemed necessary by the commission to determine the appropriateness of the exterior features to be passed upon shall be made available to the commission by the applicant. It shall also be the duty of the commission to pass upon the removal of any building within said districts as set forth in section six, and the erection or display of occupational or other signs as set forth under section seven.

(*b*) The town, in establishing said by-law, may, in addition to the purposes set forth in section two, consider among other things the his-

torical and architectural value and significance, architectural style, the general design, arrangement, texture and material of the buildings or structures to be regulated within a district and the relation of such factors to similar features of buildings and structures in the immediate surroundings within said district.

(*c*) The commission shall not consider detailed designs, relative size of buildings in plan, interior arrangement or building features not subject to public view. Said by-law may provide that the commission shall not consider ordinary maintenance and repair to buildings and structures, building permits issued prior to the notice of public hearing given by the planning board as provided in section three, fences, stone or brick walls, arbors, trellises, terraces, patios, flagpoles, chimneys, screens, storm doors, windows, color, sheds and temporary buildings as may be defined by said by-law, and other exclusions as the town may determine.

(*d*) In the event that vacant land exists or should occur through catastrophe, and that such land is an integral part of a district, the commission shall have the right to pass upon all plans for construction, and such plans shall be submitted to the commission for its approval before a building permit may be issued.

(*e*) In case of disapproval the commission shall state its reasons therefor in writing, and it may make recommendations to the applicant with respect to historic significance, appropriateness of design, arrangement, texture, material and the like, as set forth in said by-law, of the building or structure involved.

(*f*) Upon approval of the plans the commission shall cause a certificate of appropriateness, dated and signed by the chairman, to be issued to the applicant or affixed to the plans.

SECTION 6. In any historic district no building or structure shall hereafter be erected, reconstructed, altered or restored within said district unless and until an application for a certificate of appropriateness shall have been approved by the commission or issued as hereinafter provided. The building inspector shall not issue a building permit for work in any historic district until such certificate of appropriateness has been procured.

SECTION 7. The erection or display of an occupational or other sign in a size in excess of size established by the by-law, or the erection or display of more than one such sign on any lot, building or structure located within a district shall be approved in advance by the commission. Evidence of such approval shall be a certificate of appropriateness issued by the commission.

SECTION 8. Within ten days after the filing of an application for a certificate of appropriateness, Saturdays, Sundays and legal holidays excluded, the commission shall determine the estates deemed by it to be materially affected by such application, and unless a public hearing on such application is waived in writing by all persons entitled to notice thereof, shall forthwith cause its secretary to give, by mail, postage prepaid, to the applicant, to the owners of all such estates as they appear on the then most recent real estate tax list, and to the planning board, reasonable notice of a public hearing before the commission on such application.

As soon as convenient after such public hearing or the waiver thereof,

but in all events within thirty days after the filing of the application for the certificate of appropriateness, or within such further time as the applicant may in writing allow, the commission shall determine whether the proposed construction, reconstruction or alteration of the exterior architectural feature involved will be appropriate to the preservation of the historic district for the purposes of this act, and whether, notwithstanding that it may be inappropriate, owing to conditions especially affecting the building or structure involved, but not affecting the historical district generally, failure to issue a certificate of appropriateness will involve a substantial hardship, financial or otherwise, to the applicant, and such certificate may be issued without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this act.

If the commission determines that the proposed construction, reconstruction or alteration involved will be appropriate or, although inappropriate, owing to conditions as aforesaid, failure to issue a certificate of appropriateness will involve substantial hardship to the applicant and the issuance thereof may be made without substantial detriment or derogation as aforesaid, or if the commission fails to make a determination within the time prescribed, the secretary of the commission shall forthwith issue to the applicant a certificate of appropriateness. If the commission determines that a certificate of appropriateness should not issue, the commission shall spread upon its records the reasons for such determination, and may include recommendations respecting the proposed construction, reconstruction or alteration. The secretary of the commission shall forthwith notify the applicant of such determination, transmitting to him an attested copy of the reasons and recommendations, if any, spread upon the records of the commission.

SECTION 9. Nothing in this act shall be construed to prevent the construction, reconstruction, alteration or demolition of a public building or structure; nor shall anything in this act be construed to prevent the construction, reconstruction, 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.

SECTION 10. Appeals may be taken to the board of appeals, being the board of selectmen, by any person aggrieved by a ruling of the commission. The board of appeals shall hear and act upon such appeals within a reasonable time. The concurring vote of all except one member of the board of appeals shall be necessary to reverse any decision of the commission.

SECTION 11. Any applicant aggrieved by a determination of the board of appeals may, within twenty days after the making of such decision, appeal to the superior court sitting in equity for the county of Essex at Salem. The court shall hear all pertinent evidence, and shall annul the determination of the board if it finds the decision of the board to be unwarranted by the evidence, or to be insufficient in law to warrant the determination of the board, or make such other decree as justice and equity may require. The remedies provided by this section shall be exclusive: but the parties shall have all rights of appeal and exception as in other cases in equity. The commission shall not have the right of appeal to the superior court from a decision of the board of appeals.

SECTION 12. The superior court shall have jurisdiction in equity to enforce the provisions of this act, any by-law established and the rulings issued under its provisions, and may restrain by injunction violations thereof.

SECTION 13. This act shall take effect upon its acceptance by the town of Marblehead. *Approved March 3, 1965.*

Chap. 102. AN ACT LIMITING THE TRANSFER OF PLATES FOR A LIMITED PERIOD FROM ONE VEHICLE TO ANOTHER VEHICLE OF THE SAME TYPE.

Be it enacted, etc., as follows:

The fifth paragraph of section 2 of chapter 90 of the General Laws is hereby amended by striking out the second sentence, inserted by section 1 of chapter 568 of the acts of 1961, and inserting in place thereof the following sentence: — A person who transfers the ownership of a registered motor vehicle or trailer owned by him to another or who loses possession thereof and who intends to transfer the registration of such motor vehicle or trailer to a newly acquired vehicle of the same type and having the same number of wheels may, subject to other provisions of this chapter, operate such newly acquired motor vehicle or trailer for a period beginning from the date of transfer until five o'clock post meridian of the second registry business day following the date of transfer within the same calendar year; provided, that the number plates issued upon registration of the transferred motor vehicle or trailer are attached to the newly acquired vehicle.

Approved March 3, 1965.

Chap. 103. AN ACT REGULATING THE HOLDING OF THE SESSIONS OF THE PROBATE COURT OF PLYMOUTH COUNTY.

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 52 and 53, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph: —

Plymouth, at Plymouth, the first, second and fifth Mondays of each month, except August; at Brockton, the third and fourth Mondays of each month except July and except the third Monday in August.

Approved March 3, 1965.

Chap. 104. AN ACT RELATIVE TO THE ESTABLISHMENT OF RULES AND REGULATIONS BY THE MILK REGULATION BOARD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 94 of the General Laws is hereby amended by striking out section 13, as appearing in section 1 of chapter 263 of the acts of 1933, and inserting in place thereof the following section: — *Section 13.* The milk regulation board established under section forty-two of chapter six shall, subject to the provisions of chapter thirty A,

make rules and regulations establishing grades of milk, one of which shall be termed "Grade A", and regulating, and establishing standards for, the production, processing, labeling and sale of milk of such grades, including bacterial standards and sanitary standards for all grades of milk and fat standards and milk solids standards for grade A milk. The board may also by such rules and regulations establish any food or nutritional standards for special grades of milk and may specify how such special grades of milk shall be tested prior to being sold or delivered, or offered for sale or delivery. The board may from time to time amend any rule or regulation adopted under this section. No standard established by said board shall fall below the Massachusetts legal standards for milk, or any standard hereafter prescribed by law for milk of the same grade to which the standard established by the board relates.

SECTION 2. Section thirteen A of said chapter ninety-four is hereby repealed. *Approved March 3, 1965.*

Chap. 105. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY A CERTAIN SUM OF MONEY TO RUSSELL E. EVERETT, ANTHONY BRANDOLINO AND FRANCIS J. MACDONALD.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Watertown is hereby authorized to pay the sum of three hundred and thirty-three dollars and thirty-three cents to each of the following water meter inspectors of said town: Russell E. Everett, Anthony Brandolino and Francis J. MacDonald, for services rendered to the town in addition to their regular duties, payment of which is legally unenforceable against said town.

SECTION 2. This act shall take effect upon its acceptance by the town of Watertown. *Approved March 3, 1965.*

Chap. 106. AN ACT AUTHORIZING THE ESTABLISHMENT OF A RESERVE FORCE IN THE FIRE DEPARTMENT OF THE TOWN OF NORTH ANDOVER AND REMOVING FROM CIVIL SERVICE THE POSITIONS OF CALL FIREMEN IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of North Andover may, by its board of fire engineers, establish a reserve force of fire fighters in its fire department and appointments thereto and removals therefrom shall, subject to chapter thirty-one of the General Laws, be made in the same manner as appointments to and removals from the regular or permanent force of the fire department of said town. The number of members of such reserve force shall not exceed five unless the regular fire force exceeds fifteen, in which case one member may be added to the reserve force for every three of the regular force above fifteen. The board of fire engineers may assign members of said reserve force to active duty whenever and for such length of time as they may deem necessary and shall fix their compensation. Except as otherwise provided herein, no provision of law applicable to the regular or permanent force of the fire

department of said town shall apply to said reserve force or the members thereof except when assigned to active duty.

SECTION 2. The civil service law and rules shall not apply to positions of call firemen in the town of North Andover filled after the effective date of this act.

SECTION 3. This act shall take effect upon its acceptance by the town of North Andover. *Approved March 3, 1965.*

Chap. 107. AN ACT REMOVING THE OFFICE OF SUPERINTENDENT OF PUBLIC WORKS OF THE TOWN OF NORTH READING FROM THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

SECTION 1. On the effective date of this act the office of superintendent of public works of the town of North Reading shall no longer be subject to chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of North Reading at the annual town meeting in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-five, entitled 'An Act removing the office of superintendent of public works of the town of North Reading from the civil service laws and rules', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved March 3, 1965.

Chap. 108. AN ACT RELATIVE TO THE INDEMNIFICATION OF OFFICERS OR EMPLOYEES OF CITIES, TOWNS AND DISTRICTS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 100A, as most recently amended by chapter 128 of the acts of 1949, and inserting in place thereof the following section: — *Section 100A.* A city which accepts this section by vote of its city council subject to the provisions of its charter, or a town or district which accepts the same by vote of its inhabitants at an annual 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, machinery or equipment, or vessel owned by such city, town or district, to an amount not exceeding fifteen 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 or prudential committee, regional school committee or commissioners 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, or if a district by an attorney appointed or employed by the prudential committee, regional school committee or commissioners, upon the request of said officer or employee and at the direction of the mayor, selectmen, prudential committee, regional school committee or commissioners. 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, town or district under clause (1) of section five of chapter forty. *Approved March 3, 1965.*

Chap. 109. AN ACT DEFINING THE TERM "SEED POTATOES" AND REGULATING THE SALE THEREOF.

Be it enacted, etc., as follows:

SECTION 1. The paragraph defining "Agricultural seeds" of section 261A of chapter 94 of the General Laws, as appearing in section 2 of chapter 396 of the acts of 1959, is hereby amended by inserting after the word "seeds", the second time it appears in line 3, the words: — , including seed potatoes.

SECTION 2. Said section 261A of said chapter 94 is hereby further amended by inserting after the paragraph defining "Agricultural seeds" the following paragraph: —

"Seed potatoes", Irish potato and parts thereof grown for propagation purposes.

SECTION 3. Said chapter 94 is hereby further amended by inserting after section 261K the following section: —

Section 261L. No person shall sell, offer to sell or expose for sale seed potatoes that do not conform to the standards and allowable tolerances as set forth in the rules and regulations established by the division of markets in the department of agriculture. The director of the division of markets may when disease free stock is not available waive the provisions of this section for such periods of time as he may deem necessary. Whoever violates the provisions of this section shall be punished by a fine of not more than five hundred dollars.

Approved March 3, 1965.

Chap. 110. AN ACT AUTHORIZING THE TOWN OF CONCORD TO PAY A SUM OF MONEY IN SETTLEMENT OF AN ACTION PENDING AGAINST CERTAIN EMPLOYEES OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Concord may appropriate and pay to William H. Ryan a sum not exceeding eight hundred dollars in settlement of an action pending against William McHugh, Robert McHugh, Joseph Curro and Joseph Forsythe, employees of said town, to recover for damage to the personal property of said William H. Ryan by said employees in the course of their employment.

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

Approved March 5, 1965.

Chap. 111. AN ACT AUTHORIZING THE TOWN OF CONCORD TO PAY AN ANNUITY TO KATHRYN G. MCGRATH, WIDOW OF BERNARD J. MCGRATH, LATE PART TIME ASSESSOR OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the town of Concord is hereby authorized to pay to Kathryn G. McGrath, the widow of Bernard J. McGrath, late part time assessor of said town, an annuity for life as long as she remains unmarried of the sum of twelve hundred dollars, the same to be paid in equal monthly installments.

SECTION 2. This act shall take effect upon its acceptance by the town of Concord. *Approved March 5, 1965.*

Chap. 112. AN ACT RELATIVE TO INSURANCE OF CHILDREN PENDING ADOPTION PROCEEDINGS.

Be it enacted, etc., as follows:

Paragraph (*a*) of subdivision 2 of section 108 of chapter 175 of the General Laws is hereby amended by striking out provision (3), as amended by section 1 of chapter 634 of the acts of 1962, and inserting in place thereof the following provision: —

(3) It purports to insure only one person, except that a policy may insure, originally or by subsequent amendment, upon the application of an adult member of a family who shall be deemed the policyholder, any two or more eligible members of that family, including husband, wife, dependent children or any children under a specified age which shall not exceed nineteen years and any other person dependent upon the policyholder; provided, that where a policy provides for termination of a dependent child's coverage at a specified age, and where such a child is mentally or physically incapable of earning his own living on the termination date, the policy shall continue to insure such child while the policy is in force and so long as such incapacity continues, if due proof of such incapacity is received by the insurer within thirty-one days of such termination date. The term "dependent children" as used in this provision shall include children of adopting parents during pendency of adoption procedures under the provisions of chapter two hundred and ten; and. *Approved March 5, 1965.*

Chap. 113. AN ACT PROVIDING THAT OPERATORS OF HOISTING MACHINERY NOT RUN BY STEAM NEED NOT BE LICENSED WHEN SUCH MACHINERY IS BEING USED EXCLUSIVELY FOR AGRICULTURAL PURPOSES.

Be it enacted, etc., as follows:

Section 53 of chapter 146 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence: — Any operator of such hoisting machinery when it is being used exclusively for agricultural purposes shall be exempt from the provisions of this section. *Approved March 5, 1965.*

Chap. 114. AN ACT RELATIVE TO CERTAIN BORROWING FOR PUBLIC WORKS PURPOSES BY COUNTIES, CITIES, TOWNS, AND DISTRICTS, AND REPEALING THE LIMITATION ON THE TIME FOR SUCH BORROWING.

Be it enacted, etc., as follows:

SECTION 1. The fourth paragraph of section 2 of chapter 74 of the acts of 1945 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — All the provisions of said chapter forty-four, exclusive of the limitations contained in the first paragraph of section seven thereof, shall apply to any borrowing hereunder by any city, town, or district, except as hereinbefore provided and, in respect to any borrowing from the United States of America, except in so far as such provisions of law may be in conflict with applicable federal laws and regulations.

SECTION 2. Section six of said chapter seventy-four of the acts of nineteen hundred and forty-five, as most recently amended by chapter ninety-two of the acts of nineteen hundred and sixty-three, is hereby repealed. *Approved March 5, 1965.*

Chap. 115. AN ACT REQUIRING THE EMERGENCY FINANCE BOARD TO FIX MAXIMUM TERMS OF LOANS BY CITIES AND TOWNS FOR REMODELING, RECONSTRUCTING OR MAKING EXTRAORDINARY REPAIRS TO PUBLIC BUILDINGS.

Be it enacted, etc., as follows:

The first paragraph of section 1 of chapter 275 of the acts of 1948, as amended by chapter 226 of the acts of 1957, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — Each authorized issue shall constitute a separate loan and said board shall fix the maximum terms of the loans, which maximum terms shall be not more than ten years from the dates of the loans. *Approved March 5, 1965.*

Chap. 116. AN ACT AUTHORIZING THE BOARD OF MANAGERS OF THE QUINCY CITY HOSPITAL TO ENTER INTO CONTRACTS FOR PAYMENT OF THE RADIOLOGICAL STAFF UPON A PERCENTAGE BASIS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the board of managers of the Quincy City Hospital, as established by chapter one hundred and thirty-four of the Special Acts of nineteen hundred and nineteen, is hereby authorized, subject to appropriation therefor, to enter into contracts with radiologists for radiological services to be performed at said hospital, providing for payments for such services to be measured by a percentage of the cash receipts of the department of radiology of the said hospital to be determined in accordance with rules and regulations to be promulgated by said board.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Quincy, with the approval of its mayor, but not otherwise. *Approved March 5, 1965.*

Chap. 117. AN ACT INCREASING THE AMOUNT OF MONEY CITIES AND TOWNS MAY APPROPRIATE FOR STOCKING INLAND WATERS WITH FISH AND FOR LIBERATING GAME.

Be it enacted, etc., as follows:

The first sentence of clause (41) of section 5 of chapter 40 of the General Laws, as amended by chapter 101 of the acts of 1950, is hereby further amended by striking out, in line 6, the word "one" and inserting in place thereof the word: — two, — so as to read as follows: —For the purpose of stocking ponds and other inland waters, located within the town limits, with fish and of liberating game, as defined in section one of chapter one hundred and thirty-one, within said limits and to meet necessary expenses incidental thereto, including the feeding of game so liberated, a sum not to exceed two thousand dollars.

Approved March 5, 1965.

Chap. 118. AN ACT REGULATING THE STOPPING OF GAS OR ELECTRIC SERVICE BY UTILITY COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 164 of the General Laws is hereby amended by striking out section 124, as amended by chapter 102 of the acts of 1952, and inserting in place thereof the following section: — *Section 124.* Except as otherwise provided in section one hundred and twenty-four A, a gas or electric company may stop gas or electricity from entering the premises of any person failing to pay the amount due therefor or for the use of the meter or instrument necessary to measure supply of service; and for such purpose, the officers, servants or workmen thereof may, after three days' notice by mail, exclusive of Saturdays, Sundays and legal holidays, enter his premises between the hours of eight in the forenoon and four in the afternoon and separate and take away such meter or other property of the company, and may disconnect any meter, pipe, wires, fittings or other works, whether they are property of the company or not, from its mains, pipes or wires. In the event a person is being serviced by gas or electricity at two or more premises at the same time, a gas or electric company may enter only those premises to which the unpaid amount relates.

SECTION 2. Said chapter 164 is hereby further amended by striking out section 124A, inserted by section 1 of chapter 376 of the acts of 1935, and inserting in place thereof the following section: — *Section 124A.* No gas or electric company shall cut off gas or electric service in any home during such time as there is serious illness therein, as certified to such company by the local board of health or a registered physician. Any such company wilfully violating the provisions of this section or section one hundred and twenty-four shall be punished by a fine of not more than fifty dollars.

Approved March 5, 1965.

Chap. 119. AN ACT PROVIDING LIFE TENURE FOR JAMES E. O'BRIEN, INCUMBENT OF THE OFFICE OF CHIEF ENGINEER OF THE FIRE DEPARTMENT OF THE TOWN OF LONGMEADOW.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of James E. O'Brien, incumbent of the office of chief engineer of the fire department of the town of Longmeadow, shall, upon the effective date of this act, be unlimited. Said incumbent shall not be removed from office or suspended, except for just cause and for reasons specifically given him in writing by the board of engineers of said department.

SECTION 2. This act shall be submitted to the voters of the town of Longmeadow at the annual town meeting in the current year or in the year nineteen hundred and sixty-six 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-five, entitled 'An Act providing life tenure for James E. O'Brien, incumbent of the office of chief engineer of the fire department of the town of Longmeadow', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

Approved March 5, 1965.

Chap. 120. AN ACT PROVIDING LIFE TENURE FOR GEORGE A. YARSLEY, JR., INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF LONGMEADOW.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of George A. Yarsley, Jr., incumbent of the office of chief of police of the town of Longmeadow, shall, upon the effective date of this act, be unlimited. Said incumbent shall not be removed from office or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted to the voters of the town of Longmeadow at the annual town meeting in the current year or in the year nineteen hundred and sixty-six 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-five, entitled 'An Act providing life tenure for George A. Yarsley, Jr., incumbent of the office of chief of police of the town of Longmeadow', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

Approved March 5, 1965.

Chap. 121. AN ACT PROVIDING FOR UNLIMITED TENURE OF OFFICE FOR EDWARD H. McGOWAN, INCUMBENT OF THE OFFICE OF CHIEF ENGINEER OF THE WILLIAMSTOWN FIRE DISTRICT, UNTIL HE ATTAINS AGE SIXTY-FIVE.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Edward H. McGowan, incumbent of the office of chief engineer of the Williamstown fire district, shall,

upon the effective date of this act, be unlimited until he reaches age sixty-five. Said incumbent shall not be removed from office or suspended except for just cause and for reasons specifically given him in writing by the prudential committee of said district in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. Section one shall take effect upon its acceptance by the prudential committee of the Williamstown fire district and by a majority of the legal voters of said district present and voting at an annual or special meeting.

SECTION 3. Chapter seventeen of the acts of nineteen hundred and sixty-two is hereby repealed. *Approved March 5, 1965.*

Chap. 122. AN ACT AUTHORIZING THE APPROPRIATION OF CERTAIN FUNDS OF THE CITY OF LOWELL, PREVIOUSLY RAISED BY BOND ISSUE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the city of Lowell may, by a two-thirds vote of all members of the city council, appropriate sums, not exceeding forty-two thousand six hundred sixty-five dollars and sixty-five cents, in the aggregate, from the proceeds of a loan issued November first, nineteen hundred and sixty, under authority of clause (2A) of section seven of said chapter forty-four, which proceeds are not presently necessary for the purposes specified in the authorization of said loan, for any purpose for which said city may be authorized to borrow for a period of ten years or longer. *Approved March 5, 1965.*

Chap. 123. AN ACT PROVIDING THAT THE COURT MAY ORDER A STATEMENT OF PARTICULARS IN SUITS IN EQUITY AND PROCEEDINGS IN THE PROBATE COURT.

Be it enacted, etc., as follows:

Section 144 of chapter 231 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "sixty-eight", in line 3, the word: — , seventy.

Approved March 5, 1965.

Chap. 124. AN ACT INCREASING THE PENALTIES FOR SHELLFISHING IN CONTAMINATED AREAS AND FOR TRANSPORTING OR POSSESSING SHELLFISH DUG OR TAKEN FROM CONTAMINATED AREAS.

Be it enacted, etc., as follows:

The second paragraph of section 75 of chapter 130 of the General Laws is hereby amended by striking out the first sentence, as amended by section 2 of chapter 288 of the acts of 1956, and inserting in place thereof the following sentence: — Whoever, without a permit as provided in this section or contrary to the provisions of such permit, digs or takes shellfish for any purpose from any area determined under section

seventy-four or section seventy-four A or under corresponding provisions of earlier laws to be contaminated, while such determination is in force, or knowingly transports or causes to be transported or has in his possession shellfish so dug or taken, shall be punished, if the violation occurred between one half hour before sunrise and one half hour after the following sunset, by a fine of not less than fifty nor more than two hundred dollars or by imprisonment for not more than sixty days, or both, and, if the violation occurred between one half hour after sunset and one half hour before the following sunrise, by a fine of not less than one hundred nor more than three hundred dollars or by imprisonment for not more than ninety days, or both, and whoever makes use of such a permit after its revocation or cancellation or wilfully fails to surrender the same at the request of said director shall be punished by a fine of not less than twenty nor more than one hundred dollars or by imprisonment for not more than sixty days, or both.

Approved March 5, 1965.

Chap. 125. AN ACT RELATIVE TO THE NUMBER OF OFFICERS AND DIRECTORS OF A CORPORATION LICENSED AS AN INSURANCE AGENT OR BROKER WHO MAY ACT THEREUNDER IN THE NAME AND ON BEHALF OF SUCH CORPORATION.

Be it enacted, etc., as follows:

The first paragraph of section 174 of chapter 175 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — Each license shall specify the officers and directors who may act thereunder in the name and on behalf of the corporation, the number of such officers and directors to be determined in the discretion of the commissioner in each case. *Approved March 8, 1965.*

Chap. 126. AN ACT PLACING THE CUSTODIANS OF SCHOOL BUILDINGS IN THE CITY OF SOMERVILLE UNDER THE CONTROL OF THE SCHOOL COMMITTEE OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Section 30 of chapter 240 of the acts of 1899 is hereby amended by adding the following sentence: — It shall also appoint and may remove or suspend custodians of school buildings.

SECTION 2. This act shall take effect upon its acceptance by the city of Somerville on or before January first, nineteen hundred and sixty-six. *Approved March 8, 1965.*

Chap. 127. AN ACT CHANGING THE NAME OF THE WORCESTER AND HAMPDEN SENATORIAL DISTRICT TO THE WORCESTER, HAMPDEN AND HAMPSHIRE SENATORIAL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 57 of the General Laws, as most recently amended by section 1 of chapter 432 of the acts of 1960, is hereby further amended by striking out, in line 2, under the heading

"*Seventh.*", the words "Worcester and Hampden" and inserting in place thereof the words: — Worcester, Hampden and Hampshire.

SECTION 2. Section 3 of said chapter 57, as most recently amended by section 2 of said chapter 432, is hereby further amended by striking out the heading "*Worcester and Hampden*" and inserting in place thereof the words: — *Worcester, Hampden and Hampshire.*

Approved March 9, 1965.

Chap. 128. AN ACT PROVIDING THAT THE SPECIAL AGENT IN CHARGE OF THE BOSTON OFFICE OF THE FEDERAL BUREAU OF INVESTIGATION BE AN ADVISORY MEMBER OF THE MUNICIPAL POLICE TRAINING COUNCIL.

Be it enacted, etc., as follows:

Section 116 of chapter 6 of the General Laws, added by section 2 of chapter 564 of the acts of 1964, is hereby amended by inserting after the word "designees", in line 4, the words: —, the special agent in charge of the Boston office of the federal bureau of investigation, if consent is given by the director of said bureau, who shall act in an advisory capacity but shall have no vote, — and by striking out, in lines 5 and 6, the words ", with the advice and consent of the council".

Approved March 9, 1965.

Chap. 129. AN ACT PROVIDING PROTECTION FOR THE GRAY SEAL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 130 of the General Laws is hereby amended by inserting after section 101 the following section: —

Section 101A. No person shall wilfully detain, hunt, kill or injure a gray seal (halichoerus gryphus), also called a Nantucket horsehead. Whoever violates any provision of this section shall be punished by a fine not to exceed five hundred dollars.

SECTION 2. The second paragraph of section 68 of chapter 131 of the General Laws, as appearing in section 1 of chapter 482 of the acts of 1953, is hereby amended by inserting after the word "mammals", in line 2, the words: —, except gray seals, . *Approved March 9, 1965.*

Chap. 130. AN ACT PROHIBITING THE CURTAILMENT OF SERVICE BY A UTILITY COMPANY BECAUSE OF FAILURE TO PAY FOR AN APPLIANCE PURCHASED FROM IT.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by inserting after section 124A the following section: —

Section 124B. No gas or electric company shall shut off gas or electric service in any home for the reason that a person has failed to pay for an appliance purchased from such company.

Approved March 9, 1965.

Chap. 131. AN ACT MAKING CERTAIN CONTRACTS FOR SALE OF SECURITIES VOIDABLE AND ESTABLISHING A CAUSE OF ACTION FOR SALE OF SECURITIES IN VIOLATION OF CERTAIN PROVISIONS OF LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 110A of the General Laws is hereby amended by inserting after section 5 the following section: —

Section 5A. If a notice of intention has not been filed in accordance with section five, or if the statement referred to in said section has not been filed, or if the sale of a security has been forbidden under any provision of this chapter, no person may act as an agent for the purchase of such security unless such agent has informed the buyer in a writing, delivered prior to completion of the sale, that such notice of intention has not been filed, or that statement has not been filed or that such sale has been forbidden, as the case may be. A statement contained in the confirmation of the purchase shall not be compliance with this section.

The provisions of this section shall not apply (1) to an agent when purchasing a security for a buyer on the unsolicited order of such buyer, who notifies the buyer at the time the order is placed and confirms to the buyer in writing that the notice or statement required by section five has not been or may not have been filed or that the sale of such security has been or may have been forbidden under this chapter, or (2) to securities or sales of securities exempt under any provisions of this chapter or order of the department of public utilities.

SECTION 2. Said chapter 110A is hereby further amended by striking out section 18, as amended by section 12 of chapter 445 of the acts of 1938, and inserting in place thereof the following section: — *Section 18.* Every sale or contract of sale of any security made in violation of any provision of section five or of section five A shall be voidable at the election of the purchaser. The purchaser shall be entitled to recover in an action at law from the seller, in the case of a violation of section five, or from the agent, in the case of a violation of section five A, upon tender to the seller or to the agent, as the case may be, in person or in open court of the security sold, in proper form for transfer, together with the amount of all dividends, interest and other income and distributions received by the purchaser from or upon such security, the full amount paid by such purchaser for such security with interest from the date of purchase; provided, that no action shall be brought for recovery of the purchase price after two years from the date of such sale or contract of sale; and provided, further, that no purchaser otherwise entitled shall claim or have the benefit of this section who shall have refused or failed to accept, within thirty days from the receipt thereof, an offer in writing of the seller or the agent to take back the security in question and to refund the full amount paid by such purchaser, together with interest on such amount from the date of payment to the date of repayment, such interest to be computed at the same rate as the interest or dividend rate, if any, provided for in such security, or, if no such rate is so provided for, at the rate of six per cent per annum, and less in every case the amount of any income and distributions from or upon such security which may have been received by such purchaser. Except as aforesaid, no transaction involving a sale or contract of sale of any security shall be void or voidable by reason of any express or implied provision of this

chapter; but nothing in this chapter shall limit any other statutory or any common law right of any person to bring any action in any court for any act involved in the sale of a security, or the right of the commonwealth to punish any person for the violation of any law, except as provided in section sixteen. *Approved March 9, 1965.*

Chap. 132. AN ACT RELATIVE TO THE APPOINTMENT OF TEACHERS IN THE UNIVERSITIES AND COLLEGES OF THE COMMONWEALTH WHO ARE BLIND.

Be it enacted, etc., as follows:

Chapter 15 of the General Laws is hereby amended by inserting after section 19 the following section: —

Section 19A. The appointing authority of the University of Massachusetts or of any college or other institution of higher learning of the commonwealth shall not refuse to elect and contract with a candidate for a teaching position in said university or in any such college or institution because of the blindness of such candidate.

Approved March 9, 1965.

Chap. 133. AN ACT PROVIDING FOR THE SUBMISSION TO THE VOTERS OF THE TOWN OF NORTH READING OF THE QUESTION OF GRANTING CERTAIN VACATIONS TO 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 North Reading in the year nineteen hundred and sixty-six: — "Shall the provisions of section one hundred and eleven D of chapter forty-one of the General Laws, which provides for a vacation of three weeks for police officers and fire fighters with five years' service but less than ten years' service, and a vacation of four weeks for police officers and fire fighters with ten years' service or more, be applicable in the town of North Reading?" If a majority of the votes in answer to said question is in the affirmative, section one hundred and eleven D of chapter forty-one of the General Laws shall be applicable in the town of North Reading. *Approved March 9, 1965.*

Chap. 134. AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY THE J. M. AND J. J. SULLIVAN PLAYGROUND IN SAID CITY TO THE BOSTON REDEVELOPMENT AUTHORITY FOR URBAN RENEWAL OR LAND ASSEMBLY AND REDEVELOPMENT PROJECT PURPOSES.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of general or special law, the city of Boston, acting by its mayor without further authority than that contained in this act, may convey, with or without consideration,

to the Boston Redevelopment Authority for urban renewal or land assembly and redevelopment project purposes so much of the land described in the order of taking adopted by the board of park commissioners of said city on August seventeenth, eighteen hundred and ninety-seven, and recorded with Suffolk Deeds, Book 2469, Page 537, as at the time of such conveyance continues to be held by said city for public playground purposes. *Approved March 9, 1965.*

Chap. 135. AN ACT RELATIVE TO THE DIVISION BETWEEN THE TOWNS OF MIDDLEBOROUGH AND LAKEVILLE OF THE PROCEEDS OF THE ALEWIFE FISHERIES OF THE NEMASKET RIVER.

Be it enacted, etc., as follows:

Chapter 338 of the acts of 1853 is hereby amended by striking out section 5 and inserting in place thereof the following section: — *Section 5.* The alewife fisheries of the Nemasket river shall be and remain the property of said towns of Middleborough and Lakeville, and the manner of taking said fish, and the whole management of said fisheries, shall be regulated by the selectmen of said towns; and the proceeds thereof shall be divided between the said towns, in proportion to the number of registered voters, in each, respectively, on January first of the year in which such division takes place, and the respective parts of such proceeds shall be disposed of by said towns respectively, in such manner and for such purposes as each town shall for itself determine and direct.

Approved March 9, 1965.

Chap. 136. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF PLYMOUTH TO BORROW MONEY FOR THE FURNISHING AND EQUIPPING OF THE JAIL AND HOUSE OF CORRECTION IN THE TOWN OF PLYMOUTH.

Be it enacted, etc., as follows:

Section 1 of chapter 574 of the acts of 1964 is hereby amended by striking out, in lines 3 and 4, the words "and alter" and inserting in place thereof the words: — , alter, furnish and equip, — so as to read 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, alter, furnish and equip the physical structures thereof.

Approved March 9, 1965.

Chap. 137. AN ACT AUTHORIZING THE TOWN OF MONSON TO ESTABLISH A CERTAIN INVESTMENT FUND AND TO MAKE CERTAIN APPROPRIATIONS THEREFROM.

Be it enacted, etc., as follows:

The town of Monson, acting by and through its board of selectmen and board of water commissioners, may establish an investment fund with any funds received from the federal government over and above the cost of relocation, rearrangement, and alteration of the town water

facilities, with the income to be added to said fund. Appropriations may be voted by said town from said fund for operation and maintenance of the pumping facilities, storage facilities and connecting lines. The town treasurer shall be custodian of said fund and shall invest and reinvest said fund in accordance with the provisions of section fifty-four of chapter forty-four of the General Laws. *Approved March 9, 1965.*

Chap. 138. AN ACT PLACING CERTAIN MEMBERS OF THE LABOR SERVICE OF THE CITY OF SALEM UNDER THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, all members of the labor service of the city of Salem who were employed in permanent positions by said city on the date the civil service law, so far as it applied to the labor service, became effective, shall, upon the effective date of this act, become subject to the civil service law and rules and the tenure of office of said employees shall be unlimited, subject, however, to said law and rules.

SECTION 2. This act shall take effect upon its acceptance by the city of Salem. *Approved March 9, 1965.*

Chap. 139. AN ACT AUTHORIZING THE TRANSFER OF A PORTION OF GREENWOOD PARK IN THE TOWN OF LONGMEADOW TO THE SCHOOL DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. The town of Longmeadow is authorized to transfer the care, custody, management and control of certain land in said town now included in a public park, known as Greenwood Park, from the board of park commissioners to the school committee to be used by it in connection with the erection, equipping, maintenance and operation of an elementary school on land adjoining said park, said land to be transferred being a strip of land ninety feet in width running southerly from Maple road along the easterly boundary of said park land to a depth of about three hundred fifty-one and sixty-one hundredths feet; a strip of land twenty-five feet in width running northerly from the Connecticut state line along the easterly boundary of said park land to a depth of about three hundred fourteen and eighty-three hundredths feet; and a strip of land twenty-five feet in width along said Connecticut state line for a distance of about one hundred forty-five and forty-five hundredths feet, being the entire length of the southeasterly boundary of said park land on said Connecticut state line.

SECTION 2. Said transfer may be made at any time by a two-thirds vote at a regular or special town meeting after said board of park commissioners has notified the board of selectmen of said town of its assent thereto.

SECTION 3. This act shall take effect upon its passage.
Approved March 9, 1965.

Chap. 140. AN ACT PROVIDING THAT THE CHAIRMAN OF THE PERSONNEL COMMITTEE OF THE TOWN OF NEEDHAM SHALL BE A TOWN MEETING MEMBER AT LARGE.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 279 of the acts of 1932 is hereby amended by striking out the first paragraph, as amended by chapter 68 of the acts of 1937, and inserting in place thereof the following paragraph: — Any representative town meeting held under the provisions of this act, except as otherwise provided herein, shall be limited to the voters elected under section two, together with the following, designated as town meeting members at large; namely, any member of the general court of the commonwealth from the town, the moderator, the town clerk, the members of the board of selectmen, the town treasurer, the town counsel, the chairman of the school committee, the chairman of the finance committee, the chairman of the board of assessors, the chairman of the planning board, the chairman of the board of health and the chairman of the personnel committee. The town clerk shall notify the town meeting members of the time and place at which representative town meetings are to be held, the notices to be sent by mail at least seven days before the meeting.

SECTION 2. This act shall take effect upon its acceptance by the town of Needham. *Approved March 9, 1965.*

Chap. 141. AN ACT PROVIDING THAT CERTAIN FIRE CHIEFS WHO ARE ON DUTY ON CERTAIN HOLIDAYS SHALL BE GRANTED AN ADDITIONAL DAY'S PAY.

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by inserting after section 57D the following section: —

Section 57E. If the chief of a fire department of a city or town which accepts this section or the chief, chief engineer or head of a fire department of a fire district which accepts this section at a district meeting is on duty at any time on January first, February twenty-second, April nineteenth, May thirtieth, July fourth, October twelfth, November eleventh, or Christmas day, or the day following when said days occur on Sunday, or on the first Monday in September or Thanksgiving day, he shall be granted an additional day's pay.

Approved March 10, 1965.

Chap. 142. AN ACT AUTHORIZING THE CITY OF REVERE TO REDIVIDE ITS TERRITORY INTO WARDS IN THE CURRENT YEAR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section six of chapter forty-three of the General Laws and sections one and four of chapter fifty-four of the General Laws, the city of Revere, by vote of its city council, may, on or before the first Monday in June in the current year, make a new division of its territory into seven wards. The boundaries of such wards shall be so arranged that the wards shall contain, as

nearly as can be ascertained and as may be consistent with well defined limits to each ward, an equal number of voters. The city clerk shall forthwith give written notice to the state secretary of the number and designations of the wards so established, together with an official copy of the description of said wards. For all elections and primaries held in said city after it has been redivided into wards and prior to any antecedent primary of the first biennial state election at which representatives and senators are to be elected from new representative and senatorial districts established, under the provisions of the constitution, on the basis of the special enumeration of legal voters to be made in the year nineteen hundred and seventy-five, the wards as existing previous to such redivision shall continue and for all such purposes the election officers shall be appointed and hold office and voting lists shall be prepared and all other things required by law shall be done as if there had been no such redivision; provided, that the city council of said city may, for the purposes of any municipal election and its antecedent primary or preliminary election, if any, held prior to said antecedent primary of the state election, order that the new wards shall be in effect and thereupon the city manager or, if there is no city manager, the mayor of said city shall make such adjustments in the personnel and assignments of election officers as may be necessary and, if the city council of said city orders that the new wards shall be in effect for the purposes of the municipal election and its antecedent preliminary election to be held in the current year, said city council shall, subject to the provisions of sections two and five of chapter fifty-four of the General Laws, divide said city into voting precincts on or before the first Monday in July in the current year. In the establishment of wards and voting precincts no voting precinct shall be so formed that it will be partly in one congressional district and partly in another congressional district.

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

Approved March 12, 1965.

Chap. 143. AN ACT PROVIDING FOR REDESIGNING COPLEY SQUARE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary covenant, restriction or condition in any deed from the commonwealth or any contrary provision of general or special law or any easement in the public, the city of Boston, acting by its public improvement commission, with the approval of its mayor, may, in the manner provided for laying out and discontinuing public ways in said city, dedicate to public street uses such part or parts of the area bounded by the southerly line of Boylston street, the westerly line of Clarendon street, the southerly line of St. James avenue, and the easterly line of Dartmouth street and now devoted to public uses other than streets as said commission with such approval shall determine, and dedicate to public park purposes such part or parts of the area bounded as aforesaid and now devoted to public street uses as said commission with like approval shall determine.

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

Approved March 15, 1965.

Chap. 144. AN ACT VALIDATING THE ESTABLISHMENT OF THE BLACKSTONE VALLEY VOCATIONAL REGIONAL SCHOOL DISTRICT AND VALIDATING IN CERTAIN RESPECTS THE PROCEEDINGS TAKEN BY THE TOWN OF NORTHBRIDGE AT THE NINETEEN HUNDRED AND SIXTY-FOUR ANNUAL TOWN MEETING.

Be it enacted, etc., as follows:

SECTION 1. The proceedings heretofore taken by the towns of Bellingham, Blackstone, Douglas, Grafton, Hopedale, Mendon, Milford, Millbury, Millville, Northbridge, Sutton, Upton and Uxbridge, relating to the establishment of the Blackstone Valley Vocational Regional School district consisting of said towns, including the proceedings taken by said towns relative to the admission of the town of Millbury as a member town of said district, 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 sections sixteen to sixteen I, inclusive, of chapter seventy-one of the General Laws, and by the regional vocational school district agreement approved by said towns in said proceedings.

SECTION 2. No proceedings otherwise validly taken by the town of Northbridge at the annual town meeting held in the year nineteen hundred and sixty-four shall be deemed invalid by reason of the failure to comply fully with the provisions of section four of Article I of the town by-laws requiring publication of the warrant for said meeting in a newspaper circulated in the town at least seven days before the meeting.

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

Approved March 15, 1965.

Chap. 145. AN ACT MAKING THE COMMISSIONER OF NATURAL RESOURCES A MEMBER EX OFFICIO OF THE METROPOLITAN AREA PLANNING COUNCIL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the inclusion of the commissioner of natural resources on the metropolitan area planning council as an ex officio member, 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 109 of chapter 6 of the General Laws, as appearing in section 2 of chapter 668 of the acts of 1963, is hereby amended by inserting after the word, "commerce", in line 15, the words: — and development, the commissioner of natural resources.

Approved March 15, 1965.

Chap. 146. AN ACT AUTHORIZING EXAMINATION OF CERTAIN PATIENTS IN STATE HOSPITALS BY PSYCHIATRISTS OF THE MEDICAL STAFF OF THE DEPARTMENT OF MENTAL HEALTH.

Be it enacted, etc., as follows:

The seventh paragraph of section 20 of chapter 123 of the General Laws, as appearing in section 5 of chapter 637 of the acts of 1955, is

hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — In considering such application, the commissioner, assistant commissioner or a psychiatrist who is a member of the department medical staff shall personally visit and examine the patient; provided, however, that if an assistant commissioner or a departmental psychiatrist makes such examination he shall give notice thereof to the commissioner. *Approved March 15, 1965.*

Chap. 147. AN ACT FURTHER REGULATING THE ELECTION OF SCHOOL COMMITTEE MEMBERS IN THE CITY OF ATTLEBORO.

Be it enacted, etc., as follows:

SECTION 1. Chapter 224 of the acts of 1945 is hereby amended by striking out section 3 and inserting in place thereof the following section: — *Section 3.* At the biennial municipal election to be held in the year nineteen hundred and sixty-seven, there shall be elected six members of the school committee, of whom the four receiving the highest number of votes shall serve for four years, and the two receiving the next highest number of votes shall each serve for two years, from the first Tuesday in January following their election, and until the qualifications of their respective successors.

Beginning with the biennial municipal election to be held in the year nineteen hundred and sixty-nine the terms for which school committee members are to be elected at each such election shall be four years and until the qualifications of their successors.

SECTION 2. This act shall take effect upon its acceptance by the city of Attleboro. *Approved March 15, 1965.*

Chap. 148. AN ACT AUTHORIZING THE TOWN OF WINCHESTER TO PAY A SUM OF MONEY TO MINNETTA JURGENSON.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Winchester may appropriate and pay to Minnetta Jurgenson, a retired school teacher, a sum not to exceed six hundred dollars for services rendered by her, after her retirement, in teaching without pay at a summer school session of said town during the year nineteen hundred and sixty-four.

SECTION 1A. Any payment made prior to the effective date of this act by the town of Winchester to said Minnetta Jurgenson for services rendered by her as a retired school teacher is hereby validated and confirmed as if such services had been rendered in conformity to law.

SECTION 2. This act shall take effect upon its acceptance by the town of Winchester. *Approved March 15, 1965.*

Chap. 149. AN ACT CHANGING HAND SIGNALS TO CONFORM WITH NATIONAL STANDARDS OF THE UNIFORM VEHICLE CODE.

Be it enacted, etc., as follows:

Section 14B of chapter 90 of the General Laws is hereby amended by striking out clauses 1, 2 and 3, as appearing in chapter 649 of the acts of 1951, and inserting in place thereof the following three clauses: —

1. An intention to turn to the left shall be indicated by hand and arm extended horizontally.
2. An intention to turn to the right shall be indicated by hand and arm extended upward.
3. An intention to stop or decrease speed shall be indicated by hand and arm extended downward. *Approved March 15, 1965.*

Chap. 150. AN ACT AUTHORIZING A CITY OR TOWN TO PAY A CLOTHING ALLOWANCE TO CERTAIN MEMBERS OF ITS POLICE FORCE.

Be it enacted, etc., as follows:

Section 6B of chapter 40 of the General Laws, as most recently amended by chapter 484 of the acts of 1962, is hereby further amended by adding the following paragraph: —

A city or town which appropriates money for uniforms for the uniformed members of its police force may appropriate money to be paid as a clothing allowance to an officer serving as a detective or required to work without a uniform; provided, that the sum so paid as a clothing allowance to a member, serving as a detective or required to work without a uniform, shall not in any event exceed any maximum amount established by a city or town as the amount that may be expended by the city or town during a given year, for uniform clothing, for a uniformed member of said force under the provisions of this section.

Approved March 15, 1965.

Chap. 151. AN ACT AUTHORIZING THE TRANSFER OF LAMSON PARK IN THE TOWN OF WESTON TO THE BOARD OF LIBRARY TRUSTEES.

Be it enacted, etc., as follows:

SECTION 1. The town of Weston is hereby authorized to transfer the care, custody, management and control of certain park land in said town known as Lamson Park from the board of park commissioners to the board of library trustees for public library purposes, being a parcel of land containing one and eight-tenths acres, more or less, situated on the north side of Town House road and abutting on the west the Town Hall site.

SECTION 2. This act shall take effect upon its acceptance by the town of Weston. *Approved March 15, 1965.*

Chap. 152. AN ACT AUTHORIZING THE TOWN OF DANVERS TO USE THE INTEREST ON CERTAIN FUNDS FOR SCHOLARSHIP PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of Danvers is hereby authorized to expend the interest accumulated or hereafter accumulated on available war memorial funds for the purpose of awarding scholarships in memory of the veterans of said town.

SECTION 2. This act shall take effect upon its acceptance by the town of Danvers. *Approved March 15, 1965.*

Chap. 153. AN ACT AUTHORIZING THE TOWN OF LEXINGTON TO USE CERTAIN PUBLIC PARK LAND FOR THE ERECTION OF A PUBLIC FACILITIES AND INFORMATION BUILDING.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section seven of chapter forty-five of the General Laws, the town of Lexington, acting by and through its board of selectmen, is hereby authorized to use for the erection of a public facilities and information building that will exceed six hundred square feet in area on the ground a sufficient portion of the Buckman Park land which was acquired by said town in a deed from Thomas M. Stetson and others, dated July twenty-third, nineteen hundred and thirteen and recorded with Middlesex South District Registry of Deeds, Book 3809, Page 270. *Approved March 15, 1965.*

Chap. 154. AN ACT TO PROHIBIT UNAUTHORIZED BANKING.

Be it enacted, etc., as follows:

Section 12 of chapter 167 of the General Laws, as most recently amended by chapter 250 of the acts of 1954, is hereby further amended by striking out the first two sentences and inserting in place thereof the following three sentences: — No domestic or foreign corporation or individual, partnership or association shall conduct the business of a savings bank, co-operative bank, savings and loan association, credit union, trust company or banking company unless authorized to do so under the laws of this commonwealth nor shall any such corporation, individual, partnership or association unless so authorized under said laws make use of any sign at the place where its business is transacted having thereon any name or other words indicating that such place or office is the place or office of a savings bank, co-operative bank, savings and loan association, credit union, trust company or banking company or make use or circulate any written or printed or partly written or partly printed paper whatever, having thereon any name or other words indicating that such business is that of a savings bank, co-operative bank, savings and loan association, credit union, trust company or banking company; nor shall any such corporation, individual, partnership or association or any agent of any of these not having a charter to do business as a savings bank, co-operative bank, savings and loan association, credit union, trust company or banking company unless authorized to do so under the laws of the commonwealth solicit or receive deposits or transact any business whatsoever in the manner described in chapter one hundred and sixty-seven and chapters one hundred and sixty-eight through one hundred and seventy-two A inclusive in any manner so as to lead the public to believe or in the opinion of the commissioner might lead the public to believe that its business is that of a bank. No domestic or foreign corporation or individual, partnership or association other than corporations excepted from the prohibitions contained in the first sentence of this section and other than foreign banking associations authorized under section thirty-seven to transact business in this commonwealth and national banking associations shall hereafter transact business under any name or title which contains the words "bank", "banking", "bankers", or any word in a foreign language having the same or similar meaning,

as descriptive of said business or, if he or it does a banking business or makes a business of receiving money on deposit, under any name or title containing the word "trust", or any word in a foreign language having the same or similar meaning as descriptive of said business. The provisions of this section which prohibit the transacting of business under a name or title which contains the word "bankers" shall not apply to domestic corporations incorporated prior to January first, nineteen hundred and sixty-five, whose corporate name or title contained the word "bankers" prior to such date. *Approved March 15, 1965.*

Chap. 155. AN ACT RELATIVE TO THE METHODS OF APPORTIONING SEWERAGE CONSTRUCTION COSTS IN THE TOWN OF NATICK.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of section fifteen of chapter eighty-three of the General Laws, or chapter one hundred and thirty-two of the acts of nineteen hundred and fifty-two or any other special law, the town of Natick, acting through its commissioners of public works, may provide that assessments under section fourteen of said chapter eighty-three shall be made upon owners of land within such territory or any part thereof by a rate based upon a uniform unit method.

SECTION 2. For the purposes of this act, the uniform unit method of sewerage construction cost apportionment shall be deemed to mean that sewerage construction costs shall be divided between the total number of existing and potential sewer units to be served after having proportioned the cost of special and general benefit facilities. Each sewer unit shall be equal to a single family residential lot. Potential sewer units shall be included in the calculation of the total number of units on the basis of the zoning then in effect with a deduction for potential roads, ways and appurtenances thereto. Existing and potential multi-family, commercial, industrial and semi-public uses shall be converted into sewer units on the basis of residential equivalents.

SECTION 3. The commissioners of public works may separate the costs of general benefit facilities, such as pumping stations, trunk and force mains, from that of the special benefit facilities, such as the sewer mains, serving adjacent properties. The costs of the general benefit facilities may be apportioned by the uniform unit method on all developed and undeveloped areas to receive benefit or advantage within the pumping district or combination of districts. The cost of the general benefit facilities, attributable to undeveloped lands not abutting a sewered street, may not be assessed until the properties are serviced by public sewerage. The proportional cost of the special benefit and general benefit facilities may be assessed against all properties abutting a sewered street.

SECTION 4. This act shall take effect upon its acceptance by the town of Natick. *Approved March 15, 1965.*

Chap. 156. AN ACT REQUIRING POLICE DEPARTMENTS TO REPORT ACCIDENTS TO THE REGISTRAR OF MOTOR VEHICLES WITHIN FIFTEEN DAYS.

Be it enacted, etc., as follows:

Section 29 of chapter 90 of the General Laws is hereby amended by striking out the ninth sentence, as amended by chapter 194 of the acts of 1964, 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, the commanding officer of metropolitan district commission police stations, 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 within fifteen days, 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, town or jurisdiction, 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 15, 1965.*

Chap. 157. AN ACT PLACING CERTAIN REGIONAL SCHOOL DISTRICTS AND REGIONAL VOCATIONAL SCHOOL DISTRICTS UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Chapter 31 of the General Laws is hereby amended by inserting after section 4 the following section: —

Section 4A. In a regional school district or a regional vocational school district which accepts the provisions of this section by vote of its regional district school committee, or its regional district vocational school committee, all nonacademic positions in the district shall be subject to the civil service law and rules whether or not the municipalities comprising the district have accepted the provisions of this chapter. Eligible lists shall be established on the basis of the regional school district or the regional vocational school district. Applicants for nonacademic positions in the service of a regional school district or a regional vocational school district must have been domiciled in a city or town comprising the regional school district or the regional vocational school district in which they seek service for six months next preceding the date of filing the application. *Approved March 15, 1965.*

Chap. 158. AN ACT TRANSFERRING CERTAIN FUNDS APPROPRIATED IN CONNECTION WITH THE PARTICIPATION BY THE COMMONWEALTH IN THE NEW YORK WORLD'S FAIR, 1964–1965 TO THE COMMISSIONER OF COMMERCE AND DEVELOPMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to make available forthwith to the commissioner of commerce and development certain funds for the participation

by the commonwealth of Massachusetts in the New York World's Fair, 1964–1965, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 442 of the acts of 1963 is hereby amended by striking out, in line 4, the words "executive office for administration and finance" and inserting in place thereof the words: — department of commerce and development, — by striking out, in line 7, the words "commissioner of administration" and inserting in place thereof the words: — commissioner of the department of commerce and development, — and by striking out, in line 14, the words "commissioner of administration" and inserting in place thereof the words: — commissioner of the department of commerce and development.

SECTION 2. All unexpended funds authorized and available to the executive office for administration and finance under chapter four hundred and forty-two of the acts of nineteen hundred and sixty-three are hereby transferred over to the department of commerce and development and shall be used only for the purposes authorized by chapter four hundred and forty-two of the acts of nineteen hundred and sixty-three, as amended by section one of this act.

SECTION 3. Before the transfer of said funds from the executive office for administration and finance to the department of commerce and development, as authorized by section two, the state auditor shall conduct an audit of all said funds as were authorized and available to the executive office for administration and finance. *Approved March 18, 1965.*

Chap. 159. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION ICE SKATING RINK IN THE SOUTH BOSTON DISTRICT OF THE CITY OF BOSTON AS THE FRANCIS L. MURPHY MEMORIAL ICE SKATING RINK.

Be it enacted, etc., as follows:

The metropolitan district commission ice skating rink located at City Point in the South Boston district of the city of Boston is hereby designated and shall hereafter be known as the Francis L. Murphy Memorial Ice Skating Rink, in memory of Francis L. Murphy, a native of the City Point section of said city, who, as a member of the fire department of said city was killed in line of duty. A suitable marker bearing said designation shall be placed thereat by said commission.

Approved March 18, 1965.

Chap. 160. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO GRANT CERTAIN TEMPORARY, PROVISIONAL OR PROBATIONARY LICENSES.

Be it enacted, etc., as follows:

Section 71 of chapter 111 of the General Laws, as most recently amended by section 2 of chapter 620 of the acts of 1964, is hereby further amended by adding the following paragraph: —

The department may, when public necessity and convenience require, or to prevent undue hardship to an applicant or licensee, under such

rules and regulations as it may adopt, grant a temporary, provisional or probationary license under this section; provided, however, that no such license shall be for a term exceeding one year.

Approved March 18, 1965.

Chap. 161. AN ACT PLACING MARY BERTONE, INCUMBENT OF THE POSITION OF SUPERVISOR OF SCHOOL CAFETERIAS IN THE TOWN OF FRANKLIN, UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. Mary Bertone, incumbent of the position of supervisor of school cafeterias in the town of Franklin, shall, upon the effective date of this act, be subject to the civil service law and rules; provided, however, that she shall be subjected by the division of civil service to a qualifying examination, and if she passes said examination she shall be certified for said position and shall be deemed to be permanently appointed thereto, without being required to serve any probationary period.

SECTION 2. This act shall take effect upon its acceptance by the town of Franklin. *Approved March 18, 1965.*

Chap. 162. AN ACT EXEMPTING THE OFFICE OF DIRECTOR OF THE DEVELOPMENT AND INDUSTRIAL COMMISSION OF THE CITY OF LOWELL FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The office of director of the development and industrial commission of the city of Lowell shall, upon the effective date of this act, not be subject to the provisions of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by the city of Lowell. *Approved March 18, 1965.*

Chap. 163. AN ACT EXEMPTING THE OFFICE OF DIRECTOR OF THE DEVELOPMENT AND INDUSTRIAL COMMISSION OF THE CITY OF LAWRENCE FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The office of director of the development and industrial commission of the city of Lawrence shall, upon the effective date of this act, not be subject to the provisions of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by the city of Lawrence. *Approved March 18, 1965.*

Chap. 164. AN ACT AUTHORIZING SCHOOL COMMITTEES TO HIRE AIDES FOR ASSIGNMENTS IN LABORATORIES AND CLASSROOMS.

Be it enacted, etc., as follows:

Section 38 of chapter 71 of the General Laws is hereby amended by inserting after the first sentence, as appearing in the Tercentenary Edition, the following two sentences: — It may also hire instructional or administrative aides for assignments in laboratories and classrooms. An "Instructional or administrative aide", as used in this section, shall be a person who does no actual teaching, but acts as an assistant to a teacher. *Approved March 18, 1965.*

Chap. 165. AN ACT TO RESTRICT DOWER AND CURTESY CLAIMS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 189 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 husband shall upon the death of his wife hold for his life one third of all land owned by her at the time of her death. Such estate shall be known as his tenancy by curtesy, and the law relative to dower shall be applicable to curtesy. A wife shall, upon the death of her husband, hold her dower at common law in land owned by him at the time of his death. Such estate shall be known as her tenancy by dower. Any encumbrances on land at the time of the owner's death shall have precedence over curtesy or dower. To be entitled to such curtesy or dower the surviving husband or wife shall file his or her election and claim therefor in the registry of probate within six months after the date of the approval of the bond of the executor or administrator of the deceased, and shall thereupon hold instead of the interest in real property given in section one of chapter one hundred and ninety, curtesy or dower, respectively, otherwise such estate shall be held to be waived. Such curtesy and dower may be assigned by the probate court in the same manner as dower is now assigned, and the tenant by curtesy or dower shall be entitled to the possession and profits of one undivided third of the real estate of the deceased from her or his death until the assignment of curtesy or dower, and to all remedies therefor which the heirs of the deceased have in the residue of the estate. Except as preserved herein, dower and curtesy are abolished.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-six. *Approved March 18, 1965.*

Chap. 166. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY A CERTAIN SUM OF MONEY TO JOHN J. KEEFE, ARTHUR J. McINNERNEY, ERNEST J. MELANSON AND FRANK A. FITZPATRICK FOR SERVICES RENDERED IN EXCESS OF THEIR REQUIRED DUTIES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Watertown is hereby authorized to appropriate and pay the

sum of three hundred and five dollars and seventy-six cents to each of the following fire alarm signal operators: John J. Keefe, Arthur J. McInnerney, Ernest J. Melanson and Frank A. Fitzpatrick, for services rendered to the town by each for a period of one hundred and four hours in excess of their required time.

SECTION 2. This act shall take effect upon its acceptance by the town of Watertown. *Approved March 18, 1965.*

Chap. 167. AN ACT EXTENDING THE TIME WITHIN WHICH COUNTIES, CITIES, TOWNS AND DISTRICTS MAY ACCEPT CERTAIN PROVISIONS OF LAW RELATIVE TO RETIREMENT OF CERTAIN WAR VETERANS.

Be it enacted, etc., as follows:

Section 3 of chapter 490 of the acts of 1961, as amended by section 1 of chapter 232 of the acts of 1963, is hereby further amended by striking out, in line 5, the word "sixty-four" and inserting in place thereof the word: — sixty-seven. *Approved March 18, 1965.*

Chap. 168. AN ACT AUTHORIZING THE CONVEYANCE BY THE COMMONWEALTH TO THE TOWN OF CHATHAM OF CERTAIN LAND IN SAID TOWN.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately permit the use of certain land of the commonwealth for use in the construction of a federal navigation project at Chatham Stage Harbor, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of public works, in the name of and on behalf of the commonwealth, is hereby authorized to convey, subject to the approval of the governor, to the town of Chatham for a nominal consideration, 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 located in said town and bounded and described as follows: — Beginning at a point having coordinates N 242,600 and E 1,016,700 of the Lambert Grid System for the Commonwealth of Massachusetts; thence easterly along the N 242,600 coordinate line about four hundred and forty (440) feet to the extreme low water line; thence generally southerly and southeasterly along the extreme low water line about eleven hundred and fifty (1,150) feet to the assumed property limit line of the United States Department of the Interior, Fish and Wildlife Service; thence S 14° 29′ 22.6″ W along said property limit line to the E 1,017,712.31 point on the N 241,800 coordinate line about seventy-six and 29/100 (76.29) feet; thence westerly along the N 241,800 coordinate line about nine hundred and fifty (950) feet to the extreme low water line at Harding Beach; thence generally northerly along the extreme low water line adjacent to Harding Beach about one thousand (1,000) feet to the place of beginning.

SECTION 2. In the event said town does not execute a permanent easement of the premises described in section one, to the United States for use in the construction of the proposed federal navigation project at Chatham Stage harbor within a year after the effective date of this act, title to the said premises shall revert to and revest in the commonwealth. *Approved March 18, 1965.*

Chap. 169. AN ACT AUTHORIZING THE TOWN OF NANTUCKET TO ESTABLISH A BOARD OF PUBLIC WORKS EXERCISING THE POWERS OF CERTAIN OTHER BOARDS, COMMISSIONS, DEPARTMENTS AND TOWN OFFICERS.

Be it enacted, etc., as follows:

SECTION 1. There shall be established in the town of Nantucket, hereinafter called the town, a board of public works, hereinafter called the board, which shall be comprised of the board of selectmen of the town of Nantucket. The number of members of the board of selectmen, their manner of election, and the filling of vacancies therein shall remain the same as in effect prior to the acceptance of this act.

SECTION 2. Said board shall have all the powers and duties now and from time to time vested by general or special law or town by-law in the following boards, departments and offices, or in boards, departments and offices having corresponding powers and duties in the town, to wit: highway department, sewer commission, park and recreation commission, tree commission, mosquito control commission, town dumps and town cemeteries, and such boards, commissions, departments and offices shall be abolished. No existing contracts or liabilities shall be affected by such abolition, but the board shall in all respects be the lawful successor of the boards, commissions, departments and offices so abolished. The board shall have such added powers with respect to public works as the town may from time to time by vote of its town meeting provide, any other provisions of the law to the contrary notwithstanding, and other departments and offices of the town may be from time to time brought within the provisions of this act by vote of the annual town meeting.

SECTION 3. The board shall appoint and fix the compensation of a superintendent of public works, subject to appropriation by the town therefor, who shall exercise and perform under its supervision and direction, such of the powers, rights and duties transferred to it under section two as it may from time to time designate. He shall be specially fitted by education, training and experience to perform the duties of his office and need not be a resident of the town. He shall be responsible for the efficient exercise and performance of such powers, rights and duties. He may be given a contract not exceeding two years, and said contract shall provide the manner and terms on which said contract may be terminated by the board of public works.

He shall, subject to the approval of the board, appoint such assistants, agents and employees as the exercise and performance of his powers, rights and duties may require, the compensation of such assistants, agents and employees being fixed by the board subject to appropriation by the town therefor. He shall render to the board, as often as it may require, a full report of all operations under his control during the period reported upon, and annually, and from time to time as required

by the board, shall make a synopsis of such reports for publication and shall keep the board fully advised as to the needs of the town within the scope of his duties, and shall annually, not less than sixty days prior to the expiration of the fiscal year of said town, furnish to the board a carefully prepared and detailed estimate in writing of the appropriations required during the next succeeding fiscal year for the proper exercise and performance of all said rights and duties. Each permanent employee of any board, department or office abolished by this act, including superintendents, shall be transferred to and become an employee of the board and each such employee shall retain all rights to holidays, sick leave and vacations in effect prior to the acceptance of this act.

SECTION 4. This act shall be submitted for acceptance to the voters of the town of Nantucket at a special town meeting held at any time after the annual town meeting to be held in the year nineteen hundred and sixty-five but not less than ninety days prior to the annual town meeting to be held in the year nineteen hundred and sixty-six. If a majority of the voters voting on the question vote in the affirmative, this act shall thereupon 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 election.

Approved March 18, 1965.

Chap. 170. AN ACT ABOLISHING THE CITIZENSHIP REQUIREMENTS FOR LICENSURE AS RADIO AND TELEVISION TECHNICIANS.

Be it enacted, etc., as follows:

The second paragraph of section 87TTT of chapter 112 of the General Laws, as amended by chapter 229 of the acts of 1964, is hereby amended by striking out the last two sentences.

Approved March 18, 1965.

Chap. 171. AN ACT PROVIDING THAT FRATERNITY HOUSES AND DORMITORIES OF EDUCATIONAL INSTITUTIONS SHALL BE SUBJECT TO THE LAWS REGULATING LODGING HOUSES.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 22, as amended by chapter 740 of the acts of 1960, and inserting in place thereof the following section: — *Section 22.* "Lodging house", as used in sections twenty-two to thirty-one, inclusive, shall mean a house where lodgings are let to five or more persons not within the second degree of kindred to the person conducting it, and shall include fraternity houses and dormitories of educational institutions, but shall not include dormitories of charitable or philanthropic institutions or convalescent or nursing homes licensed under section seventy-one of chapter one hundred and eleven or rest homes so licensed.

Approved March 18, 1965.

Chap. 172. AN ACT PROVIDING THAT CERTAIN TEACHER OR ADMINISTRATIVE INTERNS NEED NOT BE CERTIFIED BY THE BOARD OF EDUCATION.

Be it enacted, etc., as follows:

The second paragraph of section 38G of chapter 71 of the General Laws, as appearing in section 1 of chapter 20 of the acts of 1960, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences: — This section shall not apply to trade, vocational, temporary substitute teachers, or exchange teachers, or to teaching or administrative interns from an institution of higher learning in the commonwealth, provided approval for the employment of such personnel shall be granted by the department under such rules and regulations as it may adopt. As used in this section "teaching or administrative intern" shall be a student who has completed his practise teacher requirements and seeks additional experience in part time teaching or administrative positions.

Approved March 18, 1965.

Chap. 173. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO SELL AND CONVEY CERTAIN PARK LAND TO THE BOYS' CLUB OF WATERTOWN, INC.

Be it enacted, etc., as follows:

SECTION 1. The town of Watertown is hereby authorized to sell and convey to the Boys' Club of Watertown, Inc., upon such terms and conditions as may be determined by vote of the town meeting members of said town, a certain parcel of land under the jurisdiction of its board of park commissioners, containing about sixty-four thousand square feet, located at the northerly corner of Saltonstall park in said town, and bounded and described as follows: — Beginning at a point on the northeasterly line of Whites avenue, said point being one hundred feet northeasterly from the northeasterly line of Main street; thence running northeasterly along said line of Whites avenue, four hundred feet to property of town of Watertown (formerly Boston and Maine Railroad); thence running along said line a distance of about one hundred and sixty feet; thence turning and running southwesterly and parallel with Whites avenue about four hundred feet; thence turning and running northwesterly about one hundred and sixty feet, to the point of beginning.

SECTION 2. This act shall take effect upon its acceptance by the town of Watertown. *Approved March 22, 1965.*

Chap. 174. AN ACT VALIDATING THE ACTION OF THE ASSESSORS OF THE TOWN OF ADAMS IN CONTRACTING FOR THE EXPERT APPRAISAL OF PERSONAL PROPERTY LOCATED IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the action of the assessors of the town of Adams in entering into a contract with The J. M. Cleminshaw Co., a corporation organized under the

laws of the state of Ohio, dated June sixteenth, nineteen hundred and sixty-four, in part for the appraisal of personal property located in said town, and all acts done in pursuance thereof are hereby confirmed and made valid to the same extent as if said assessors were authorized to contract for such appraisal at the date of the execution of said contract.

SECTION 2. This act shall take effect upon its acceptance by the town of Adams. *Approved March 22, 1965.*

Chap. 175. AN ACT AUTHORIZING THE TOWN OF NORWOOD TO REIMBURSE ANN F. FLOOD FOR CERTAIN EXPENSES INCURRED BY HER ON ACCOUNT OF INJURIES SUSTAINED BY HER MINOR SON WHILE PARTICIPATING IN HIGH SCHOOL ATHLETICS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Norwood may appropriate and pay to Ann F. Flood, a sum not exceeding two hundred and eighty-one dollars to reimburse her for dental expenses incurred by her on account of injuries sustained on November twenty-sixth, nineteen hundred and sixty-two, by her minor son, David Flood, while he was participating in competitive athletics as a member of the Norwood high school football team.

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

Approved March 24, 1965.

Chap. 176. AN ACT PLACING THE POSITIONS IN THE DEPARTMENT OF THE TREASURER AND COLLECTOR OF TAXES OF THE CITY OF NEW BEDFORD, NOT INCLUDING THE OFFICES OF CITY TREASURER, ASSISTANT CITY TREASURER, AND COLLECTOR OF TAXES, UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The positions in the department of the treasurer and collector of taxes of the city of New Bedford not including the offices of city treasurer, assistant city treasurer, and collector of taxes, shall upon the effective date of this act be subject to the civil service law and rules and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said law. The incumbent on said effective date of each such position classified in the official service of the civil service classification shall be subjected to a qualifying examination for such position by the division of civil service, and, if he passes said examination, shall be certified for said position and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall take effect upon its acceptance by the city of New Bedford. *Approved March 24, 1965.*

Chap. 177. AN ACT PLACING THE POSITIONS IN THE VETERANS' BENEFITS AND VETERANS' SERVICES DEPARTMENTS OF THE CITY OF NEW BEDFORD, NOT INCLUDING THE OFFICES OF VETERANS' SERVICES AGENT AND DIRECTOR OF VETERANS' SERVICES UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The positions in the veterans' benefits and veterans' services departments of the city of New Bedford, not including the offices of veterans' services agent and director of veterans' services shall, upon the effective date of this act, be subject to the civil service law and rules, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said law. The incumbent on said effective date of each such position classified in the official service of the civil service classification shall be subjected to a qualifying examination for such position by the division of civil service, and, if he passes said examination, shall be certified for said position and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall take effect upon its acceptance by the city of New Bedford. *Approved March 24, 1965.*

Chap. 178. AN ACT ENLARGING THE METROPOLITAN AREA PLANNING DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by striking out section 111, as appearing in section 2 of chapter 668 of the acts of 1963, and inserting in place thereof the following section: — *Section 111.* There is hereby established a metropolitan area planning district, in this section and sections one hundred and twelve to one hundred and fifteen, inclusive, called the district, consisting of the following cities and towns: —

Arlington	Dover	Marshfield	Pembroke	Topsfield
Ashland	Duxbury	Medfield	Quincy	Wakefield
Bedford	Everett	Medford	Randolph	Walpole
Belmont	Framingham	Melrose	Reading	Waltham
Beverly	Hamilton	Middleton	Revere	Watertown
Boston	Hanover	Millis	Rockland	Wayland
Braintree	Hingham	Milton	Salem	Wellesley
Brookline	Holbrook	Nahant	Saugus	Wenham
Burlington	Hull	Natick	Scituate	Weston
Cambridge	Lexington	Needham	Sharon	Westwood
Canton	Lincoln	Newton	Sherborn	Weymouth
Chelsea	Lynn	Norfolk	Somerville	Wilmington
Cohasset	Lynnfield	North Reading	Stoneham	Winchester
Concord	Malden	Norwell	Stoughton	Winthrop
Danvers	Manchester	Norwood	Sudbury	Woburn
Dedham	Marblehead	Peabody	Swampscott	

SECTION 2. This act shall take effect on July first, nineteen hundred and sixty-five. *Approved March 24, 1965.*

Chap. 179. AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY TO PROVIDE INDEMNITY INSURANCE TO PROTECT AGAINST LOSS SUSTAINED IN INDEMNIFYING TEACHERS 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 173 of the acts of 1964, is hereby further amended by inserting after the word "section", in line 24, the following: — , or to pay a proper charge for effecting insurance providing indemnity for or protection to any teacher in its employ, as provided under section one hundred C of chapter forty-one, against loss by reason of any damages or expenses under said section.

Approved March 24, 1965.

Chap. 180. AN ACT AUTHORIZING A CITY OR TOWN OWNING A MUNICIPAL LIGHTING PLANT TO PROVIDE NEW EQUIPMENT NECESSARY TO GENERATE OR DISTRIBUTE GAS OR ELECTRICITY TO NEW CONSUMERS.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by striking out section 41, as appearing in the Tercentenary Edition and inserting in place thereof the following section: — *Section 41.* A city or town owning such a plant shall not, except by a vote taken in the manner prescribed in section eight of chapter forty-four, reconstruct, enlarge or extend such plant. This section shall not apply to expenditures for ordinary maintenance, repair or replacement, or for new equipment necessary to generate or distribute gas or electricity to new consumers.

Approved March 24, 1965.

Chap. 181. AN ACT AUTHORIZING THE GAS FITTING REGULATORY BOARD TO UTILIZE LOCAL GAS INSPECTORS TO INSPECT BUILDINGS OWNED OR USED BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 12H of chapter 25 of the General Laws is hereby amended by inserting after the first paragraph the following paragraph: —

All gas fitting work in a building owned and used by the commonwealth shall be inspected by a gas inspector of a city or town in the county in which such building is located who shall be designated by said board.

Approved March 24, 1965.

Chap. 182. AN ACT INCREASING THE AMOUNT OF MONEY WHICH MAY BE EXPENDED ANNUALLY BY THE SCHOOL COMMITTEE OF THE CITY OF BOSTON FOR TRAVELLING AND CERTAIN OTHER EXPENSES.

Be it enacted, etc., as follows:

Section 4 of chapter 274 of the acts of 1914 is hereby amended by striking out the first sentence, as most recently amended by chapter 142

of the acts of 1963, and inserting in place thereof the following sentence: — The school committee of the city of Boston may expend annually, from the appropriation for the support of the public schools, an amount not exceeding twelve thousand dollars to defray the travelling and other necessary expenses incurred under the provisions of section three of this act. *Approved March 24, 1965.*

Chap. 183. AN ACT RELATIVE TO THE ACCEPTANCE BY THE TOWN OF ACTON OF THE PROVISIONS OF LAW ESTABLISHING MINIMUM ANNUAL COMPENSATION FOR REGULAR POLICE OFFICERS.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of any general or special law, the following question shall be placed upon the official ballot to be used for the election of officers at the annual town meeting to be held in the town of Acton in the year nineteen hundred and sixty-six: — "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 in the police department of the town of Acton shall be not less than five thousand five hundred dollars for the first year of service, six thousand dollars for the second year of service, and six thousand three hundred dollars for the third and each succeeding year of service?" If a majority of the votes in answer to said question is in the affirmative, said section shall thereupon become effective in said town.

Approved March 24, 1965.

Chap. 184. AN ACT AUTHORIZING THE TOWN OF WAYLAND TO SELL AND CONVEY CERTAIN PARK LAND TO THE UNITED STATES.

Be it enacted, etc., as follows:

The consent of the commonwealth is hereby granted to the town of Wayland to sell and convey to the United States for the Sudbury Valley Wild-Life Refuge all park land lying within the flood plain zone included in Tract 200D as shown on a plan entitled "Tract 200D — Plan of Land, in Wayland, Mass.", dated February 28, 1964, by MacCarthy Engineering Service, Inc., Natick, Mass., subject to the provisions of chapter five hundred and seventy-nine of the acts of nineteen hundred and sixty-one. *Approved March 24, 1965.*

Chap. 185. AN ACT AUTHORIZING THE JOHN FITZGERALD KENNEDY LIBRARY INCORPORATED TO HOLD REAL AND PERSONAL ESTATE WITHOUT LIMITATION.

Be it enacted, etc., as follows:

John Fitzgerald Kennedy Library Incorporated, a charitable corporation organized under general law, is hereby authorized to hold real and personal estate in any amount, which estate or its income shall be devoted to the purposes set forth in the agreement of association and the articles of organization, as heretofore or hereafter amended, of said corporation. *Approved March 24, 1965.*

Chap. 186. AN ACT RELATIVE TO THE RULE MAKING POWERS OF THE BOARD OF REGISTRATION OF HAIRDRESSERS.

Be it enacted, etc., as follows:

The first sentence of section 87CC of chapter 112 of the General Laws, as appearing in section 8 of chapter 565 of the acts of 1943, is hereby amended by striking out, in lines 17 to 20, inclusive, the words ", or to interfere in any way with the conduct of the business of hairdressing or manicuring, except so far as is necessary for the protection of the public health, safety or morals". *Approved March 26, 1965.*

Chap. 187. AN ACT RELATIVE TO THE NOTICE REQUIRED FOR CALLING A SPECIAL MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF HOLYOKE.

Be it enacted, etc., as follows:

Chapter 438 of the acts of 1896 is hereby amended by striking out section 12 and inserting in place thereof the following section: — *Section 12.* The mayor may at any time call a special meeting of the board of aldermen by causing written notifications thereof, together with a statement of the subjects to be considered thereat, to be deposited in the post office, postpaid and addressed to the persons to be notified, at least forty-eight hours before the time appointed for such meeting, or to be left at the usual place of residence of each member of the board, at least twenty-four hours before the time appointed for such meeting.

Approved March 26, 1965.

Chap. 188. AN ACT INCREASING THE AMOUNT OF PROPERTY WHICH MAY BE HELD BY THE MASTER, WARDENS AND MEMBERS OF THE GRAND LODGE OF MASONS IN MASSACHUSETTS.

Be it enacted, etc., as follows:

Chapter 23 of the Special Acts of 1916 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* The Master, Wardens and Members of the Grand Lodge of Masons in Massachusetts may hold real and personal estate to an amount not exceeding fifteen million dollars.

Approved March 26, 1965.

Chap. 189. AN ACT TO INCREASE THE AMOUNT OF REAL AND PERSONAL PROPERTY WHICH MAY BE HELD BY THE PROPRIETORS OF THE BOSTON ATHENAEUM.

Be it enacted, etc., as follows:

The Proprietors of the Boston Athenaeum, a corporation, is hereby authorized to hold real and personal property to an amount not exceeding fifteen million dollars. *Approved March 26, 1965.*

Chap. 190. AN ACT INCREASING THE AMOUNT OF PROPERTY WHICH MAY BE HELD BY THE MASSACHUSETTS HISTORICAL SOCIETY.

Be it enacted, etc., as follows:

The Massachusetts Historical Society, a corporation organized under chapter thirty-six of the acts of seventeen hundred and ninety-three, is hereby authorized to hold real and personal estate in addition to its library and library building and land, to an amount not exceeding twenty million dollars, to have and to hold the same upon the terms and for the purposes specified in its act of incorporation or in any act in amendment thereof or in addition thereto; and also upon such terms and for such purposes and trusts as may be expressed in any deed or instrument of conveyance or gift made to said corporation; provided, the same shall not be inconsistent with the purposes specified in its act of incorporation or in any act in amendment thereof or in addition thereto.

Approved March 26, 1965.

Chap. 191. AN ACT INCREASING THE AMOUNT OF PROPERTY WHICH MAY BE HELD BY THE ANIMAL RESCUE LEAGUE OF BOSTON.

Be it enacted, etc., as follows:

The Animal Rescue League of Boston, a corporation organized under general law, is hereby authorized to hold real and personal estate to an amount not exceeding twenty million dollars, to have and to hold the same upon the terms and for the purposes specified in its certificate of incorporation, agreement of association or certificate of organization as from time to time heretofore or hereafter amended; and also upon such terms and for such purposes and trusts as may be expressed in any deed or instrument of conveyance or gift made to said corporation; provided, the same shall not be inconsistent with the purposes specified in its certificate of incorporation, agreement of association or certificate of organization as from time to time heretofore or hereafter amended.

Approved March 26, 1965.

Chap. 192. AN ACT AUTHORIZING THE CONSOLIDATION OF BOSTON LYING-IN HOSPITAL AND FREE HOSPITAL FOR WOMEN.

Be it enacted, etc., as follows:

SECTION 1. Boston Lying-in Hospital, incorporated under chapter twenty-one of the acts of eighteen hundred and thirty-two, and Free Hospital for Women, incorporated under the provisions of chapter three hundred and seventy-five of the acts of eighteen hundred and seventy-four, are hereby authorized, by acceptance of this act within one year after its effective date at meetings of the members duly called for the purpose, to consolidate into one corporation under the name of Boston Hospital for Women, hereinafter called the consolidated corporation, which shall in all respects be a continuation of, shall have all the powers, privileges and exemptions of, and shall be subject to all the duties, liabilities and restrictions provided by law in so far as they relate to, said existing corporations. Upon such acceptance, copies of

the votes of acceptance certified by the clerk or other officer of the respective corporations so voting shall be filed in the registry of deeds of Suffolk county and with the state secretary, and the consolidation of the existing corporations shall thereupon be complete.

SECTION 2. Upon such consolidation, all property, real and personal, of the existing corporations and all devises, bequests, conveyances and gifts heretofore and hereafter made to either of the existing corporations shall vest in the consolidated corporation and otherwise shall be held by the consolidated corporation subject to the same terms, conditions, limitations and trusts as they are now held by the existing corporations or would have been held but for this act, and the treasurers of the 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 record title to the property of the existing corporations.

SECTION 3. Upon consolidation of Boston Lying-in Hospital and Free Hospital for Women, the members of both of said corporations shall be the members of the consolidated corporation until such time as the consolidated corporation may, by amendment of its by-laws, alter its membership, the members of the governing boards of said corporations shall be, until their successors are chosen and qualified, the members of the governing board of the consolidated corporation, and the officers of Boston Lying-in Hospital shall be, until their successors are chosen and qualified, the officers of the consolidated corporation, which shall, except as herein provided with respect to the initial membership and governing board, thereupon be governed by the by-laws of Boston Lying-in Hospital as the same now are or may hereafter be amended.

SECTION 4. The consolidated corporation may hold real and personal property to an amount not exceeding thirty million dollars.

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.

Approved March 26, 1965.

Chap. 193. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY GORDON COLLEGE AND GORDON DIVINITY SCHOOL.

Be it enacted, etc., as follows:

Gordon College and Gordon Divinity School, a corporation organized under general law, is hereby authorized to hold real and personal property to an amount not exceeding fifteen million dollars, said property to be used for the purposes set forth in its charter or in its agreement of association, or in any amendment thereof.

Approved March 26, 1965.

Chap. 194. AN ACT CHANGING THE NAME OF THE UNITARIAN CONGREGATIONAL SOCIETY IN BARNSTABLE VILLAGE TO THE UNITARIAN CHURCH OF BARNSTABLE.

Be it enacted, etc., as follows:

The name of the Unitarian Congregational Society in Barnstable Village, a religious corporation, is hereby changed to the Unitarian Church of Barnstable. *Approved March 26, 1965.*

Chap. 195. AN ACT INCREASING THE AMOUNT OF REAL AND PERSONAL ESTATE WHICH THE SPRINGFIELD HOSPITAL MAY HOLD.

Be it enacted, etc., as follows:

Chapter 1 of the acts of 1930 is hereby amended by striking out, in line 5, the word "ten" and inserting in place thereof the word: — twenty-five, — so as to read as follows: — The Springfield Hospital, a corporation incorporated under general law December twenty-fourth, eighteen hundred and eighty-three, is hereby authorized to hold, for the purposes for which it is incorporated, real and personal estate to an amount not exceeding twenty-five million dollars.

Approved March 26, 1965.

Chap. 196. AN ACT INCREASING THE AMOUNT OF PROPERTY WHICH MAY BE HELD BY THE MASONIC EDUCATION AND CHARITY TRUST.

Be it enacted, etc., as follows:

Chapter 24 of the Special Acts of 1916 is hereby amended by striking out section 1, as amended by chapter 171 of the acts of 1951, and inserting in place thereof the following section: — *Section 1.* The Masonic Education and Charity Trust may hold real and personal estate to an amount not exceeding twenty million dollars.

Approved March 26, 1965.

Chap. 197. AN ACT RELATIVE TO THE PAYMENT OF SAVINGS ACCOUNTS STANDING IN THE NAMES OF MINORS IN NATIONAL BANKING ASSOCIATIONS, SAVINGS AND LOAN ASSOCIATIONS OR FEDERAL CREDIT UNIONS.

Be it enacted, etc., as follows:

Section 48 of chapter 167 of the General Laws, as amended by chapter 105 of the acts of 1961, is hereby further amended by adding the following paragraph: —

Money deposited in the name of a minor in a national banking association, savings and loan association or federal credit union may, at the discretion of the treasurer or other authorized officer of such association or credit union, be paid to such minor or to his legal representative or, if the amount of such deposit does not exceed seven hundred and fifty dollars, to either parent of such minor, and any such payment shall discharge the liability of the association or credit union to all persons to the extent of such payments. *Approved March 26, 1965.*

Chap. 198. AN ACT CONSOLIDATING FIRST UNITARIAN CHURCH IN PEABODY AND FIRST UNIVERSALIST PARISH OF PEABODY.

Be it enacted, etc., as follows:

SECTION 1. First Unitarian Church in Peabody, organized in eighteen hundred twenty-five, and The First Universalist Parish of Peabody, organized in eighteen hundred thirty-two, religious corporations existing under the laws of the commonwealth are hereby authorized to consolidate and shall thereafter become and be one corporation under the name of Unitarian Universalist Church of Peabody, hereinafter called the consolidated corporation, which consolidated corporation shall in all respects be a continuation of each of said existing corporations.

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

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

SECTION 4. The consolidated corporation shall be deemed to have assumed and shall be liable for all liabilities and obligations of First Unitarian Church in Peabody and The First Universalist Parish of Peabody.

SECTION 5. All members of the existing corporations shall become members of the consolidated corporation on the date when the consolidation becomes effective. New members may be admitted to the consolidated corporation thereafter in accordance with the provisions of the by-laws of the consolidated corporation.

SECTION 6. The consolidation shall not be completed:

(*a*) unless at meetings called for the purpose, each of said existing corporations shall have accepted this act; and

(*b*) unless after the acceptance said existing corporations shall have called and held an organization meeting of the consolidated corporation to be held in the city of Peabody composed of persons designated by said existing corporations, for the purpose of adopting by-laws for the consolidated corporation and of electing officers, a parish committee and such other committees as said by-laws may require.

SECTION 7. The consolidation shall be complete and effective upon the filing with the secretary of the commonwealth of a certificate signed by the clerks of said existing corporations who shall make affidavit setting forth detailed compliance with the provisions of section six and stating the names and addresses of the officers and committee members elected by said organization meeting. Said certificate shall be filed not later than thirty days after the date of said organization meeting.

SECTION 8. Any questions arising as to the powers, rights, privileges and responsibilities of the consolidated corporation with respect to its property and with respect to the property of the existing corporation, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made to or for the benefit of either of them, and also any other questions arising as to the legal effect of this act or any of the provisions thereof, may, notwithstanding any general or special law to the contrary, be initially and finally determined by the supreme judicial court upon the application of any person interested or of the attorney general. *Approved March 26, 1965.*

Chap. 199. AN ACT RELATIVE TO REGULATIONS FOR PREVENTING OR RETARDING THE ESCAPE OF GAS IN CASE OF FIRE.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by striking out section 75A, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 75A.* No gas company or municipality distributing gas shall install or replace a meter measuring gas supplied to any premises except in accordance with regulations prescribed by the department for preventing or retarding the escape of gas in case of fire. Said regulations shall be enforced by the department. *Approved March 26, 1965.*

Chap. 200. AN ACT AUTHORIZING CITIES AND TOWNS TO ESTABLISH AND MAINTAIN PSYCHIATRIC FACILITIES TO PROVIDE CERTAIN TREATMENT AND CARE.

Be it enacted, etc., as follows:

Section 2 of chapter 123 of the General Laws, as amended by section 7 of chapter 715 of the acts of 1956, is hereby further amended by inserting after the word "thereof", in line 8, the words: — but a city or town may, subject to the approval of the department and under regulations adopted by the department, establish and maintain, within a hospital supported by such city or town, psychiatric facilities for the purpose of providing treatment and care of acute cases at its own expense. *Approved March 26, 1965.*

Chap. 201. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO APPROPRIATIONS FOR STOCKING INLAND WATERS WITH FISH AND FOR LIBERATING GAME.

Be it enacted, etc., as follows:

The last sentence of clause (41) of section 5 of chapter 40 of the General Laws, as appearing in section 4 of chapter 599 of the acts of 1941, is hereby amended by striking out, in line 4, the word "conservation" and inserting in place thereof the words: — natural resources.

Approved March 26, 1965.

Chap. 202. AN ACT AUTHORIZING THE TRANSFEROR OF A MOTOR VEHICLE TO ATTACH HIS OLD NUMBER PLATES TO A NEWLY ACQUIRED VEHICLE FOR A CERTAIN PERIOD OF TIME.

Be it enacted, etc., as follows:

SECTION 1. The fifth paragraph of section 2 of chapter 90 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 102 of the acts of 1965, and inserting in place thereof the following two sentences: — A person who has attained twenty-one years of age and who transfers the ownership of a registered motor vehicle or trailer owned by him to another or who loses possession thereof and who intends to transfer the registration of such motor vehicle or trailer to a newly acquired vehicle of the same type and having the same number of wheels may, subject to other provisions of this chapter, operate such newly acquired motor vehicle or trailer for a period beginning from the date of transfer until five o'clock post meridian of the second registry business day following the date of transfer within the same calendar year; provided, that the number plates issued upon registration of the transferred motor vehicle or trailer are attached to the newly acquired vehicle. During such period any operator of the newly acquired vehicle shall carry an original copy of the bill of sale reciting the registration number to be transferred from the former vehicle to the newly acquired vehicle or a certificate of transfer issued by the dealer on a form approved by the registrar in place of the certificate of registration.

SECTION 2. Section 11 of said chapter 90 is hereby amended by striking out the first sentence, as most recently amended by chapter 58 of the acts of 1965, and inserting in place thereof the following sentence: — Every person operating a motor vehicle shall have the certificate of registration for the vehicle and for the trailer, if any, and his license to operate, upon his person or in the vehicle, in some easily accessible place, except that the certificates of registration of dealers, manufacturers, repairmen, owner-repairmen or farmers need not so be carried; and that the certificate of registration of a person who is operating a motor vehicle in accordance with the provisions of the last sentence of the fifth paragraph of section two of chapter ninety need not so be carried.

Approved March 26, 1965.

Chap. 203. AN ACT INCREASING THE MAXIMUM PERIOD FOR SHORT TERM LEASES OF PUBLIC OFF-STREET PARKING FACILITIES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Clause (*e*) of section 1 of chapter 474 of the acts of 1946, as appearing in section 2 of chapter 612 of the acts of 1948, is hereby amended by striking out, in lines 15 and 28, respectively, the word "three" and inserting in place thereof, in each instance, the word: — five.

SECTION 2. The first sentence of the last paragraph of said section 1 of said chapter 474, as appearing in chapter 273 of the acts of 1958, is hereby amended by striking out, in line 2, the word "three" and inserting in place thereof the word: — five.

SECTION 3. The second sentence of section 3 of chapter 474 of the acts of 1946, as appearing in section 4 of chapter 612 of the acts of 1948, is hereby amended by striking out, in line 3, the word "three" and inserting in place thereof the word: — five.

SECTION 4. The fifth sentence of said section 3 of said chapter 474, as appearing in section 2 of chapter 316 of the acts of 1950, is hereby amended by striking out, in line 1, the word "three" and inserting in place thereof the word: — five.

SECTION 5. The sixth sentence of said section 3 of said chapter 474, as so appearing, is hereby amended by striking out, in line 2, the word "three" and inserting in place thereof the word: — five.

Approved March 26, 1965.

Chap. 204. AN ACT PROVIDING THAT A TOWN MAY VOTE TO TRANSFER PREVIOUSLY APPROPRIATED FUNDS WITHOUT THE PRIOR RECOMMENDATION OF THE FINANCE COMMITTEE.

Be it enacted, etc., as follows:

Section 33B of chapter 44 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 6 of chapter 798 of the acts of 1951, and inserting in place thereof the following sentence: — A town may, by majority vote at any meeting duly held, transfer any amount previously appropriated to any other use authorized by law. *Approved March 26, 1965.*

Chap. 205. AN ACT FURTHER DEFINING THE LAW PROVIDING FOR AN EXTRA DAY OFF OR PAY FOR HOLIDAYS FOR POLICE OFFICERS.

Be it enacted, etc., as follows:

Section 17A of chapter 147 of the General Laws, as most recently amended by chapter 318 of the acts of 1962, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — If any police officer of a city or town is required to work on January first, February twenty-second, April nineteenth, May thirtieth, July fourth, the first Monday of September, October twelfth, November eleventh, Thanksgiving day or Christmas day, or the day

following when any of the five days first mentioned, or October twelfth, November eleventh or Christmas day, occurs on Sunday, he shall be given an additional day off, or, if such additional day off cannot be given because of personnel shortage or other cause, he shall be entitled to an additional day's pay; provided, that, in the case of any such police officer whose regular day off or vacation day falls on any of the aforementioned holidays, an additional day off shall be allowed, or payment in lieu of one day shall be allowed.

(The foregoing was laid before the governor on the twenty-second day of March, 1965, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 206. AN ACT RELATIVE TO BORROWING INSIDE THE DEBT LIMIT BY CITIES AND TOWNS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds immediately for programs in cities and towns, supported by borrowing within their debt limits, 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 44 of the General Laws is hereby amended by striking out section 7, as amended, and inserting in place thereof the following section: — *Section 7.* Cities and towns may incur debt, within the limit of indebtedness prescribed in section ten, for the purposes hereinafter set forth, and payable within the periods hereinafter specified, but, except for the purpose set forth in clause (11), no debt shall be incurred under any one of the following clauses unless in the year in which the debt is authorized a sum at least equal to the percentage, as specified in such clause, of the amount authorized to be borrowed has been appropriated from available revenue funds, or voted to be raised by taxation, or transferred from any available appropriation other than an appropriation raised by borrowing, or transferred from a reserve fund established under section five A or section six of chapter forty or section twenty-five of chapter fifty-nine or from a stabilization fund established under section five B of chapter forty, for the purposes set forth in the clause under which the debt is authorized or, in the case of debt under clause (5), (6) or (7), for any one or more of the purposes set forth in said clauses; provided, however, that no more than one hundred and fifty thousand dollars need be so appropriated, voted or transferred in any year for the purposes set forth in the clause under which the debt is authorized or, in the case of debt under clause (5), (6) or (7), for any one or more of the purposes set forth in said clauses:

(1) For the construction of sewers for sanitary and surface drainage purposes and for sewage disposal, thirty years, two per cent.

(1A) For the lining by cement or metal of sewers constructed for sanitary and surface drainage purposes and for sewage disposal, ten years, five per cent.

(2) For acquiring land for public parks or playgrounds or public domain under chapter forty-five, thirty years, two per cent; but no

indebtedness incurred for public domain shall exceed one half of one per cent of the last preceding assessed valuation of the city or town.

(2A) For the construction of an artificial ice-skating rink for which refrigeration equipment is required on land owned by the city or town, fifteen years, four per cent.

(2B) For the construction of an outdoor swimming pool on land owned by the city or town, fifteen years, four per cent.

(3) For acquiring land for any purpose for which a city or town is or may hereafter be authorized to acquire land, not otherwise specifically provided for; for the construction of buildings which cities or towns are or may hereafter be authorized to construct, or for additions to such buildings where such additions increase the floor space of said buildings, including the cost of original equipment and furnishings of said buildings or additions, twenty years, three per cent.

(4) For the construction of bridges of stone or concrete or of iron superstructure, twenty years, three per cent.

(4A) For the construction of incinerators within the city or town for the purpose of disposing of waste, refuse and garbage, twenty years, three per cent.

(5) For the original construction of public ways or the extension or widening thereof, including land damages and the cost of pavement and sidewalks laid at the time of said construction, or for the construction of stone, block, brick, cement concrete, bituminous concrete, bituminous macadam or other permanent pavement of similar lasting character, or for the original construction and surfacing or the resurfacing with such pavement of municipally owned and operated off-street parking areas, under specifications approved by the department of public works, ten years, five per cent.

(6) For macadam pavement or other road material, or for the resurfacing with such pavement or other road material of municipally owned and operated off-street parking areas, under specifications approved by the department of public works, or for the construction of sidewalks of brick, stone or concrete, five years, ten per cent.

(7) For the construction of walls or dikes for the protection of highways or property, ten years, five per cent.

(8) For the purchase of land for cemetery purposes, ten years, five per cent.

(9) For the cost of additional departmental equipment, five years, ten per cent.

(10) For connecting dwellings or other buildings with common sewers, when the cost is to be assessed in whole or in part on the abutting property owners, five years, ten per cent.

(11) For the payment of final judgments rendered after the fixing of the tax rate for the current year, one year.

(13) In Boston, for acquiring fire or police boats, fifteen years, four per cent.

(14) For traffic signal, fire alarm or police communication installations and for the purpose of extending and improving such installations, in Boston ten years, five per cent, and in any other city or town five years, ten per cent.

(15) In Boston, for the original construction, or the extension or widening, with permanent pavement of lasting character conforming to specifications approved by the state department of public works and

under the direction of the board of park commissioners of the city of Boston, of ways, other than public ways, within or bounding on or connecting with any public park in said city, including land damages and the cost of pavement and sidewalks laid at the time of said construction, or for the construction of such ways with stone, block, brick, cement concrete, bituminous concrete, bituminous macadam or other permanent pavement of similar lasting character under specifications approved by said department of public works, ten years, five per cent.

(16) For the payment of premiums for fire insurance contracts or policies covering a period of five years, four years, twenty-five per cent.

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

SECTION 2. A city, town or district heretofore authorized by special act to incur debt subject to the limitations contained in the first paragraph of section seven of chapter forty-four of the General Laws may incur debt thereunder if such debt was authorized by the city, town or district prior to the effective date of this act and conformably with the limitation contained in said first paragraph as in effect at the time of such authorization or if such debt is authorized by the city, town or district at any time hereafter conformably with the limitation contained in said first paragraph either as in effect at the time of the passage of such special act or as amended by section one of this act.

SECTION 3. Notwithstanding the provisions of section seven of chapter forty-four of the General Laws, as amended by section one of this act, a city, town or district may incur debt, within the limit of indebtedness prescribed in section ten of chapter forty-four of the General Laws, for the purposes set forth in section seven of said chapter, and payable within the periods specified in said section seven, if such debt was authorized by the city, town or district prior to the effective date of this act and conformably with the limitation contained in the first paragraph of section seven of chapter forty-four of the General Laws as in effect at the time of such authorization or if such debt is authorized by the city, town or district in the current year on or after the effective date of this act and conformably with the limitation contained in said first paragraph either as in effect on January first in the current year or as amended by section one of this act. *Approved March 29, 1965.*

Chap. 207. AN ACT AUTHORIZING THE TOWN OF WAYLAND TO TRANSFER A CERTAIN PORTION OF COCHITUATE BEACH FROM THE PARK DEPARTMENT TO THE CEMETERY DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Wayland is hereby authorized to transfer the care, custody and control of a certain portion of Cochituate Beach, described on "Plan of Land in Wayland, Mass. Off Commonwealth Road Showing Proposed Transfer of Town Land From Park Department to Cemetery Department dated November 20, Nineteen Hundred Sixty-three, Everett M. Brooks Co., Civil Engineers," containing about fifty-one thousand, eight hundred and two square feet, from the park

department to the cemetery department of said town for cemetery purposes.

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

Approved March 29, 1965.

Chap. 208. AN ACT RELATIVE TO THE ORGANIZATION OF THE SCHOOL DEPARTMENT OF THE CITY OF BOSTON BY THE SCHOOL COMMITTEE OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 231 of the acts of 1906 is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 359 of the acts of 1949, and inserting in place thereof the following sections: —

Section 1. The school committee of the city of Boston shall, in the year nineteen hundred and sixty and in every sixth year thereafter, elect a superintendent of schools, who shall hold office for the term of six years from the first day of September in such year. Said school committee shall fix the compensation of such superintendent and may remove him for cause. Any vacancy in the office of superintendent shall be filled by the school committee for the unexpired term.

The superintendent of schools shall be the executive officer of the school committee in all matters pertaining to the powers and duties of the school committee.

No person shall be elected or appointed by the school committee unless such person shall have been nominated for such election or appointment by the superintendent of schools; provided, however, that the preceding provision of this paragraph shall not apply, and the superintendent of schools shall have no power of nomination, in the case of an appointment to an office or position subject to the civil service laws and rules or in the case of an election or appointment of a chairman, secretary or treasurer of the school committee or of a superintendent of schools or of a person to serve on the board of commissioners of school buildings, the board of trustees of the teachers retirement fund or the board of trustees of the permanent school pension fund.

Section 1A. Subject to the provisions of the last paragraph of section one, said school committee shall elect in each year, beginning with the year nineteen hundred and sixty-five, one associate superintendent and one assistant superintendent, each for a term of six years from the first day of September in the year of his election.

Subject to the provisions of the last paragraph of section one, the school committee shall elect one of the associate superintendents to serve as deputy superintendent until the expiration of his term as associate superintendent.

Said school committee shall fix the compensation of persons elected under this section, and may remove them, or any of them, for cause. Any vacancy in the office of any person elected under this section shall be filled by said school committee for the unexpired term subject to the provisions of the last paragraph of section one.

The superintendent of schools shall assign to each person elected under this section such duties as he may see fit, except the review of eligibility lists prepared by the board of examiners.

Section 1B. The superintendent of schools, the associate superintendents and the business manager shall constitute the board of superintendents. The superintendent of schools or, in the event of his absence or disability or of vacancy in his office, the deputy superintendent shall preside at meetings of said board. Said board shall have no executive or administrative powers, but shall act as an advisory board to the superintendent of schools.

Section 1C. No school committeeman shall, during the term for which he is elected or chosen, be elected or appointed to, or hold, any other office or position in the school department of the city of Boston.

SECTION 2. The assistant superintendents in office under said chapter two hundred and thirty-one when this act takes effect shall serve thereafter as associate superintendents but otherwise according to the provisions of their respective appointments; and as soon as conveniently may be after the passage of this act, the school committee of the city of Boston shall, subject to the provisions of the last paragraph of section one of said chapter two hundred and thirty-one, as appearing in section one of this act, elect six other assistant superintendents to serve for terms of one, two, three, four, five and six years, respectively, from the first day of September, nineteen hundred and sixty-five.

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

Approved March 29, 1965.

Chap. 209. AN ACT MAKING CORRECTIVE CHANGES IN THE LAW PERTAINING TO HORSE AND DOG RACING MEETINGS.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 128A of the General Laws is hereby amended by striking out clause (*l*), as appearing in section 3 of chapter 374 of the acts of 1934, and inserting in place thereof the following clause:

(*l*) No license shall be issued to any person who has, within ten years of the time of filing the application for such license, been convicted of violating the provisions of section five of this chapter in retaining more than twelve and fifteen per cent, plus any additional amount that may be required by law, of sums deposited by patrons as wagers at a horse or dog racing meeting plus breaks, as defined in said section.

SECTION 2. The fourth paragraph of section 5 of said chapter 128A is hereby amended by striking out the last sentence.

Approved March 29, 1965.

Chap. 210. AN ACT INCORPORATING LYNN AREA INDUSTRIAL DEVELOPMENT CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. In this act, unless the context otherwise requires, the following words shall have the following meanings: —

"Corporation", Lynn Area Industrial Development Corporation, created by section two.

Financial institution", any banking corporation or institution, trust company, savings bank, co-operative bank, savings and loan asso-

ciation, 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. Joseph R. Bergstrom, Chester Brown, Jr., Alfred E. Chase, Peter Gamage, Richard C. Gram, Howard L. Huxtable, Francis E. Ingalls, Charles R. Irving, Murray J. Kamin, Henry F. Kozlowski, Herbert D. Marsh, Gerhard Neumann, Stanley Shmishkiss, M. Henry Wall, their associates, successors, and assigns, are hereby constituted a body corporate under the name of Lynn Area Industrial Development Corporation. The corporation shall be subject to and have the powers and privileges conferred by the provisions of chapter one hundred and fifty-five, sections eighteen, twenty-six, twenty-seven, thirty-one, thirty-three and thirty-four of chapter one hundred and fifty-six, and section two of chapter one hundred and eighty of the General Laws, except so far as said provisons 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 Lynn. The corporation may have offices in such other places within the vicinity of Lynn 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 Lynn and its vicinity, and the citizens thereof; to encourage and assist, through loans, investment or other business transactions, the location of new business and industry in the city of Lynn 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 Lynn 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 herein contained, have the following powers: —

(*a*) To purchase, receive, hold, lease or otherwise acquire, and to develop, improve, sell, convey, exchange, mortgage, lease, rent and otherwise deal or trade in and dispose of real property and any estate, interests or rights therein.

(*b*) To lend money unsecured or 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 Lynn 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 and development 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 Lynn 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 authorized Class A common capital stock not distributed. Such stock may also be purchased from other individuals, corporations, estates, trusts, companies, or partnerships, provided the amount purchased shall not exceed five hundred shares in the aggregate. If such individual, corporation, estate, trust, company, or partnership holds in the aggregate more than five hundred shares, it shall be required to turn in the excess of five hundred shares to the corporation and to re-

ceive back therefor in exchange Class B common stock on a share for share basis. The holder of each share of Class A common capital stock shall be entitled to one vote for each such share not in excess of five hundred shares.

Class B. — An individual, corporation, estate or trust, company or partnership, shall not be limited as to holdings or purchases in Class B common capital stock and shall be entitled to purchase the same from the corporation from time to time so long as the latter has in its treasury authorized Class B common capital stock not distributed. Such stock may also be purchased from other individuals, corporations, estates, trusts, companies or partnerships. Class B common capital stock shall be nonvoting.

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 the 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 and development

to examine the corporation 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 and development 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.

SECTION 9. The business and affairs of the corporation shall be managed and conducted by a board of directors of not more than twenty-one members, a president, a first vice-president and a second vice-president, a treasurer and a clerk. The executive committee shall consist of the president, first vice-president, treasurer, clerk and at least four members of the board of directors appointed by the president.

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.

The officers shall be elected from the board of directors at the annual meeting. Terms of office shall be for one year and until the successors are duly elected and qualified.

Duties of officers shall be as follows: The president shall preside at all meetings of the board of directors. The vice-president in order of seniority shall perform the duties of the president in his absence. The clerk shall keep accurate records of the meetings of the stockholders, board of directors and executive committee. The treasurer shall be custodian of the corporation funds and make monthly and annual reports to the board of directors. He shall execute and sign all checks approved by the executive committee or the board of directors.

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 development, 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 and development.

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, by the adoption of by-laws, by the election by ballot of directors, and by action upon such other matters within the powers of the corporation as the incorporators may see fit. The temporary clerk shall be sworn and shall make and attest a record of the proceedings. Ten of the incorporators shall be a quorum for the transaction of business.

Whenever the certificate required by section thirteen of chapter one hundred and fifty-five of the General Laws has been filed in the office of the secretary of the commonwealth, said secretary shall issue and deliver to the incorporators a certified copy of this act under the seal of the commonwealth, and said corporation shall then be authorized to commence business, and stock thereof to the extent herein or hereafter duly authorized may from time to time be issued.

SECTION 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 the 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.

The annual meeting of the corporation shall be held in April of each year on a date and place to be determined by the executive committee.

At any annual meeting twenty-one holders of Class A stock shall constitute a quorum. Regular meetings of the board of directors shall be held at least four times a year and nine directors shall constitute a quorum. Notice of all meetings of the board of directors or of the corporation shall be given in writing not less than one week prior to such meeting.

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 civic or nonsectarian 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 March 29, 1965.*

Chap. 211. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

The county commissioners of Barnstable county are hereby authorized to pay, subject to appropriation, and after such appropriation, the treasurer of said county is hereby authorized to pay, such of the unpaid bills incurred by said county and totalling two thousand fifty-nine dollars and thirty cents, as are set forth in a list on file in the office of the director of accounts in the department of corporations and taxation for goods supplied and services rendered to said county during the year nineteen hundred and sixty-three. Said bills are legally unenforceable against said county by reason of their being incurred in excess of available appropriations. *Approved March 29, 1965.*

Chap. 212. AN ACT RELATIVE TO THE EXEMPTION FROM TAXATION OF THE OFFICIAL RESIDENCES OF DISTRICT SUPERINTENDENTS OF THE CHURCH OF THE NAZARENE.

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 section 1 of chapter 354 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 of the Church of the Nazarene, 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-five and subsequent years. *Approved March 29, 1965.*

Chap. 213. AN ACT EXTENDING THE LAW RELATIVE TO UNLAWFUL DISCRIMINATION IN CONNECTION WITH THE SALE OR LEASE OF HOUSING ACCOMMODATIONS TO COMMERCIAL SPACE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 151B of the General Laws is hereby amended by adding after subsection 13 the following subsection: —

14. The term "commercial space" means any space in a building, structure, or portion thereof which is used or occupied or is intended, arranged or designed to be used or occupied for the manufacture, sale, resale, processing, reprocessing, displaying, storing, handling, garaging or distribution of personal property; and any space which is used or occupied, or is intended, arranged or designed to be used or occupied as a separate business or professional unit or office in any building, structure or portion thereof.

SECTION 2. Section 4 of said chapter 151B is hereby amended by inserting after subsection 7 the following subsection: —

8. For the owner, lessee, sublessee, or managing agent of, or other person having the right of ownership or possession of or the right to sell, rent or lease, commercial space: (1) To refuse to sell, rent, lease or otherwise deny to or withhold from any person or group of persons such commercial space because of the race, creed, color or national origin of such person or persons. (2) To discriminate against any person because of his race, creed, color, national origin or national ancestry in the terms, conditions or privileges of the sale, rental or lease of any such commercial space or in the furnishing of facilities or services in connection therewith. (3) To cause to be made any written or oral inquiry or record concerning the race, creed, color, national origin or national ancestry of a person seeking to rent or lease or buy any such commercial space.

Approved March 29, 1965.

Chap. 214. AN ACT INCREASING THE AMOUNT WHICH MAY BE RECOVERED FROM CITIES OR CERTAIN TOWNS ON ACCOUNT OF A DEFECT OR WANT OF REPAIR IN A WAY.

Be it enacted, etc., as follows:

Section 15 of chapter 84 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 12, the word "four" and inserting in place thereof the word: — five.

Approved March 29, 1965.

Chap. 215. AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR REMODELING, RECONSTRUCTING AND MAKING EXTRAORDINARY REPAIRS TO SCHOOL BUILDINGS OWNED BY SAID CITY.

Be it enacted, etc., as follows:

The city of Boston may borrow from time to time, inside its limit of indebtedness as prescribed by section ten of chapter forty-four of the General Laws, such sums as may be necessary, not exceeding, in the aggregate, five million dollars, for remodeling, reconstructing or making extraordinary improvements or repairs to school buildings owned by said city, and may issue bonds or notes therefor. Such bonds or notes shall bear on their face the words, City of Boston, Extraordinary Repairs Loan, Act of 1965. Each authorized issue shall constitute a separate loan and shall be paid in not more than ten years from the date of issue. Debt incurred under this act shall, except as provided herein, be subject to the provisions of said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof.

Approved March 29, 1965.

Chap. 216. AN ACT CLARIFYING CERTAIN DUTIES WHICH MAY BE DELEGATED BY 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 second sentence, as appearing in chapter 557 of the acts of 1949, and inserting in place thereof the following sentence:— He may also appoint, and for cause remove, a deputy registrar, an assistant to the registrar, hearings officers, supervising inspectors with power to hold hearings, supervisors of special services, and assistant supervisors of special services, and may delegate to such deputy, assistant, hearings officers, supervising inspectors, supervisors and assistant supervisors the performance of any duty imposed upon the registrar relative to the administration or enforcement of laws relating to motor vehicles.

Approved March 29, 1965.

Chap. 217. AN ACT PLACING THE SCHOOL BUILDINGS IN THE CITY OF SOMERVILLE UNDER THE CONTROL OF THE SCHOOL COMMITTEE OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Section 28 of chapter 240 of the acts of 1899, as most recently amended by section 2 of chapter 167 of the acts of 1946, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — The management and control of public schools and the construction, alteration, repair, maintenance and care of public school buildings shall be vested in a school committee, which shall exercise the powers conferred and discharge the duties imposed by law upon school committees.

SECTION 2. Section 2 of chapter 650 of the acts of 1953 is hereby amended by inserting after the word "buildings", in line 12, the words: — , except school buildings.

SECTION 3. This act shall take effect upon its acceptance by the city of Somerville on or before January first, nineteen hundred and sixty-six. *Approved March 29, 1965.*

Chap. 218. AN ACT AUTHORIZING THE CITY OF BOSTON TO LEASE THE AIRSPACE ABOVE ANY PUBLIC OFF-STREET PARKING FACILITY IN THE GOVERNMENT CENTER URBAN RENEWAL PROJECT AREA IN SAID CITY.

Be it enacted, etc., as follows:

Clause (*e*½) of section 1 of chapter 474 of the acts of 1946, as appearing in section 1 of chapter 263 of the acts of 1963, is hereby amended by adding after the word "determine", in line 10, the following: — ; also the power to lease to any person for such period, not exceeding ninety-nine years, upon such terms as the board shall determine, the whole or any part of the airspace above any public off-street parking facility constructed under this act in the government center urban renewal project area in said city for such uses as the board, giving due consideration to the promotion of the night-time use of the parking facility, shall determine, and the power to include in any such lease suitable provisions for the construction and maintenance of a structure in such airspace, and for the support of, and suitable access to and from, such structure. The provisions of section three to the contrary notwithstanding, structures and other things erected or affixed pursuant to the lease of any such airspace shall be taxed to the lessee thereof or his assigns in the same manner and to the same extent as if such lessee or his assigns were the owners of the land in fee; provided, that no part of either the value of the land or the off-street parking facility, except the fact of the proximity of such facility, shall be included in any such assessment or considered in determining valuation for the purpose of any such assessment; and, provided, further, that for the purpose of enforcing the payment of any such tax the leasehold interest of the lessee or his assigns may be sold or taken by the collector-treasurer of said city in the manner provided by law for the sale or taking of real estate for the nonpayment of taxes, and said collector-treasurer shall have for the collection of any such tax all other remedies provided by law for the collection of taxes on real estate. *Approved March 29, 1965.*

Chap. 219. AN ACT INCREASING THE AMOUNT OF THE DEATH BENEFIT PAYABLE UNDER THE STATE-BOSTON RETIREMENT SYSTEM TO THE WIDOW OF JOHN J. GALLAGHER WHO DIED OF INJURIES SUSTAINED IN LINE OF DUTY AS A POLICE OFFICER OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 755 of the acts of 1962 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* For the purpose of promoting the public good, the accidental death benefit allowance payable under section nine of chapter thirty-two of the General Laws to the widow of John J. Gallagher, who died on May twenty-fifth, nineteen hundred and sixty-two, as a result of injuries sustained when shot on said date while in the performance of his duty as a police officer of the city of Boston shall, subject to the provisions and limitations of said section nine, consist of a yearly amount of pension equal to the annual rate of regular compensation which would have been payable to said John J. Gallagher had he continued in service as a police officer of said city at the grade held by him at the time of his death.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved March 29, 1965.*

Chap. 220. AN ACT RELATING TO THE PROTECTION OF FLOOD PLAINS.

Be it enacted, etc., as follows:

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

Section 117C. No person shall remove, fill or dredge any bank, flat, marsh, meadow or swamp bordering on any inland waters without filing written notice of his intention to so remove, fill or dredge, including such plans as may be necessary to describe such proposed activity, with the board of selectmen in a town or the mayor of a city, and with the state departments of public works and natural resources. Such notice shall be sent by registered mail at least thirty days prior to any such removing, filling or dredging. The selectmen or mayor, as the case may be, shall hold a public hearing on said proposal within ten days of the receipt of said notice, and shall notify by mail the person intending to do such removing, filling or dredging, and the said state departments of the time and place of said hearing. The selectmen or mayor may recommend such protective measures as may protect the public interest. The department of public works shall determine whether the proposed activity would violate any provisions of chapter ninety-one and shall take such action as may be necessary to enforce such provisions. If the area on which the proposed work is to be done is determined by the department of natural resources to be essential to public or private water supply or to proper flood control, the department shall by written order signed by the commissioner impose such conditions as may be necessary to protect the interests described herein, and the work shall be done in accordance therewith. The provisions of this section shall not apply to areas established by the water resources commission as flood plain zones. Land used for agricultural purposes shall be exempt from the provisions

of this section. The provisions of this section shall not apply to any work done under the provisions of clause (36) of section five of chapter forty, chapter two hundred and fifty-two, or any special act. The commissioner may, by rule or regulation, exempt from this section such other uses as he may deem not inconsistent with the purposes of this section. Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months, or both, and the superior court shall have jurisdiction in equity to restrain a continuing violation of this section.

Approved March 29, 1965.

Chap. 221. AN ACT REQUIRING SCHOOL COMMITTEES TO ADMINISTER APTITUDE TESTS ANNUALLY TO CERTAIN MENTALLY RETARDED CHILDREN.

Be it enacted, etc., as follows:

Section 46 of chapter 71 of the General Laws is hereby amended by inserting after the fourth sentence, as appearing in section 4 of chapter 535 of the acts of 1956, the following sentence: — In addition thereto the school committee of every city, town or regional school district shall annually have an aptitude test administered to every child under its control who is between the ages of seven and sixteen and who has been ascertained to be mentally retarded as hereinbefore provided.

Approved March 29, 1965.

Chap. 222. AN ACT REGULATING SALE OF CERTAIN SECURITIES BY SMALL LOAN COMPANIES.

Be it enacted, etc., as follows:

Chapter 110A of the General Laws is hereby amended by inserting after section 15 the following section: —

Section 15A. No securities issued by a foreign or domestic corporation licensed under section ninety-six of chapter one hundred and forty shall be sold or advertised or offered for sale on premises occupied by such corporation without a permit issued by the commissioner of banks, and subject to such conditions as the commissioner may determine. The commissioner may, after notice and hearing, cancel such permit for violation of any such condition.

Approved March 29, 1965.

Chap. 223. AN ACT RELATIVE TO THE STANDARDIZATION OF MILK.

Be it enacted, etc., as follows:

Section 12B of chapter 94 of the General Laws, as most recently amended by chapter 190 of the acts of 1964, is hereby further amended by striking out the second and third sentences and inserting in place thereof the following two sentences: — The milk, skimmed milk or cream used for purposes of standardization shall each have been received on the same day in the case of bulk delivery or within forty-eight hours in the case of can delivery, and shall each have originated from

sources approved for sale in the commonwealth. Standardization shall not reduce nor increase the fat content of milk, or of a blend of milk, by more than one half of one per cent, except that the milk regulation board may, following receipt of written application and thorough review of the basis therefor, permit the reduction of the fat content of milk in excess of said limit. *Approved March 29, 1965.*

Chap. 224. AN ACT FURTHER REGULATING THE PENALTY FOR FORGING OR ALTERING A DRIVER'S LICENSE OR CERTIFICATE OF REGISTRATION.

Be it enacted, etc., as follows:

Section 24B of chapter 90 of the General Laws, as amended by chapter 23 of the acts of 1962, is hereby further amended by inserting after the word "by", in line 16, the words: — a fine of not more than five hundred dollars or by. *Approved March 29, 1965.*

Chap. 225. AN ACT PROVIDING LIFE TENURE FOR THEODORE PALIZZOLO, INCUMBENT OF THE OFFICE OF TOWN ACCOUNTANT OF THE TOWN OF LYNNFIELD.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Theodore Palizzolo, incumbent of the office of town accountant of the town of Lynnfield, 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 Lynnfield at the annual town meeting to be held in the year nineteen hundred and sixty-six 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-five, entitled 'An Act providing life tenure for Theodore Palizzolo, incumbent of the office of town accountant of the town of Lynnfield', 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 29, 1965.

Chap. 226. AN ACT DIRECTING THE BUILDING INSPECTOR OF THE TOWN OF DEDHAM TO ISSUE A PERMIT TO THE DEDHAM HOUSING AUTHORITY TO CONSTRUCT A MULTIPLE UNIT HOUSING PROJECT FOR THE ELDERLY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter forty A and chapter one hundred and forty-five of the General Laws, the building inspector of the town of Dedham shall issue a permit to the Dedham Housing Authority, if said Authority acquires title, to construct a multiple, eighty unit housing project for the elderly on a parcel of land on

High Street in said town as shown on a plan entitled "Plan of Land in Dedham, Massachusetts, Dedham Housing Authority, Housing for the Elderly", dated October 21, 1964, Pilling Engineering Company, Inc., Dedham, Massachusetts, containing a total area of one hundred four thousand five hundred square feet, more or less.

SECTION 2. This act shall take effect upon its acceptance at a town meeting of the town of Dedham in the current year, but not otherwise.

Approved March 31, 1965.

Chap. 227. AN ACT RELATIVE TO THE INCURRING OF CERTAIN LIABILITIES PAYABLE BY THE COUNTY PRIOR TO APPROPRIATIONS.

Be it enacted, etc., as follows:

The first paragraph of section 34 of chapter 35 of the General Laws is hereby amended by striking out the last sentence, as amended by section 3 of chapter 591 of the acts of 1948, and inserting in place thereof the following two sentences: — No new or unusual expense shall be incurred, or permanent contract made, or salary increased, until an appropriation sufficient therefor has been made by the general court; except that salary increases in accordance with the salary schedule may be granted as set forth in section fifty-one B, and contracts made by a county for the exercise of its corporate powers or for any purpose as provided in sections fourteen and seventeen of chapter thirty-four may during any fiscal year, at the time of, or after, the making thereof, be extended without an appropriation, upon like or more favorable terms and conditions, for the whole or any part of the next fiscal year up to June thirtieth of that year or up to sixty days after passage of the budget of next fiscal year, whichever date is later, provided that in no event shall the average monthly liability incurred with respect to the next fiscal year exceed the average monthly liability for such contract during the last six months of the then current fiscal year. Rentals and leases of real property may be entered into for a period not to exceed five years. *Approved April 3, 1965.*

Chap. 228. AN ACT TO INCREASE THE AUTHORITY OF CONSTABLES TO SERVE CIVIL PROCESS.

Be it enacted, etc., as follows:

Section 92 of chapter 41 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: — A constable who has filed such bond, in a sum of not less than three thousand dollars may, within his town, also serve any such writ or other process in which the damages are laid at a sum not exceeding four hundred dollars, and any process in replevin in which the subject matter does not exceed in value four hundred dollars. *Approved April 3, 1965.*

Chap. 229. AN ACT AUTHORIZING REGISTERED CHIROPODISTS (PODIATRISTS) TO POSSESS CERTAIN DRUGS AND TO WRITE PRESCRIPTIONS FOR SUCH DRUGS AND COMPOUNDS THEREOF.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 187A of chapter 94 of the General Laws is hereby amended by inserting after the word "dentist", in line 3 and in line 4, as appearing in section 3 of chapter 577 of the acts of 1954, in each instance, the words: —, chiropodist (podiatrist).

SECTION 2. The third paragraph of said section 187A of said chapter 94, as so appearing, is hereby amended by inserting after the word "dentist", in lines 2 and 3 and in line 6, in each instance, the words: —, chiropodist (podiatrist).

SECTION 3. The sixth paragraph of said section 187A of said chapter 94, as so appearing, is hereby amended by inserting after the word "dentist", in line 1, the words: —, chiropodist (podiatrist).

SECTION 4. Section 187B of said chapter 94, inserted by chapter 610 of the acts of 1955, is hereby amended by inserting after the word "dentist", in line 3, the words: —, registered chiropodist (podiatrist).

SECTION 5. Section 187D of said chapter 94, inserted by section 2 of chapter 718 of the acts of 1955, is hereby amended by inserting after the word "dentist" in lines 5 and 11, in each instance, the words: —, chiropodist (podiatrist).

SECTION 6. Section 197 of said chapter 94 is hereby amended by inserting after the paragraph defining "Dentist" the following paragraph: —

"Chiropodist (podiatrist)", a person authorized by law to practice chiropody (podiatry) in this commonwealth.

SECTION 7. The first paragraph of section 199A of said chapter 94, as appearing in section 1 of chapter 660 of the acts of 1957, is hereby amended by inserting after the word "dentist", in line 7, the words: —, chiropodist (podiatrist).

SECTION 8. The third paragraph of said section 199A of said chapter 94, as so appearing, is hereby amended by inserting after the word "dentist", in lines 1 and 5, in each instance, the words: —, chiropodist (podiatrist). *Approved April 3, 1965.*

Chap. 230. AN ACT AUTHORIZING THE CONSOLIDATION OF NEWTON THEOLOGICAL INSTITUTION, TRUSTEES OF ANDOVER THEOLOGICAL SEMINARY, AND TRUSTEES OF ANDOVER NEWTON THEOLOGICAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. Newton Theological Institution, incorporated under chapter ninety-six of the acts of eighteen hundred and twenty-six, Trustees of Andover Theological Seminary, incorporated under chapter two hundred and sixty of the acts of nineteen hundred and seven, and Trustees of Andover Newton Theological School, incorporated under chapter one hundred and eighty of the General Laws, are hereby authorized, by acceptance of this act within one year after its effective date, at meetings of the members duly called for the purpose, to con-

solidate into one charitable corporation under the name of Andover Newton Theological School, hereinafter called the consolidated corporation, which shall in all respects be a continuation of, and shall have all the rights, privileges and powers and shall be subject to all duties, liabilities and restrictions provided by law in so far as they relate to, said existing corporations. Upon such acceptance, copies of the votes of acceptance certified by the clerk or other officer of the respective corporations so voting shall be filed in the registry of deeds of Middlesex county for the southern district and with the secretary of the commonwealth, and the consolidation the existing corporations shall thereupon be complete.

SECTION 2. Upon such consolidation, all property, real and personal, of the existing corporations so consolidating and all devises, bequests, conveyances and gifts heretofore and hereafter made to any such corporations shall vest in the consolidated corporation and otherwise shall be held by the consolidated corporation subject to the same terms, conditions, limitations and trusts as they are now held by the existing corporations or would have been held but for this act, and the treasurers of the 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 record title to the property of the existing corporations.

SECTION 3. Upon consolidation of the existing corporations, the members of such corporations shall be members of the consolidated corporation until such time as the consolidated corporation may, by amendment of its by-laws, alter its membership, and the members of the governing boards of said corporations shall be, until their successors are chosen and qualified, the members of the governing board of the consolidated corporation and shall elect the officers of the consolidated corporation, which shall, except as herein provided with respect to the initial membership, thereupon be governed by the by-laws of Newton Theological Institution as the same now are or may hereafter be amended.

SECTION 4. The consolidated corporation may hold real and personal property to an amount not exceeding the aggregate amount of property which the existing corporations may lawfully acquire and hold.

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.

Approved April 3, 1965.

Chap. 231. AN ACT CONSOLIDATING FIRST UNIVERSALIST SOCIETY OF ARLINGTON AND FIRST CONGREGATIONAL PARISH (UNITARIAN) IN ARLINGTON.

Be it enacted, etc., as follows:

SECTION 1. The First Universalist Society of Arlington, organized in eighteen hundred and forty-one and First Congregational Parish (Unitarian) in Arlington organized in seventeen hundred and thirty-

three, religious corporations existing under the laws of the commonwealth are hereby authorized to consolidate and shall thereafter become and be one corporation under the name of First Parish Unitarian Universalist of Arlington, Massachusetts, hereinafter called the consolidated corporation, which consolidated corporation shall in all respects be a continuation of each of said existing corporations.

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

SECTION 3. Upon such consolidation becoming effective, all property of The First Universalist Society of Arlington and First Congregational Parish (Unitarian) in Arlington, including all bequests, devises, gifts and transfers of any kind theretofore and hereafter made 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 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 consolidated corporation had such bequests, devises, gifts and transfers been made directly to it and for its purposes, so far as such powers, rights and privileges can be constitutionally conferred by the General Court and without prejudice to any court proceeding, and otherwise shall have with respect to such property and such bequests, devises, gifts and transfers the same powers, rights and privileges as would have been possessed by The First Universalist Society of Arlington and First Congregational Parish (Unitarian) in Arlington had such consolidation not been effected.

SECTION 4. The consolidated corporation shall be deemed to have assumed and shall be liable for all liabilities and obligations of The First Universalist Society of Arlington and First Congregational Parish (Unitarian) in Arlington.

SECTION 5. All members of the existing corporations shall become members of the consolidated corporation on the date when the consolidation becomes effective. New members may be admitted to the consolidated corporation thereafter in accordance with the provisions of the by-laws of the consolidated corporation.

SECTION 6. The consolidation shall not be completed:

(*a*) unless at meetings called for the purpose, each of said existing corporations shall have accepted this act; and

(*b*) unless after the acceptance said existing corporations shall have called and held an organization meeting of the consolidated corporation to be held in the town of Arlington composed of persons designated by said existing corporations, for the purpose of adopting by-laws for the

consolidated corporation and of electing officers, a parish committee and such other committees as said by-laws may require.

SECTION 7. The consolidation shall be complete and effective upon the filing with the secretary of the commonwealth of a certificate signed by the clerks of said existing corporations who shall make affidavit setting forth detailed compliance with the provisions of section six and stating the names and addresses of the officers and committee members elected at said organization meeting. Said certificate shall be filed not later than thirty days after the date of said organization meeting.

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

Approved April 3, 1965.

Chap. 232. AN ACT ENABLING BALLOU CHANNING DISTRICT OF UNITARIAN UNIVERSALIST ASSOCIATION INCORPORATED TO HOLD MEETINGS OF ITS MEMBERS ANYWHERE IN THE UNITED STATES OF AMERICA.

Be it enacted, etc., as follows:

SECTION 1. Ballou Channing District of Unitarian Universalist Association Incorporated, incorporated under chapter one hundred and eighty of the General Laws, is hereby authorized to hold meetings of its members anywhere in the United States of America and to transact any and all business at such meetings which it might transact if such meetings were held in the commonwealth.

SECTION 2. This act shall take effect upon its acceptance by the members of Ballou Channing District of Unitarian Universalist Association Incorporated at a meeting held in the commonwealth, and upon the filing of a certified copy of said vote of acceptance with the secretary of the commonwealth.

Approved April 3, 1965.

Chap. 233. AN ACT PROHIBITING CERTAIN TIE-IN SALES IN CONNECTION WITH THE SALE OF BOOKS, PERIODICALS AND PHONOGRAPH RECORDS.

Be it enacted, etc., as follows:

Chapter 272 of the General Laws is hereby amended by inserting after section 30B the following section: —

Section 30C. Any publisher, wholesaler, jobber or distributor who requires that the purchaser of books, periodicals, or phonograph records shall, as a condition of the sale, purchase any book, periodical or phonograph record, which such purchaser did not order shall be punished by a fine of not more than one thousand dollars.

Approved April 3, 1965.

Chap. 234. AN ACT FURTHER REGULATING CERTAIN ADVERTISING CONCERNING EMPLOYMENT.

Be it enacted, etc., as follows:

Chapter 149 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.* Whoever knowingly causes to be printed or published a false or fraudulent notice or advertisement for help or for obtaining work or employment, or whoever, in an advertisement for help, if the person to be employed is required to purchase a particular article of value as a condition of his employment, fails to state that the offer of employment is contingent upon the purchase of such article and the purchase price of such article, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than three months, or both. *Approved April 3, 1965.*

Chap. 235. AN ACT INCREASING THE NUMBER OF TRUSTEES OF TRUSTEES OF LEICESTER ACADEMY.

Be it enacted, etc., as follows:

The number of trustees of Trustees of Leicester Academy, also known as Leicester Junior College, is hereby increased from fifteen to twenty-two. Said additional trustees and their successors shall be elected by the trustees of said corporation and shall have all the powers and duties set forth in its original act of incorporation.

Approved April 3, 1965.

Chap. 236. AN ACT AUTHORIZING CERTAIN PERSONS TO OPERATE AIRCRAFT AT CERTAIN PLACES AT AN AIRPORT WITHOUT A LICENSE.

Be it enacted, etc., as follows:

Section 47 of chapter 90 of the General Laws, as appearing in section 3 of chapter 393 of the acts of 1939, is hereby amended by adding after the word "thereof", in line 24, the words: — , nor to qualified airmen operating an aircraft on the ground at an airport, except on a landing area. *Approved April 3, 1965.*

Chap. 237. AN ACT RELATIVE TO ELIGIBILITY IN COMPETITIVE PROMOTIONAL EXAMINATIONS FOR POSITIONS UNDER CIVIL SERVICE.

Be it enacted, etc., as follows:

The first sentence of paragraph B of section 15 of chapter 31 of the General Laws, as appearing in section 1 of chapter 720 of the acts of 1964, is hereby amended by inserting after the word "year", in line 5, the words: — in equal grades or, — so as to read as follows: — 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 perma-

nent employees who have been employed after certification for at least one year in equal grades or 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. *Approved April 3, 1965.*

Chap. 238. AN ACT RELATIVE TO THE ESTABLISHMENT OF CERTAIN EDUCATIONAL REQUIREMENTS FOR APPLICANTS FOR THE POSITION OF DIRECTOR OF PSYCHOLOGICAL SERVICES IN THE DEPARTMENT OF MENTAL HEALTH.

Be it enacted, etc., as follows:

Section 4B of chapter 19 of the General Laws, inserted by chapter 365 of the acts of 1962, is hereby amended by inserting after the paragraph contained in lines 1 to 4, inclusive, the following paragraph: —

An applicant for director of psychological services shall be a diplomate in clinical psychology of the American Board of Examiners in Professional Psychology, Incorporated. *Approved April 3, 1965.*

Chap. 239. AN ACT FURTHER REGULATING THE USE OF MUFFLERS AND EXHAUST SYSTEMS ON MOTOR VEHICLES.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by striking out section 16, as amended by chapter 66 of the acts of 1961, and inserting in place thereof the following section: — *Section 16.* No person shall operate a motor vehicle, nor shall any owner of such vehicle permit it to be operated, in or over any way, public or private, whether laid out under authority of law or otherwise, which motor vehicles are prohibited from using, provided notice of such prohibition is conspicuously posted at the entrance to such way. No person shall operate a motor vehicle, nor shall any owner of such vehicle permit it to be operated upon any way, except fire department and fire patrol apparatus, unless such motor vehicle is equipped with a muffler to prevent excessive or unnecessary noise, which muffler is in good working order and in constant operation, and complies with such minimum standards for construction and performance as the registrar may prescribe. No person shall use a muffler cut-out or by-pass. No person shall operate a motor vehicle on any way which motor vehicle is equipped (1) with a muffler from which the baffle plates, screens or other original internal parts have been removed and not replaced; or (2) with an exhaust system which has been modified in a manner which will amplify or increase the noise emitted by the exhaust. No person operating a motor vehicle shall in a thickly settled or business district sound a bell, horn or other device for signalling so as to make a harsh, objectionable or unreasonable noise or permit any unreasonable amount of smoke to escape from such vehicle. No siren shall be mounted upon any motor vehicle except fire apparatus, ambulances, vehicles used in official line of duty by any member of the police or fire fighting forces of the commonwealth or any agency or political subdivision thereof, and vehicles owned by call fire fighters or by persons with police powers and operated

in official line of duty, unless authorized by the registrar. No person shall use on or in connection with any motor vehicle a spot light, so called, the rays from which shine more than two feet above the road at a distance of thirty feet from the vehicle, except that such a spot light may be used for the purpose of reading signs, and as as auxiliary light in cases of necessity when the other lights required by law fail to operate.

Approved April 3, 1965.

Chap. 240. AN ACT INCREASING THE PENALTY FOR THE USE OF BEAM OR OTTER TRAWLS IN TAKING FISH FROM CERTAIN TERRITORIAL WATERS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 86 of the acts of 1931 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* Violation of this act shall be punished by a fine of not less than five hundred nor more than one thousand dollars. *Approved April 3, 1965.*

Chap. 241. AN ACT INCREASING THE AMOUNT OF CERTAIN PERSONAL LOANS WHICH A CREDIT UNION MAY MAKE TO A MEMBER.

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 1, as most recently amended by section 1 of chapter 151 of the acts of 1960, and inserting in place thereof the following paragraph: —

1. To an amount of two hundred dollars or two per cent of the assets, whichever is greater, not exceeding five hundred dollars, if evidenced by the unendorsed and unsecured note of the borrower.

Approved April 3, 1965.

Chap. 242. AN ACT RELATIVE TO THE COUNTING OF VOTES.

Be it enacted, etc., as follows:

The third sentence of the first paragraph of section 105 of chapter 54 of the General Laws, as appearing in section 43 of chapter 437 of the acts of 1962, is hereby further amended by striking out, in line 1, the word "then". *Approved April 3, 1965.*

Chap. 243. AN ACT PROVIDING THAT THE BUSINESS OF BOOTBLACK MAY BE CARRIED ON AT PUBLIC AIRPORTS AT ANY TIME ON SUNDAY.

Be it enacted, etc., as follows:

Section 6 of chapter 136 of the General Laws is hereby amended by striking out clause (37), as appearing in section 2 of chapter 616 of the acts of 1962, and inserting in place thereof the following clause: —

(37) The carrying on of the business of bootblack before eleven o'clock in the morning, provided that such business may be carried on at any time at public airports. *Approved April 3, 1965.*

Chap. 244. AN ACT REGULATING THE PASSING BY MOTOR VEHICLES OF CERTAIN CAMP BUSES WHICH HAVE STOPPED ON THE HIGHWAY FOR THE PURPOSE OF PICKING UP OR DISCHARGING PASSENGERS.

Be it enacted, etc., as follows:

Section 14 of chapter 90 of the General Laws is hereby amended by striking out the third sentence, as most recently amended by chapter 374 of the acts of 1961, and inserting in place thereof the following sentence: — When approaching a vehicle which displays a sign bearing the words "SCHOOL BUS" and is equipped with front and rear blinker lights which are flashing as provided in section seven B, or a vehicle which displays a sign bearing the words "CAMP BUS" and is equipped with front and rear blinker lights which are flashing, and which has been stopped to allow passengers to alight from or board the same, a person operating a motor vehicle shall, except when approaching from the opposite direction on a divided highway, bring his vehicle to a full stop before reaching said school bus or camp bus and shall not thereafter proceed until such school bus or camp bus resumes motion or until such person is signaled by the driver of said bus to proceed or the blinker lights are no longer flashing. *Approved April 3, 1965.*

Chap. 245. AN ACT AUTHORIZING THE TOWN OF MILFORD TO BORROW MONEY FOR THE DREDGING AND IMPROVEMENT OF CERTAIN WATERWAYS.

Be it enacted, etc., as follows:

SECTION 1. The town of Milford, for the purpose of contributing to the cost or expense of dredging or otherwise improving certain portions of the Charles river and tributaries thereof, including Louisa lake and Godfrey brook, to relieve flood conditions in said town, said work to be done by the division of waterways of the department of public works, may borrow from time to time, within three years of the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one hundred and ten thousand dollars and may issue bonds or notes of the town therefor which shall bear on their face the words, Town of Milford Dredging and Waterways Improvement Loan, Act of 1965. 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 of indebtedness and shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its acceptance by the town of Milford. *Approved April 3, 1965.*

Chap. 246. AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO RECEIVE AND ADMINISTER THE PROPERTY OF THE ELMWOOD CEMETERY ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. The Elmwood Cemetery Association, a corporation duly established under the laws of the commonwealth, hereinafter called the

association, may, by deed duly executed, convey and transfer to the town of Weymouth, 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. Insofar as authorized by a decree of a court of competent jurisdiction and in compliance with the terms and conditions of such decree, said town may receive from the association a conveyance and transfer of, and administer, all funds or other property held by the association in trust for the perpetual care of the lots in the cemetery and for other purposes, and also any property devised or bequeathed to the association under the will of any person living at the time of said transfer or conveyance or under the will of any deceased person not then probated. Interest and dividends accruing on funds deposited in trust with any savings bank under authority of section 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 any lots in the cemetery may, after such conveyance, be paid by such bank or institution to the treasurer of said town; and upon such payment said treasurer shall use the same for the purposes of said trusts.

SECTION 3. All real and personal property and property rights, acquired by said town from the association under authority of this act, shall be held and managed by said town in the same manner in which cities and towns are authorized by law to hold and manage property for cemetery purposes; provided, that all rights which any persons have acquired in the cemetery of the association or any lots therein shall remain in force to the same extent as if this act had not been passed and such transfer had not occurred. The records of the association shall be delivered to the clerk of said town and such clerk may certify copies thereof. *Approved April 3, 1965.*

Chap. 247. AN ACT AUTHORIZING THE TRUSTEES OF THE SUPREME COUNCIL OF THE ANCIENT ACCEPTED SCOTTISH RITE OF FREEMASONRY TO HOLD REAL AND PERSONAL PROPERTY WITHOUT LIMITATION, AND TO ESTABLISH CERTAIN COMMON TRUST FUNDS.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 252 of the acts of 1872, as most recently amended by chapter 172 of the acts of 1951, is hereby further amended by striking out, in lines 2 and 3, the words ", not exceeding in all ten million dollars,", — so as to read as follows: — *Section 2.* Said trustees may receive, manage and convey such real and personal estate as may be deposited with them by or for the supreme council of the ancient accepted Scottish rite for the northern jurisdiction of the United States, to such uses as said council may appoint, and shall report their doings to such supreme council, and submit their accounts and records to the inspection of said council. They may also receive and

execute the trust of gifts and devises made to them for religious, charitable, scientific or educational uses, whether said trusts are to be performed and executed in this or any other state of the United States where said rite is practised.

SECTION 2. Said chapter 252 of the acts of 1872 is hereby further amended by adding the following section: —

Section 4. Said corporation may establish one or more common trust funds for the purpose of furnishing investments to itself and to any organization within the object of said corporation, including, but without limiting the generality of the foregoing, any Valley of said corporation or any educational or charitable organization or corporation served by said corporation or by any successor corporation or any organization or corporation holding funds for the benefit of any of the foregoing or for promoting any of the purposes for which any of the foregoing were formed, or any building or buildings used by any of the foregoing, whether holding such funds as fiduciary or otherwise; and said corporation or any successor corporation and any of the said Valleys, organizations or corporations, as fiduciary or otherwise, may invest any part or all of any of the funds which it holds for investment in interests in such common trust fund or funds; provided, that in the case of funds held as fiduciary such investment is not prohibited by the wording of the instrument creating such fiduciary relationship.

Approved April 3, 1965.

Chap. 248. AN ACT INCREASING THE AMOUNT OF PROPERTY WHICH MAY BE HELD BY THE TRUSTEES OF THE EPISCOPAL THEOLOGICAL SCHOOL.

Be it enacted, etc., as follows:

Chapter 141 of the acts of 1922 is hereby amended by striking out section 2, as most recently amended by section 3 of chapter 126 of the acts of 1958, and inserting in place thereof the following section: — *Section 2.* The Trustees of the Episcopal Theological School at Cambridge are hereby authorized to hold real and personal estate in an amount not to exceed twenty-five million dollars for the purposes named in their act of incorporation, as amended; and no gift, devise, bequest or conveyance of real or personal estate heretofore made to said corporation shall be invalid by reason of the limit heretofore imposed by law upon the amount of such estate allowed to be held by it.

Approved April 3, 1965.

Chap. 249. AN ACT RELATIVE TO THE ORGANIZATION OF THE HINGHAM PUBLIC LIBRARY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 117 of the acts of 1872 is hereby amended by striking out section 3 and inserting in place thereof the following section: — *Section 3.* The members of said corporation shall not be less than nine nor more than eleven in number, and all vacancies occurring therein may be filled by the board of trustees.

SECTION 2. Said chapter 117 is hereby further amended by inserting after section 3 the following section: —

Section 3A. The entire control and management of said corporation and all of its powers, including the power to amend its by-laws and to elect its officers and agents, shall be vested in the board of trustees. The board of trustees shall consist of (*a*) the members of the corporation, (*b*) the chairman of the board of selectmen of the town of Hingham, the superintendent of schools of said town and the treasurer of said town, as trustees *ex officio*, (*c*) three residents of said town appointed by said board of selectmen and (*d*) two residents of said town appointed by the moderator thereof. The term of office of the trustees appointed by the board of selectmen and by the moderator shall be for such period as the by-laws of said corporation shall provide. Any vacancy among the trustees appointed by said board of selectmen shall be filled by said board of selectmen for the unexpired term of the trustee whose vacancy is being filled. Any vacancy among the trustees appointed by the moderator shall be filled by said moderator for the unexpired term of the trustee whose vacancy is being filled. *Approved April 3, 1965.*

Chap. 250. AN ACT RELATIVE TO THE CERTIFICATION OF UNPAID WATER RATES AND CHARGES.

Be it enacted, etc., as follows:

Section 42C of chapter 40 of the General Laws, as most recently amended by section 2 of chapter 487 of the acts of 1954, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — If a rate or charge for which a lien is in effect under section forty-two B has not been added to or committed as a tax and remains unpaid when the assessors are preparing a real estate tax list and warrant to be committed by them under section fifty-three of chapter fifty-nine, the board or officer in charge of the water department, or the town collector of taxes, if applicable under section thirty-eight A of chapter forty-one, shall certify such rate or charge to the assessors, who shall forthwith add such rate or charge to the tax on the property to which it relates and commit it with their warrant to the collector of taxes as a part of such tax.

Approved April 3, 1965.

Chap. 251. AN ACT RELATIVE TO LOANS TO LIMITED MEMBERS IN CREDIT UNIONS.

Be it enacted, etc., as follows:

Chapter 171 of the General Laws is hereby amended by striking out section 5, as amended by section 1 of chapter 112 of the acts of 1939, and inserting in place thereof the following section: — *Section 5.* Any fraternal organization, voluntary association, partnership or corporation, having a usual place of business within the commonwealth and composed principally of individual members or stockholders who are themselves eligible to membership in a credit union, or the Central Credit Union Fund, Inc. established by chapter two hundred and sixteen of the acts of nineteen hundred and thirty-two, may become a

member of a credit union, and a credit union may make loans to such members in accordance with section twenty-four; and a credit union may receive from any such member money in payment for shares or on deposit to such an amount that the total of such payments by all members of the class described in this section shall not exceed at any time twenty-five per cent of the assets of the credit union.

Approved April 3, 1965.

Chap. 252. AN ACT RELATIVE TO THE RIGHTS OF AN ADOPTED CHILD AS TO SUCCESSION TO PROPERTY.

Be it enacted, etc., as follows:

Section 7 of chapter 210 of the General Laws is hereby amended by striking out the first sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence: — A person adopted in accordance with this chapter shall take the same share of that property which the adopting parent could dispose of by will as he would have taken if born to such parent in lawful wedlock, and he shall stand to the kindred of such adopting parent in the same position as if so born to him. *Approved April 5, 1965.*

Chap. 253. AN ACT REQUIRING THE BOSTON AND MAINE RAILROAD TO RECONSTRUCT OR REPAIR THE OVERHEAD BRIDGE LOCATED ON HALE STREET IN THE CITY OF LOWELL.

Be it enacted, etc., as follows:

The department of public utilities is hereby directed to order the Boston and Maine Railroad to reconstruct or repair the overhead bridge located on Hale street in the city of Lowell.

Approved April 5, 1965.

Chap. 254. AN ACT REPEALING A CERTAIN LAW RELATIVE TO THE INSPECTION OF WIRES IN BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Chapter two hundred and sixty-eight of the acts of eighteen hundred and ninety-eight is hereby repealed. *Approved April 5, 1965.*

Chap. 255. AN ACT DESIGNATING THE DISTRICT NO. 2 HEADQUARTERS BUILDING OF THE DEPARTMENT OF PUBLIC WORKS IN THE CITY OF NORTHAMPTON AS THE JOHN P. FOLEY MEMORIAL BUILDING.

Be it enacted, etc., as follows:

The district No. 2 headquarters building of the department of public works in the city of Northampton shall be known and designated as the John P. Foley Memorial Building, in memory of John P. Foley, a former city clerk of said city, and a suitable marker bearing such designation shall be attached thereto by said department.

Approved April 5, 1965.

Chap. 256. AN ACT AUTHORIZING THE TOWN OF HARWICH TO TAKE BY EMINENT DOMAIN CERTAIN LAND FOR A PUBLIC DOMAIN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of section twenty of chapter forty-five of the General Laws, the selectmen of the town of Harwich may, within sixty days after the effective date of this act, adopt an order for the taking for a public domain of certain land in fee by eminent domain under chapter seventy-nine of the General Laws, said taking having been voted under Article 49 of the warrant of the annual town meeting held in said town on March second, nineteen hundred and sixty-four, being a certain parcel of land in South Harwich, bounded and described as follows: On the east by the Chatham-Harwich Town line; on the south by land now or formerly of Thomas McDermott (Chatham R. R.); on the west by land now or formerly of Orville Storer; on the south by land now or formerly of said Storer; on the west by land now or formerly of Harold Gould; on the south by land now or formerly of said Gould and land of owners unknown; on the west by Depot Avenue; a county way, on the north by land now or formerly of Mary Powers and by land of owners unknown; on the east by land now or formerly of Theodore Nickerson; on the north by land now or formerly of said Nickerson; on the east again by land now or formerly of Theodore Nickerson; and on the north by land now or formerly of said Nickerson.

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

Approved April 5, 1965.

Chap. 257. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY TO BORROW MONEY FOR MAKING CERTAIN IMPROVEMENTS IN THE REGISTRY OF DEEDS OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Barnstable county are hereby authorized to purchase new equipment and furniture, to modernize the office area and to bring up to date the records and recording facilities of the registry of deeds of Barnstable county. Said commissioners may expend for the purposes of this act, including the preparation of plans and specifications in connection therewith, such sums as may be necessary not exceeding, in the aggregate, one hundred and fifty thousand dollars. Any sums received from the federal government for the purposes of this act shall be included in, and considered a part of, the total amount authorized to be expended hereunder.

SECTION 2. For the purposes authorized by section one, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, one hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Barnstable Registry of Deeds Loan, Act of 1965. Each authorized issue shall constitute a separate loan and such loans shall be payable 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 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 treasurer of said county, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under this act, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

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

Approved April 5, 1965.

Chap. 258. AN ACT INCREASING THE MAXIMUM SALARY WHICH MAY BE PAID TO THE CITY MANAGER IN THE CITY OF HAVERHILL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of section eighty-nine of chapter forty-three of the General Laws to the contrary, the city manager in the city of Haverhill shall receive such compensation as the city council of said city shall fix by ordinance, but not exceeding fifteen thousand dollars annually.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Haverhill at its regular city election in the current year in the form of the following question, which shall be placed upon the official ballot to be used at said election: — "Shall an act passed by the General Court in the current year, entitled 'An Act increasing the maximum salary which may be paid to the city manager in the city of Haverhill', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take effect, but not otherwise.

Approved April 5, 1965.

Chap. 259. AN ACT PROHIBITING THE OPERATION OF CERTAIN TRUCK CRANES ON WAYS UNLESS FOLLOWED IN THE REAR BY ANOTHER VEHICLE.

Be it enacted, etc., as follows:

The first paragraph of section 19 of chapter 90 of the General Laws is hereby amended by inserting after the third sentence, as amended by chapter 553 of the acts of 1961, the following sentence: — No truck crane having a crane or boom which extends more than four feet beyond the bed or body of the vehicle shall be operated or drawn on any way unless vehicles approaching from the rear are protected from the rear projecting crane or boom by another vehicle following immediately behind the projecting extremities of the truck crane.

Approved April 5, 1965.

Chap. 260. AN ACT RELATIVE TO VOTING RIGHTS IN AND THE KINDS OF BUSINESS THAT MAY BE COMBINED BY VARIABLE ANNUITY INSURANCE COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Section 61 of chapter 175 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the first sentence the following sentence: — A company authorized under clause Eighteenth of section forty-seven may grant to its variable annuity contract owners such voting rights as it deems necessary to qualify under the Investment Company Act of 1940 of the United States, as amended.

SECTION 2. The first paragraph of section 48 of said chapter 175, as amended by section 2 of chapter 471 of the acts of 1946, is hereby further amended by striking out, in line 12, the word "or", and by adding after the word "thereof", in line 13, the following: — , or (*f*) to transact the business set forth in the sixteenth and eighteenth clauses thereof, to the extent set forth in clause (*h*) of section fifty-one.

SECTION 3. Section 51 of said chapter 175 is hereby amended by inserting after clause (*g*) the following clause: —

(*h*) The sixteenth and the eighteenth, if the company is incorporated for the purpose set forth in the eighteenth clause; provided, that in combining these kinds of business any business transacted under the sixteenth clause shall be only to the extent necessary to provide that owners of variable annuity contracts covered by the eighteenth clause may elect payout provisions including fixed payments like those required for annuities described in the sixteenth clause, if elected to be effective when such payments commence; and provided, further, that it conforms to the requirements of section forty-eight in respect to paid-up capital and net cash surplus for companies organized under said eighteenth clause. *Approved April 5, 1965.*

Chap. 261. AN ACT FURTHER REGULATING APPEALS FROM CIVIL SERVICE EXAMINATIONS.

Be it enacted, etc., as follows:

Chapter 31 of the General Laws is hereby amended by striking out section 12A, as amended by chapter 297 of the acts of 1948, and inserting in place thereof the following section: — *Section 12A.* Not later than fourteen days after the giving of notice of the results of a written examination, an applicant may file with the director a request for a review of the markings in his examination, setting forth, in the form prescribed by the director, specifically in what particulars the markings of the examination are allegedly incorrect and the authority relied upon by the applicant to support his allegations.

The director shall decline to accept a request for a review of marking in any case where the applicant's marking in any subject of the written examination is more than twenty per cent below the established passing requirement for that subject.

Within six weeks after acceptance of a request for a review of markings on any examination paper, the director shall cause such paper and the markings thereon to be reviewed, and shall transmit a copy of his decision to the applicant.

Not later than fourteen days after receipt of notice of the decision of the director, the applicant may appeal to the commission by filing a petition in a form approved by it and containing a brief statement of the facts upon which such appeal is based.

No request by an applicant for a review of any of the markings on his examination paper shall be accepted by the commission, and no hearing shall be held or other action be taken relative thereto other than on an appeal from a decision of the director.

After filing of such an appeal the commission shall hold a hearing, render a decision and transmit a copy of such decision to the appellant and to the director.

Nothing herein shall be construed to extend the time provided by law for the establishment of the eligible list based on such examination.

Approved April 5, 1965.

Chap. 262. AN ACT AUTHORIZING TRUST COMPANIES TO INVEST IN FIRST MORTGAGE LOANS ON CERTAIN LEASEHOLD INTERESTS.

Be it enacted, etc., as follows:

SECTION 1. Subsection A of section 55 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 paragraph (4) and inserting in place thereof the following paragraph: —

(4) a mortgage loan on improved real estate, located in the United States, not exceeding seventy-five per cent of its appraised value, or 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, not exceeding seventy-five per cent of the value of such leasehold interest; provided, that the terms of the note, mortgage or other such instrument shall require payments in periodic instalments, at intervals not exceeding three months, sufficient to amortize at least forty per cent of the principal in or within ten years or in periodic instalments, at intervals not exceeding three months, sufficient to fully amortize the principal in or within twenty years from the date of the note, mortgage or other such instrument or the acquisition thereof;

SECTION 2. Said subsection A of said section 55 of said chapter 172 is hereby further amended by adding the following paragraph: —

A loan secured by real estate shall be deemed to include a loan on a leasehold under a lease which does not expire for at least ten years beyond the maturity date of the loan, subject to such rules and regulations as the commissioner may prescribe. *Approved April 5, 1965.*

Chap. 263. AN ACT TO AUTHORIZE SAVINGS BANKS TO MAKE OR ACQUIRE CERTAIN LOANS IN PARTICIPATION WITH DOMESTIC LIFE INSURANCE COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 8 of section 35 of chapter 168 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 341 of the acts of 1963, and inserting in place

thereof the following sentence: — Any such corporation may, in participation with one or more other such corporations, or with one or more co-operative banks, trust companies, domestic insurance companies authorized to transact life insurance, national banking associations or savings and loan associations, if such institutions are authorized so to do, make or acquire mortgage loans of the classes referred to in paragraphs 1, 2, 3 and 4 of this section.

SECTION 2. Paragraph 7 of section 38 of said chapter 168 is hereby amended by striking out the first sentence, as amended by section 2 of said chapter 341, and inserting in place thereof the following sentence: — Any such corporation may, in participation with one or more other such corporations, or with one or more co-operative banks, trust companies, domestic insurance companies authorized to transact life insurance, national banking associations or savings and loan associations, if such institutions are authorized so to do, make or acquire collateral loans of the class referred to in paragraph 6 of this section.

SECTION 3. The first sentence of section 51 of chapter 167 of the General Laws is hereby amended by striking out clause (*b*), as most recently amended by chapter 220 of the acts of 1964, 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 domestic insurance companies authorized to transact life insurance, 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.

SECTION 4. Said section 51 of said chapter 167 is hereby further amended by striking out the sentence inserted by chapter 277 of the acts of 1963, and inserting in place thereof the following sentence: — A savings bank, co-operative bank or trust company may also in participation with one or more other such corporations or domestic insurance companies authorized to transact life insurance make or acquire any of the loans referred to in clause (*b*) which are secured by mortgages on real property held in fee simple. *Approved April 5, 1965.*

Chap. 264. AN ACT ADDING THE NAME OF CORPORAL RICHARD L. TARANTINO TO THE TABLET ATTACHED TO THE KINGSTON'S KOREAN WAR MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

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

SECTION 2. 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 the 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, Private First Class Erville W. Schneider, Jr., and Corporal Richard L. Tarantino.

Approved April 5, 1965.

Chap. 265. AN ACT RELATIVE TO THE LIABILITIES OF ONE PERSON ON MORTGAGE LOANS BY A SAVINGS BANK.

Be it enacted, etc., as follows:

Section 36 of chapter 168 of the General Laws is hereby amended by striking out paragraph 8, as appearing in section 1 of chapter 432 of the acts of 1955, and inserting in place thereof the following paragraph: —

8. *Liabilities of One Person.* — The total liabilities to any savings bank of a person, partnership, association, trust or corporation and the total liabilities of more than one partnership, association, trust or corporation, the majority interest of which are owned or controlled directly or indirectly by the same person or persons, partnerships, associations, trusts or corporations, for money borrowed under section thirty-five, including in the liabilities of a partnership, trust or company not incorporated the liabilities of the several members thereof, shall not at any one time exceed two per cent of the deposits of such bank or fifty thousand dollars, whichever is the greater. In computing such total liabilities, there shall be included the direct liability of the borrower and his liability as endorser, guarantor or surety on the obligations of others held by the bank, and there shall be excluded the liability of the borrower on the following: —

(*a*) Mortgage loans held by such bank on real estate sold to a person deemed by the bank to be a bona fide purchaser and who has agreed, in writing, with such bank to assume payment thereof.

(*b*) Construction mortgage loans for the building of residential dwellings of one to four families; provided, the liabilities of such construc-

tion loans shall not at any one time exceed four per cent of the deposits of such bank or one hundred thousand dollars, whichever is the greater; provided, that at no time shall there be advanced and outstanding on account of such construction loans a principal amount of more than two per cent of the deposits of such bank or fifty thousand dollars, whichever is the greater; and, further, provided, that each such construction mortgage loan shall be payable not more than two years from the date of the note.

(*c*) Mortgage loans which are insured or guaranteed in whole or in part by the federal government or the commonwealth or a political subdivision of the commonwealth, or any agency of said governments.

(*d*) Mortgage loans resulting from sales of property purchased from such bank. *Approved April 5, 1965.*

Chap. 266. AN ACT RELATIVE TO THE LIABILITY WHICH ONE PERSON MAY HAVE OUTSTANDING AT ONE TIME ON REAL ESTATE LOANS BY A CO-OPERATIVE BANK.

Be it enacted, etc., as follows:

Section 24 of chapter 170 of the General Laws is hereby amended by striking out subsection 5, as most recently amended by chapter 124 of the acts of 1963, and inserting in place thereof the following subsection: —

5. The aggregate liability of any one person outstanding at any one time on real estate loans held by any such corporation shall not, except as hereinafter provided, exceed thirty thousand dollars or three per cent of the share liabilities of such corporation, whichever is greater. As used in this subsection the term "person" shall mean and include any individual, partnership, association, trust or corporation. In computing such aggregate liability, there shall be included (i) the direct liability of such person, (ii) his or its liability as endorser, guarantor or surety on the obligations of others to such corporation, (iii) the liabilities to such corporation of the several members of such person if a partnership, trust or an unincorporated association or company, and (iv) the liabilities to such corporation of other partnerships, associations, trusts and corporations, the majority interests in which are owned or controlled directly or indirectly by such person; and there shall be excluded therefrom (i) the liabilities of such person on loans upon any mortgaged property sold to a person deemed by such corporation to be a bona fide purchaser and who has agreed, in writing, with the corporation to assume payment thereof, (ii) the liabilities of such person on loans resulting from sales of property purchased from such corporation, (iii) the liabilities of such person to the corporation on loans which are insured or guaranteed in whole or in part by the United States government or the commonwealth or by any agency of either or by a political subdivision of the commonwealth, and (iv) balances held by such corporation on account of uncompleted loans on which such person is obligated to the corporation. *Approved April 5, 1965.*

Chap. 267. AN ACT PROVIDING AN EXEMPTION FROM REAL PROPERTY TAXES FOR WIDOWS OF CERTAIN FIRE FIGHTERS AND FOR MINOR CHILDREN OF CERTAIN POLICE OFFICERS AND FIRE FIGHTERS.

Be it enacted, etc., as follows:

SECTION 1. Clause Forty-second of section 5 of chapter 59 of the General Laws, added by section 1 of chapter 715 of the acts of 1964, is hereby amended by inserting after the word "officer", each time it occurs in line 2, the words: — or fire fighter.

SECTION 2. Said section 5 of said chapter 59 is hereby further amended by adding after said clause Forty-second the following clause: —

Forty-third, Real estate of the surviving minor children, including adopted children, of a police officer or fire fighter killed in the line of duty as such police officer or fire fighter, to the amount of eight thousand dollars; provided that the mother of such children is deceased, that such real estate is owned and occupied by such children as their domicile; and provided, further, that no real estate shall be so exempt which the assessors shall adjudge has been conveyed to such children to evade taxation.

SECTION 3. This act shall apply to taxes assessed for the year nineteen hundred and sixty-five and subsequent years.

Approved April 5, 1965.

Chap. 268. AN ACT REGULATING CERTAIN INVESTMENTS BY SAVINGS BANKS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*d*) of section 4 of chapter 283 of the acts of 1945, as most recently amended by chapter 219 of the acts of 1960, is hereby further amended by striking out the second paragraph.

SECTION 2. Paragraph 3 of section 47 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 clause (*a*) and inserting in place thereof the following clause: —

(*a*) *Aggregate Investment.* — No such corporation shall invest additional funds in stocks of such companies or associations (*a*) if the cost thereof added to the amount already invested in such stocks and in fire insurance stocks referred to in section forty-eight shall exceed sixty-six and two-thirds per cent of the total of the guaranty fund and surplus of such corporation, referred to in section fifty-seven, appearing immediately following the payment or provision for payment of its next preceding dividend or (*b*) if the cost thereof added to the amount already invested in such stocks, in such fire insurance stocks, in shares of beneficial interest of the Savings Bank Investment Fund referred to in paragraph one of section forty-nine and in preferred stocks referred to in paragraph one A of section forty-nine shall exceed seventy-six and two-thirds per cent of the total of such guaranty fund and surplus.

SECTION 3. Paragraph 7 of section 48 of said chapter 168, as appearing in chapter 98 of the acts of 1964, is hereby amended by striking out clause (*b*) and inserting in place thereof the following clause: —

(*b*) *Aggregate Investment Limit.* — No insurance stock shall be purchased (*a*) if the cost thereof added to the cost of insurance stocks and

bank stocks already owned shall exceed sixty-six and two-thirds per cent of the total of the guaranty fund and surplus of such corporation, referred to in section fifty-seven, appearing as provided in paragraph three (*a*) of section forty-seven or (*b*) if the cost thereof added to the cost of insurance stocks and bank stocks, of shares of beneficial interest of the Savings Bank Investment Fund and of preferred stocks referred to in paragraph one A of section forty-nine, already owned, shall exceed seventy-six and two-thirds per cent of the total of such guaranty fund and surplus.

SECTION 4. Section 49 of said chapter 168, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out paragraph 1 and inserting in place thereof the following paragraph: —

1. *Shares of Savings Bank Investment Fund.* — Shares of beneficial interest of the Savings Bank Investment Fund; provided that no such corporation shall invest in such shares (*a*) if the cost thereof added to the cost of such shares already owned shall exceed twenty-five per cent of the total of the guaranty fund and surplus of such corporation, referred to in section fifty-seven, appearing as provided in paragraph three (*a*) of section forty-seven or (*b*) if the cost thereof added to the amount already invested in such shares, in bank and insurance stocks and in preferred stocks shall exceed seventy-six and two-thirds per cent of the total of such guaranty fund and surplus.

SECTION 5. Section 49 of said chapter 168 is hereby amended by adding after paragraph 1 the following paragraph: —

1A. *Preferred Stocks.* — Nonconvertible, fully cumulative preferred stocks of any company described in subdivision A or subdivision B of section forty-six the mortgage bonds of which can qualify for investment under the provisions of said subdivisions; provided that in each of the five fiscal years next preceding the date of investment, the after tax net operating income, as hereinafter defined, of such company, as shown by its annual reports or other sworn returns to the Federal Power Commission or to a state public service or other similar commission, shall have been not less than twice the sum of the amount necessary to pay the interest for the same periods on all of its outstanding indebtedness and of the amount required to pay dividends on all of its preferred stock. As used in this paragraph the words "after tax net operating income" shall mean the amount available for payment of interest and dividend charges after deduction from total operating revenues of all operating expenses, including current maintenance, provision for depreciation, all taxes including federal income taxes, rentals and guaranteed interest or dividends. No such corporation shall invest in such stocks (*a*) if the cost thereof added to the cost of such stocks already owned shall exceed twenty-five per cent of the total of the guaranty fund and surplus of such corporation referred to in section fifty-seven, appearing as provided in paragraph three (*a*) of section forty-seven or (*b*) if the cost thereof added to the amount already invested in such stocks, in bank and insurance stocks and in shares of beneficial interest of said Savings Bank Investment Fund shall exceed seventy-six and two-thirds per cent of the total of such guaranty fund and surplus; and provided that no such corporation shall invest more than one-fifth of one per cent of its deposits in the preferred stock of any one such company.

Approved April 5, 1965.

Chap. 269. AN ACT RELATIVE TO THE INVESTMENT OF THE CAPITAL AND RESERVES OF DOMESTIC INSURANCE COMPANIES IN BONDS, NOTES OR OTHER EVIDENCES OF INDEBTEDNESS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 14A of section 63 of chapter 175 of the General Laws, as amended by section 1 of chapter 111 of the acts of 1954, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences: — In the bonds, notes or other evidences of indebtedness issued, assumed or guaranteed by companies incorporated under the laws of the United States, or any state thereof, or of the Dominion of Canada or any province thereof, or of associations or trusts as defined in section one of chapter one hundred and eighty-two, whose average net earnings during the seven fiscal years next preceding the date of investment have been not less than (1) four times the average fixed charges for said period if such company, association or trust is not engaged in wholesale, retail, installment, commercial or consumer financing, factoring or the small loan business, or is not a bank chartered or incorporated under the laws of the United States or any state thereof; or (2) one and one-half times the average fixed charges for said period if such company, association or trust is so engaged or is a bank chartered or incorporated under the laws of the United States or any state thereof. No more than one-half of the capital of any domestic company, other than life, and not more than one-half of the reserve of any domestic stock or mutual life company may be invested under this paragraph and not more than ten per cent of such capital nor more than ten per cent of such reserve may be invested under (2) above.

SECTION 2. Paragraph 14C of said section 63, inserted by chapter 373 of the acts of 1956, is hereby amended by striking out clause (*b*) and inserting in place thereof the following clause: —

(*b*) the average net earnings of any lessee under (2) above, or of any such company, association or trust assuming or guaranteeing said lease, during the seven fiscal years preceding the date of investment have not been less than four times the average fixed charges for said period if such company, association or trust is not engaged in wholesale, retail, installment, commercial or consumer financing, factoring or the small loan business, or is not a bank chartered or incorporated under the laws of the United States or any state thereof; or one and one-half times the average fixed charges for said period if such company, association or trust is so engaged or is a bank chartered or incorporated under the laws of the United States or any state thereof;. *Approved April 5, 1965.*

Chap. 270. AN ACT PROVIDING THAT CERTAIN ACCIDENT REPORTS SHALL BE FOR THE SOLE USE OF THE REGISTRAR OF MOTOR VEHICLES AND THE POLICE IN ANALYZING ACCIDENTS.

Be it enacted, etc., as follows:

Section 26 of chapter 90 of the General Laws, as most recently amended by chapter 405 of the acts of 1964, is hereby further amended by inserting after the second paragraph the following paragraph: —

Such reports and copies thereof shall be for the sole use of the registrar and police in analyzing the cause of accidents for the purpose of increasing highway safety. *Approved April 5, 1965.*

Chap. 271. AN ACT ESTABLISHING THE COMPENSATION, TRAVEL ALLOWANCES AND EXPENSES OF THE MEMBERS OF THE GENERAL COURT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to provide forthwith for the payment of increased compensation and allowances for expenses, travel, lodging and meals to members of the General Court in order to prevent extreme hardship among such members because of the inadequacy of the present scale of such compensation and allowances due to the ever increasing costs of living, board, lodging and travel, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section nine of chapter three of the General Laws, each member of the general court shall receive for each regular annual session in the years nineteen hundred and sixty-five and nineteen hundred and sixty-six seven thousand five hundred dollars. The president of the senate and the speaker of the house of representatives shall each receive seven thousand five hundred dollars additional compensation for each such session. The floor leaders of each of the major political parties in the senate and house of representatives, the chairman of the senate committee on ways and means and the chairman and vice chairman of the house committee on ways and means shall each receive three thousand seven hundred and fifty dollars additional compensation for each such session. Each member of the general court shall be entitled to be paid his compensation for each such session at the rate of six hundred dollars for each full month of the session. Such payments shall be made to him, upon his request on the last legislative day in which the general court is in session preceding the fifteenth day of each month and on the date preceding the last legislative day of each month, and shall be for an amount not exceeding the proportion then due at the aforesaid rate; provided, that the state treasurer may, during such regular session, make additional payments on account, in excess of such monthly rate, to any member making written request therefor, but the amount of such additional payments shall not exceed, in the aggregate, twelve hundred dollars in any one such session, or sixteen hundred dollars if such session continues beyond July first, and in no event shall the amount of all payments under this section during such session to any member exceed, in the aggregate, the compensation of such member for such session.

SECTION 2. Notwithstanding the provisions of section nine B of chapter three of the General Laws, each member of the general court shall receive nine hundred dollars annually for expenses for the years nineteen hundred and sixty-five and nineteen hundred and sixty-six, to be paid as follows: — each member shall be entitled to receive seventy-five dollars on the first day of each session and on the first day of each month thereafter until said sum of nine hundred dollars shall have been paid; and on the last day of the session there shall be paid to each member of the general court the balance, if any, of said sum of nine hundred dollars.

Each member of the general court during said years who lives less than forty miles from the state house shall receive eight cents for every

mile traveling distance as established by the mileage schedules adopted by the house and senate, respectively, in eighteen hundred and ninety-two, with additions thereto which have been authorized from time to time, from his place of abode to the state house and return therefrom for each day of attendance upon the general court, but for not more than four days in each week; and for four days attendance in each week no member shall receive less than seven dollars. Each member of the general court during said years who lives forty miles or more from the state house shall receive the aforementioned allowance or, at his election, an allowance of eight cents per mile for not more than one round trip a week and in addition an allowance for lodging and meals of not more than fifteen dollars a day for not more than four days each week. Payments under this paragraph shall be paid by the state treasurer only upon a voucher in which a member certifies that he traveled daily as above specified, or traveled and incurred expenses for lodging and meals as above specified and shall be payable on or after the last day of each legislative week.

The above allowances for travel, lodging and meals shall not be due or payable to any member after thirty days subsequent to prorogation of the legislative session to which said allowances apply.

SECTION 3. Notwithstanding the provisions of section ten of chapter three of the General Laws, each member of the general court chosen to fill a vacancy during the year nineteen hundred and sixty-five or nineteen hundred and sixty-six, or who resigns his seat during a regular annual session in the year nineteen hundred and sixty-five or nineteen hundred and sixty-six shall be entitled to a per diem compensation for the time of his membership at the rate of seven thousand five hundred dollars for each such session, and the allowances for travel and other expenses for the time of his membership as provided in section two.

SECTION 4. This act shall take effect as of January sixth, nineteen hundred and sixty-five.

(This Bill, returned by the governor, to the Senate, the branch in which it originated, with his objections thereto, was passed by the Senate, April 5, 1965, and, in concurrence, by the House of Representatives, April 5, 1965, the objections of the governor, notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

Chap. 272. AN ACT AUTHORIZING CERTAIN APPEALS TO BE HEARD BY LESS THAN A MAJORITY OF THE CIVIL SERVICE COMMISSION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to expedite forthwith the determining of appeals on markings for early certification, under the civil service laws, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of paragraph (*b*) of section two of chapter thirty-one of the General Laws, hearings on appeals from markings of examination papers may be held before less than a majority of the commission, or the chairman may assign a member or

members to hold such hearings and to report his or their findings of fact and recommendation to the commission for action.

SECTION 2. This act shall cease to be effective one year after its effective date.

Approved April 7, 1965.

Chap. 273. AN ACT REPEALING THE LAW PROVIDING FOR THE LICENSING OF CONDUCTORS, DRIVERS AND DISPATCHERS OF STREET RAILWAY CARS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter fifty-nine of the acts of eighteen hundred and seventy-nine, as most recently amended by chapter three hundred and forty-three of the acts of eighteen hundred and ninety-seven, is hereby repealed.

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

Approved April 7, 1965.

Chap. 274. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF ITALIAN AMERICAN WAR VETERANS OF THE UNITED STATES, INC., DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15I, inserted by chapter 319 of the acts of 1964, the following section: —

Section 15J. The governor shall annually set apart March twenty-seventh, the anniversary of the founding of Italian American War Veterans of the United States, Inc., in recognition of the distinguished patriotic services rendered by this organization, and shall issue his proclamation recommending that the day be observed by the people in the display of the flag and by appropriate exercises in the public schools and elsewhere, commemorative of the services and sacrifices of the men of Italian ancestry who fought in defense of the United States.

Approved April 7, 1965.

Chap. 275. AN ACT PROVIDING THAT NO BOND BE REQUIRED FOR THE REMOVAL OF CERTAIN ACTIONS FROM DISTRICT COURTS BY CERTAIN PERSONS.

Be it enacted, etc., as follows:

Section 107 of chapter 231 of the General Laws, as amended by section 4 of chapter 296 of the acts of 1943, is hereby further amended by inserting after the word "corporation", in line 3, the words: —, or of a board, officer or employee thereof represented by the city solicitor, town counsel or other officer having similar duties.

Approved April 7, 1965.

Chap. 276. AN ACT PROVIDING THAT SCHOOL LIBRARIANS AND SCHOOL LIBRARY SUPERVISORS OR CO-ORDINATORS BE GIVEN TENURE IN THE SAME MANNER AS TEACHERS.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 38G the following section: —

Section 38H. Every school librarian and school library supervisor or co-ordinator appointed by a school committee shall acquire tenure in the school system of the city or town in which he is employed subject to the provisions of section forty-one, relating to tenure for teachers, and of sections forty-two and forty-three A, relating to dismissal, suspension and discharge and of appeals therefrom.

Approved April 7, 1965.

Chap. 277. AN ACT PROVIDING THAT THE AMOUNT OF NONCONTRIBUTORY PENSION PAID TO CERTAIN FORMER POLICEMEN BE INCREASED.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, in any city which accepts this act, any member of the police department who, prior to March twenty-fifth, nineteen hundred and sixty-four, was retired under the provisions of subdivision (*b*), (*c*) or (*d*) of section eighty-three A of chapter thirty-two of the General Laws shall have his annual pension adjusted so as to comply with the provisions of said section eighty-three A, as amended by chapter three hundred and fifty-three of the acts of nineteen hundred and sixty-four.

Approved April 7, 1965.

Chap. 278. AN ACT PROVIDING THAT THE AMOUNT OF NONCONTRIBUTORY PENSION PAID TO CERTAIN FORMER FIRE FIGHTERS BE INCREASED.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, in any city which accepts this act, any permanent member of the fire department who, prior to March twenty-fifth, nineteen hundred and sixty-four, was retired under the provisions of subdivision (*b*), (*c*) or (*d*) of section eighty-one A of chapter thirty-two of the General Laws shall have his annual pension adjusted so as to comply with the provisions of section eighty-one B of said chapter thirty-two, as amended by chapter sixty-eight of the acts of nineteen hundred and sixty-four.

Approved April 7, 1965.

Chap. 279. AN ACT RELATIVE TO THE CAPITAL STOCK OF TRUST COMPANIES.

Be it enacted, etc., as follows:

Subsection D of section 21 of chapter 172 of the General Laws, as appearing in section 1 of chapter 493 of the acts of 1961, is hereby amended by inserting after the word "forty-one", in line 3, the word: — , forty-three.

Approved April 7, 1965.

Chap. 280. AN ACT PROVIDING THAT CO-OPERATIVE BANK PASSBOOKS OR PAID-UP SHARES SHALL BE COLLATERAL FOR BAIL.

Be it enacted, etc., as follows:

The first paragraph of section 57 of chapter 276 of the General Laws is hereby amended by striking out the third sentence, as amended by chapter 67 of the acts of 1964, 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, or a passbook or paid-up shares of a co-operative 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 nonregistered 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 April 7, 1965.

Chap. 281. AN ACT PROVIDING FOR CERTAIN PROCEDURE TO BE FOLLOWED PRIOR TO THE IMPOSITION OF PUNISHMENT DUTY UPON FIRE FIGHTERS.

Be it enacted, etc., as follows:

Section 43 of chapter 31 of the General Laws is hereby amended by striking out paragraph (*g*), as most recently amended by section 2 of chapter 33 of the acts of 1965, and inserting in place thereof the following paragraph: —

(*g*) Punishment duty shall not be imposed without just cause upon any police officer or fire fighter subject to this chapter. A police officer or fire fighter upon whom punishment duty is imposed shall, within twenty-four hours of the imposition of such punishment duty, be given a copy of this section and of section forty-five, together with a written notice stating the specific reason for the imposition of such punishment duty and the duration thereof and informing him that he may, within forty-eight hours of receipt of such notice, request in writing a hearing by the appointing authority, and if he so requests he shall be given a hearing within five days of receipt of such request by the appointing authority. A copy of the notice of imposition of punishment duty shall be forwarded forthwith to the director of civil service. Whenever such hearing is given, the appointing authority shall give the police officer or fire fighter upon whom the punishment duty is imposed a written notice of his finding within two days after the hearing. If, after such hearing, the appointing authority finds no just cause exists for the imposition of punishment duty, such punishment duty shall be deemed not to have been imposed; if, after such hearing, the appointing authority finds that just cause does exist for the imposition of punishment duty, the police officer or fire fighter upon whom the punishment duty is imposed may appeal to the commission as provided in paragraph (*b*), and he or the appointing authority shall be entitled to judicial review of the action taken by the commission as provided in paragraph (*d*). The provisions

of paragraph (*c*) shall apply to all hearings under this paragraph. Notice of any action taken by the appointing authority under this paragraph shall be forwarded forthwith to the director of civil service.

Approved April 7, 1965.

Chap. 282. AN ACT REQUIRING OPERATORS OF CERTAIN MOTOR VEHICLES TO DRIVE SAID VEHICLES TO THE NEAREST SCALES AVAILABLE TO THE COMMONWEALTH WITHIN A DISTANCE OF FIVE MILES.

Be it enacted, etc., as follows:

The second paragraph of section 19A of chapter 90 of the General Laws, inserted by chapter 344 of the acts of 1951 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Every operator of a motor vehicle operated on a way shall, upon request or direction of any officer authorized to enforce the provisions of this chapter, operate such motor vehicle with any trailer which may be attached thereto to and upon the nearest scales available to the commonwealth within a distance of not more than five miles and permit the weighing thereof together with its load.

Approved April 7, 1965.

Chap. 283. AN ACT ELIMINATING THE REQUIREMENT THAT A DISABLED VOTER TAKE AN OATH IN ORDER TO RECEIVE ASSISTANCE IN VOTING.

Be it enacted, etc., as follows:

SECTION 1. Section 76A of chapter 54 of the General Laws, inserted by section 20 of chapter 411 of the acts of 1943, is hereby amended by striking out, in line 4, the words "declares under oath" and inserting in place thereof the word: — states.

SECTION 2. Section 79 of said chapter 54, as amended by section 21 of said chapter 411, is hereby further amended by striking out, in line 2, the words "declares on oath" and inserting in place thereof the word: — states.

SECTION 3. Section 98 of said chapter 54, as most recently amended by section 2 of chapter 242 of the acts of 1961, is hereby further amended by striking out, in line 1, the words "declares on oath" and inserting in place thereof the word: — states. *Approved April 7, 1965.*

Chap. 284. AN ACT PROVIDING FOR PARTY NOMINATIONS FOR TOWN OFFICERS IN THE TOWN OF WATERTOWN.

Be it enacted, etc., as follows:

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

(1) Notwithstanding the provisions of section ten of chapter fifty-three of the General Laws, nomination papers of candidates for offices

to be filled at a town election shall be filed with the town clerk on or before the last day for filing primary nomination papers,

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

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

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

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

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Watertown at the annual town meeting in the year nineteen hundred and sixty-six 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-five, entitled 'An Act providing for party nominations for town officers in the town of Watertown', be accepted?" If a majority of the votes in answer to said question are in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved April 7, 1965.*

Chap. 285. AN ACT RELATIVE TO THE NUMBER OF TRUSTEES OF THE NEW ENGLAND CONFERENCE OF THE METHODIST CHURCH.

Be it enacted, etc., as follows:

Section 1 of chapter 81 of the acts of 1826 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — And the number of Trustees shall be that number as required by the "Doctrines and Discipline of the Methodist Church" as from time to time in force but said number shall not be less than five, a majority of whom shall form a quorum, but a less number may adjourn from time to time. *Approved April 7, 1965.*

Chap. 286. AN ACT ESTABLISHING CERTAIN EDUCATIONAL QUALIFICATIONS FOR APPLICANTS FOR CERTAIN POSITIONS IN THE DEPARTMENT OF CORRECTION.

Be it enacted, etc., as follows:

Chapter 27 of the General Laws is hereby amended by inserting after section 2 the following section: —

Section 2A. Notwithstanding the provisions of section six A of chapter thirty-one, the director of civil service shall establish the following educational requirements for taking an examination for the following positions in the department of correction: —

An applicant for director of psychological research shall have a doctoral degree in psychology from an accredited college or university.

An applicant for principal psychologist shall have a minimum of a master's degree in psychology from an accredited college or university.

An applicant for chief supervisor of psychiatric social work shall have a minimum of a master's degree in social work from an accredited graduate school of social work.

An applicant for head psychiatric social worker shall have a minimum of a master's degree in social work from an accredited graduate school of social work. *Approved April 7, 1965.*

Chap. 287. AN ACT EXEMPTING THE OFFICE OF INDUSTRIAL DIRECTOR AND THE OFFICE OF PLANNING DIRECTOR OF THE CITY OF HAVERHILL FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The office of industrial director and the office of planning director of the city of Haverhill 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 council of the city of Haverhill. *Approved April 7, 1965.*

Chap. 288. AN ACT EXEMPTING THE OFFICE OF DIRECTOR OF THE DEVELOPMENT AND INDUSTRIAL COMMISSION OF THE CITY OF FALL RIVER FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

The office of director of the development and industrial commission of the city of Fall River shall, on the effective date of this act, be exempt from the provisions of chapter thirty-one of the General Laws.

Approved April 7, 1965.

Chap. 289. AN ACT INCREASING THE MEMBERSHIP OF THE MUNICIPAL LIGHT COMMISSION OF THE CITY OF TAUNTON.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 150 of the Special Acts of 1919 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The mayor of the city of Taunton shall appoint, subject to confirmation by the municipal council, a municipal light commission to consist of five citizens of said city, who shall not hold other public office therein, and who shall serve for terms of five years.

SECTION 2. In appointing the two additional members of the municipal light commission of the city of Taunton, as authorized by section one of chapter one hundred and fifty of the Special Acts of nineteen hundred and nineteen, as amended by section one of this act, the mayor of said city shall appoint one whose term shall expire on May first, nineteen hundred and sixty-eight, and one whose term shall expire on May first, nineteen hundred and seventy. The terms of the members of said commission holding office on the effective date of this act shall not be affected by this act. Upon the expiration of the term of any member of said commission, his successor shall be appointed for a term of five years, as provided in said section one.

SECTION 3. This act shall be submitted for acceptance to the voters of the city of Taunton at the municipal election 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 in said election: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-five, entitled 'An Act increasing the membership of the municipal light commission of the city of Taunton', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect on January first, nineteen hundred and sixty-six, but not otherwise. *Approved April 7, 1965.*

Chap. 290. AN ACT PLACING THE QUESTION OF ADOPTING THE PLAN A FORM OF CITY GOVERNMENT ON THE BALLOT TO BE USED AT THE MUNICIPAL ELECTION IN THE CITY OF HAVERHILL IN THE CURRENT YEAR.

Be it enacted, etc., as follows:

Notwithstanding any provision of chapter forty-three of the General Laws to the contrary, the following question shall be placed upon the official ballot to be used at the municipal election in the city of Haverhill in the current year: — "Shall the city of Haverhill adopt the form of government defined as Plan A and consisting of government by a mayor and nine councillors elected at large, with elections to be held biennially in every odd numbered year, according to chapter forty-three of the General Laws relating to city charters?"

If a majority of the votes in answer to said question is in the affirmative, the officers provided for under said Plan A shall, beginning with the municipal election in the year nineteen hundred and sixty-seven, 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 morning of the first Monday of January following their election, at which time said Plan A shall take full effect in said city.

(*This Bill, returned by the governor, to the House of Representatives, the branch in which it originated, with his objections thereto, was passed by the House of Representatives, April 5, 1965, and, in concurrence, by the Senate, April 6, 1965, the objections of the governor, notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".*)

Chap. 291. AN ACT AUTHORIZING THE CITY OF SALEM TO SELL CERTAIN PARK LAND THEREIN TO SINARISE GAUTHIER OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Salem is hereby authorized to sell and convey to Sinarise Gauthier of said city a certain parcel of park land owned by it and located in said city, containing approximately 7503 square feet, and bounded and described as follows: — Beginning at a point on the easterly side of Congress Street Extension, which point is 97.17′ distant from the southerly sideline of Leavitt Street; thence running southerly by land of Gauthier, 39.25′ to a point; thence turning and running southwesterly by land of the city of Salem 81.38′ to a point; thence turning and running northwesterly and northerly by land of said city in three courses, 57.61′; 29.94′; and 67.40′ to a point on the southerly sideline of Leavitt Street; thence turning and running along the said southerly sideline of Leavitt Street, 13.40′ to a point; thence turning and running southerly 39.77′ along the westerly sideline of Congress Street Extension, to a point; thence turning and running southeasterly 97.07′ along the southerly boundary line of Congress Street Extension, to the point of beginning.

SECTION 2. This act shall take effect upon its acceptance by the city of Salem. *Approved April 9, 1965.*

Chap. 292. 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-five, and shall pay the same to the state racing commission on the day following. All receipts paid into the state treasury under this act shall be credited to the General Fund, notwithstanding any provision of section fifteen of said chapter one hundred and twenty-eight A to the contrary. *Approved April 14, 1965.*

Chap. 293. AN ACT AUTHORIZING THE TOWN OF CONCORD TO APPROPRIATE MONEY ANNUALLY IN ANTICIPATION OF THE CELEBRATION OF THE TWO HUNDREDTH ANNIVERSARY OF THE BATTLE OF CONCORD.

Be it enacted, etc., as follows:

SECTION 1. The town of Concord may appropriate money annually, from and including the year nineteen hundred and sixty-five to and in-

cluding the year nineteen hundred and seventy-five, for the celebration of the two hundredth anniversary of the battle between citizens of said town and British troops.

SECTION 2. Said town may establish in the town treasury a special fund in which shall be deposited such sums as may be appropriated by it under the provisions of this act. Any and all such sums received by the town treasurer shall be kept separate from any other moneys, funds or property of said town, and the principal and interest thereof shall be expended by said town for the purposes of this act. Any surplus remaining in said special fund after such celebration is concluded shall be transferred by said treasurer into the treasury of said town.

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

Approved April 14, 1965.

Chap. 294. AN ACT AUTHORIZING THE TOWN OF ORANGE TO BORROW MONEY FOR MAKING CERTAIN REPAIRS TO AND REPLACEMENTS IN THE WALNUT HILL DISTRIBUTING RESERVOIR.

Be it enacted, etc., as follows:

SECTION 1. The town of Orange is hereby authorized to make such repairs to and replacements in the Walnut Hill Distributing Reservoir as may be necessary.

For the purpose of making such repairs and replacements, the town of Orange may, from time to time within two years after the passage of this act, borrow such sums as may be necessary, not exceeding in the aggregate thirty-five thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Orange Reservoir Loan, Act of 1965. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

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

Approved April 14, 1965.

Chap. 295. AN ACT RELATIVE TO SPECIAL POLICE OFFICERS APPOINTED UPON APPLICATION OF THE COMMISSIONER OF PUBLIC WORKS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section 3 of chapter 282 of the acts of 1898, as amended by chapter 674 of the acts of 1950, is hereby further amended by inserting before the last sentence the following sentence: — Every special police officer appointed under the provisions of this act upon the written application of the commissioner of public works of said city shall have the power of police officers to preserve order and to enforce all laws, ordinances, rules and regulations in force in said city pertaining to abandoned automobiles, litter, and garbage, rubbish and other refuse.

Approved April 14, 1965.

Chap. 296. AN ACT AUTHORIZING LIFE INSURANCE COMPANIES TO ASSIGN CERTAIN POLICIES AND CONTRACTS TO SEVERAL SEPARATE ACCOUNTS FOR INVESTMENT PURPOSES.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by striking out section 132F, inserted by chapter 562 of the acts of 1960, and inserting in place thereof the following section: — *Section 132F.* Any life company may, by written agreements, hereinafter called "funding agreements", with the holders of "pension contracts", as hereinafter defined, assign, wholly or in part, such contracts and the funds received thereunder, to one or more separate investment accounts, independent of its general investment account, for the purposes of allocating investment returns and asset gains and losses. Within each separate investment account, hereinafter called "separate account", such classes of investments may be established as the life company may determine.

"Pension contracts" for the purpose of this section shall mean life policies and annuity contracts, whether on the group or individual basis, and any supplementary agreements relating thereto, issued in connection with a pension, profit-sharing, or retirement plan which meets the requirements for the tax treatment specified in sections 402(a), 402(c), 402(d), or 403(a) of the Internal Revenue Code of 1954, as such sections may at any time be in force; and shall include such contracts assigned wholly or in part to any separate account after their dates of issue, and agreements reinsuring pension contracts issued by other insurers or reinsuring retirement systems established by law.

Pension contracts shall provide for the payment of a periodic retirement benefit which is guaranteed as to amount and duration. Pension contracts may also provide for the payment of an additional periodic retirement benefit which is not guaranteed as to amount or duration, but such additional benefit shall not vary in amount in direct proportion to the investment results of any or all investments in any separate account to which it has been assigned in whole or in part and, with respect to any retiring individual, shall not exceed at retirement an amount equal to the guaranteed benefit.

Amounts payable to the life company under a funding agreement with the holder of a pension contract may, with the consent of the life company, be paid by transferring to the life company investments then held under a pension, profit-sharing, or retirement plan which meets the requirements for the tax treatment specified in the second paragraph of this section.

No investment shall be transferred by sale or substitution or otherwise between any separate account and the life company's general investment account, provided that the commissioner may authorize such transfers in circumstances where such transfers would not be inequitable.

To the extent that the life company's reserve liability under a pension contract with respect to benefits guaranteed as to amount and duration and with respect to funds guaranteed as to principal amount or stated rate of interest is maintained in any separate account, the portion of the assets of such separate account which is allocated to the funding agreement with respect to such pension contract shall be invested in accordance with the requirements applicable to the life company's general in-

vestment account, and shall be valued and computed as provided in section twenty-five.

Assets in any separate account which exceed the aforesaid requirements shall not be deemed to be a part of the reserve mentioned in section sixty-three and may be invested, wholly or partly, in common stocks or in any other manner, subject to the limitations prescribed by section sixty-six, and to the additional limitation that not more than five per cent of all separate account assets shall be invested in the common stocks of any corporation or other institution if, at the time the investment is made, all such separate account assets exceed one million dollars.

Except as required by the sixth paragraph of this section, the life company's assets relating to separate accounts shall be valued at their market value at the date as of which valued in accordance with the terms of the applicable agreements, or if there is no readily available market, then in accordance with the terms of such agreements.

The life company's assets and liabilities relating to separate accounts shall be included in its other assets and liabilities in the annual statement required by section twenty-five. *Approved April 14, 1965.*

Chap. 297. AN ACT PROVIDING THAT BLOOD, BLOOD PLASMA, AND CERTAIN OTHER HUMAN TISSUE AND ORGANS FROM BLOOD BANKS OR RESERVOIRS OF SUCH TISSUES AND ORGANS SHALL NOT BE CONSIDERED "COMMODITIES" AND SUBJECT TO CERTAIN PROVISIONS OF THE UNIFORM COMMERCIAL CODE.

Be it enacted, etc., as follows:

Section 2-316 of chapter 106 of the General Laws, as appearing in section 1 of chapter 765 of the acts of 1957, is hereby amended by adding the following subsection: —

(5) The implied warranties of merchantability and fitness shall not be applicable to a contract for the sale of human blood, blood plasma or other human tissue or organs from a blood bank or reservoir of such other tissues or organs. Such blood, blood plasma or tissue or organs shall not for the purposes of this Article be considered commodities subject to sale or barter, but shall be considered as medical services.

Approved April 14, 1965.

Chap. 298. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE BURLINGTON WATER AND SEWER DISTRICT MAY BORROW FOR THE CONSTRUCTION OF ITS SEWAGE DISPOSAL SYSTEM.

Be it enacted, etc., as follows:

Section 4A of chapter 635 of the acts of 1949, inserted by section 4 of chapter 726 of the acts of 1962, is hereby amended by striking out, in line 5, the word "two" and inserting in place thereof the word: — five.

Approved April 14, 1965.

Chap. 299. AN ACT AUTHORIZING TRUST COMPANIES TO ISSUE AND SELL CAPITAL NOTES AND DEBENTURES.

Be it enacted, etc., as follows:

Chapter 172 of the General Laws is hereby amended by inserting after section 25 the following section: —

Section 25A. A. A trust company may, subject to the approval of the commissioner and upon vote of the holders of at least two thirds of each class of its capital stock at an annual meeting or a special meeting duly called for the purpose, preceded in either case by a notice in writing sent to each stockholder of record by registered mail at least ten days before said meeting, issue and sell its capital notes or debentures of any maturity. The indebtedness evidenced by any such capital notes or debentures, including the principal thereof and premium, if any, and interest thereon, shall be subordinate to the claims of depositors and other creditors of such corporation, except claims in respect of other capital notes or debentures of such corporation at least equally subordinated, in accordance with such provisions for subordination as shall be approved by the commissioner, and such subordination shall be specifically enforceable by any interested person, including the commissioner or any conservator appointed by the commissioner whenever possession of the property and business of such corporation shall have been taken by the commissioner or such conservator. Any such issue of capital notes or debentures may contain such other provisions as the commissioner may approve, including provision for conversion rights. The commissioner in his discretion may by regulation provide that any such capital notes or debentures shall to the extent set forth in such regulation be treated as part of the capital funds of the issuing trust company for purposes of any of the provisions of this chapter.

B. Nothing in subsection A shall be construed as limiting the power of any such corporation to borrow money otherwise than through the issuance and sale of such capital notes or debentures, provided that no such corporation shall engage in the business of issuing and selling to depositors, customers or others its unsecured promissory notes except in accordance with such regulations as the commissioner in his discretion may adopt as to the conduct of such business or, in the absence of such regulations, with the prior approval of the commissioner. Any regulations adopted by the commissioner in accordance with the foregoing provisions of this subsection B may impose limitations on the aggregate amount of such promissory notes at any time outstanding, and the interest cost thereof, and may further require that reserves shall be maintained against the indebtedness evidenced thereby, all by classes of trust companies or otherwise. *Approved April 14, 1965.*

Chap. 300. AN ACT RELATIVE TO THE INVESTMENTS OF DOMESTIC INSURANCE COMPANIES IN EQUIPMENT OR CHATTELS.

Be it enacted, etc., as follows:

Section 63 of chapter 175 of the General Laws is hereby amended by inserting after paragraph 14E the following paragraph: —

14F. In equipment or chattels, or in instruments evidencing interests therein, or in obligations secured thereby; provided, that (*a*) any such

property or property interest is acquired for or subject to lease, installment sale or other similar disposition to (1) the United States of America or any instrumentality thereof or any state of the United States or any county, city, town, school or water district, authority or other political subdivision in any such state, or (2) one or more companies incorporated under the laws of the United States or any state thereof, or of the Dominion of Canada or a province thereof, or one or more associations or trusts as defined in section one of chapter one hundred and eighty-two, whose average net earnings during the seven fiscal years next preceding the date of investment have been not less than four times the average fixed charges for said period if such company, association or trust is not engaged in wholesale, retail, installment, commercial or consumer financing, factoring, or the small loan business, or is a bank chartered or incorporated under the laws of the United States, or any state thereof, or one and one-half times the average fixed charges for said period if such company, association or trust is so engaged or is such a bank; (*b*) any county, city, town, school or water district or political subdivision located outside the commonwealth, as set forth under clause (1) above, shall satisfy the requirements as to population or debt limitation as set forth in paragraphs 2 (*b*) and 2 (*c*), respectively, of this section; (*c*) any right to receive rental, purchase or other fixed obligatory payments for the use or purchase of such equipment or chattels shall be for a period of not less than five years; and (*d*) no company shall acquire such property or property interest if the cost thereof plus the aggregate book value of all such property or property interests held under this paragraph at the time of any such acquisition exceeds five per cent of the assets of such company. As used in this paragraph "net earnings" and "fixed charges" shall have the same meanings as set forth in paragraph 14A. *Approved April 14, 1965.*

Chap. 301. AN ACT RELATIVE TO TRUST SAVINGS ACCOUNTS IN FEDERAL CREDIT UNIONS, AND TO THE PAYMENT OF SAVINGS ACCOUNTS THEREIN IN THE NAME OF DECEASED DEPOSITORS.

Be it enacted, etc., as follows:

Section 48A of chapter 167 of the General Laws, as amended by chapter 352 of the acts of 1964, is hereby further amended by striking out, in line 2, the words "or savings and loan association" and inserting in place thereof the words: — , savings and loan association or federal credit union, — and by inserting after the word "association", in line 7, the words: — or credit union. *Approved April 14, 1965.*

Chap. 302. AN ACT EXTENDING THE STATUTE OF LIMITATIONS IN MALPRACTICE CASES.

Be it enacted, etc., as follows:

Section 4 of chapter 260 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 271 of the acts of 1960, and inserting in place thereof the following paragraph: — Actions of contract or tort for malpractice, error or mistake against physicians, surgeons, dentists, optometrists, hospitals and sani-

toria, shall be commenced only within three years next after the cause of action accrues; actions for assault and battery, false imprisonment, slander, actions against sheriffs, deputy sheriffs, constables or assignees in insolvency for the taking or conversion of personal property, actions of tort for injuries to the person against counties, cities and towns, and actions of contract or tort for malpractice, error or mistake against hairdressers, operators and shops registered under sections eighty-seven T to eighty-seven JJ, inclusive, of chapter one hundred and twelve, actions of tort for bodily injuries or for death the payment of judgments in which is required to be secured by chapter ninety and also actions of tort for bodily injuries or for death or for damage to property against officers and employees of the commonwealth, of the metropolitan district commission, and of any county, city or town, arising out of the operation of motor or other vehicles owned by the commonwealth, including those under the control of said commission, or by any such county, city or town, suits by judgment creditors in such actions of tort under section one hundred and thirteen of chapter one hundred and seventy-five and clause (10) of section three of chapter two hundred and fourteen and suits on motor vehicle liability bonds under section thirty-four G of said chapter ninety shall be commenced only within two years next after the cause of action accrues; and actions for libel shall be commenced only within one year next after the cause of action accrues.

Approved April 14, 1965.

Chap. 303. AN ACT PROVIDING THAT A CERTIFICATION BY THE SECRETARY OF THE METROPOLITAN DISTRICT COMMISSION THAT A PARTICULAR WAY IS A PUBLIC WAY SHALL BE PRIMA FACIE EVIDENCE OF SUCH FACT.

Be it enacted, etc., as follows:

Chapter 233 of the General Laws is hereby amended by striking out section 79F, inserted by chapter 476 of the acts of 1952, and inserting in place thereof the following section: — *Section 79F.* A certificate by a city or town clerk or the secretary of the metropolitan district commission that a particular way is a public way as a matter of record shall be admissible as prima facie evidence that such way is a public way.

Approved April 14, 1965.

Chap. 304. AN ACT MAKING A CORRECTIVE CHANGE TO CONFORM WITH THE TITLE OF THE LAW RELATIVE TO AID TO FAMILIES WITH DEPENDENT CHILDREN.

Be it enacted, etc., as follows:

Section 33 of chapter 41 of the General Laws, as amended by section 4 of chapter 793 of the acts of 1950, is hereby further amended by inserting after the word "to", in line 9, the words: — families with.

Approved April 14, 1965.

Chap. 305. AN ACT AUTHORIZING THE CITY OF BOSTON TO GRANT A PERMIT RELATIVE TO THE CONSTRUCTION AND MAINTENANCE OF A STRUCTURE BRIDGING HYDE PARK AVENUE IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Upon petition, and after seven days' notice inserted in at least one newspaper published in the city of Boston, and a public hearing thereon, the public improvement commission of the city of Boston, with the approval of the mayor, may grant and issue a permit to Allis-Chalmers Manufacturing Company, a corporation duly established and existing under the laws of the state of Delaware, with a principal place of business in Boston, Massachusetts, and its successors and assigns, to build and, on such conditions and subject to such restrictions as said commission may prescribe, to permanently maintain a structure bridging Hyde Park avenue in the Hyde Park district of said city, at or near 1344 Hyde Park avenue at a point where said corporation owns buildings on opposite sides of the way, for the purpose of connecting said buildings. Any permit granted hereunder may be revoked by said commission with the approval of the mayor.

SECTION 2. Any structure maintained under a permit granted under section one shall be maintained in such manner that the bottom chord shall not be less than fifteen feet above the grade line of the way, and no part of said structure or its support shall rest on the surface of the way, nor shall any such structure be maintained over any portion of the way not owned in fee by said Allis-Chalmers Manufacturing Company without written consent of the owner of such portions in each instance, filed with the said commission. Such consent of the city of Boston, if and when necessary, may be given by vote of said commission with the approval of the mayor.

SECTION 3. If a traveler on the highway while in the exercise of due care sustains bodily injury or damage in his property by reason of the construction or maintenance of said structure, he may recover damages therefor in an action of tort brought against said Allis-Chalmers Manufacturing Company, or its successors or assigns, within two years after the date of such injury or damage; provided, that such notice of the time, place and cause of the said injury or damage be given to said Allis-Chalmers Manufacturing Company, or its successors or assigns, by, or on behalf of, the person or persons sustaining the same as is, under the provisions of chapter eighty-four of the General Laws, valid and sufficient in cases of injury or damage sustained by reason of a defect or a want of repair in or upon a way, if such defect or want of repair is caused by or consists in part of snow or ice, or both. The remedy herein provided shall not be exclusive, but shall be in addition to any other remedy provided by law.

SECTION 4. This act shall take effect upon its acceptance by the city of Boston. *Approved April 14, 1965.*

Chap. 306. AN ACT AUTHORIZING CO-OPERATIVE BANKS TO GRANT NINETY PER CENT MORTGAGES ON CERTAIN TWO FAMILY DWELLINGS.

Be it enacted, etc., as follows:

Subsection 3A of section 24 of chapter 170 of the General Laws, as amended by chapter 146 of the acts of 1963, is hereby further amended by striking out clause (*c*) and inserting in place thereof the following clause: —

(*c*) said loan shall be secured by a first mortgage on a single or two family residence occupied or to be occupied by the mortgagor in whole or in part;. *Approved April 14, 1965.*

Chap. 307. AN ACT RELATIVE TO CO-OPERATIVE BANK MORTGAGES.

Be it enacted, etc., as follows:

Section 24 of chapter 170 of the General Laws is hereby amended by inserting after subsection 4 the following subsection: —

4A. Subject to the twenty per cent of deposit limitation contained in subsection 4, loans may be made in excess of thirty thousand dollars; provided, that the amount of any such loan shall not exceed seventy per cent of the value of the mortgaged property as certified by the security committee; and provided, further, that no loan of this class shall be made or acquired for a sum in excess of five per cent of the aggregate amount of the guarantee fund, bad debt reserves and surplus or thirty thousand dollars, whichever is the greater.

Approved April 14, 1965.

Chap. 308. AN ACT RELATIVE TO THE DUTIES OF THE SECURITY COMMITTEE OF A CO-OPERATIVE BANK IN APPROVING REAL ESTATE OFFERED AS SECURITY FOR A LOAN.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of 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 striking out the first sentence and inserting in place thereof the following sentence: — At the first meeting of the board of directors after the annual meeting of shareholders, the board shall elect from its own members a security committee of at least three members, at least two of whom shall report upon all real estate offered as security for loans made by the corporation, after having examined such real estate or after it shall have been examined by one or more appraisers considered to be qualified by the directors and appointed by them for that purpose.

SECTION 2. Subsection 2 of section 24 of said chapter 170 is hereby amended by striking out the third sentence, as so appearing, and inserting in place thereof the following sentence: — There shall be an application for every loan originated by the corporation describing the property offered and containing such other information as it deems necessary, and before such a loan is made at least two members of the security committee shall in writing approve the property offered as security and

certify as to the value thereof according to their best judgment or according to the signed opinion in writing of one or more appraisers considered to be qualified by the directors and appointed by them for that purpose as provided in section nine. *Approved April 14, 1965.*

Chap. 309. AN ACT TO EXTEND THE GROUPS ELIGIBLE FOR GROUP CREDITOR ACCIDENT AND HEALTH INSURANCE.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of subdivision (A) of section 110 of chapter 175 of the General Laws is hereby amended by striking out clause (*j*), added by section 2 of chapter 236 of the acts of 1964, and inserting in place thereof the following clause: —

(*j*) a bank, association, financial or other institution, vendor or trustee or trustees designated by two or more banks, associations, financial or other institutions, or vendors under which debtors, guarantors or purchasers are insured against loss of time resulting from disease or specified bodily injuries, in an amount not to exceed the unpaid balance of the indebtedness or purchase price.

SECTION 2. Subdivision (B) of said section 110 of said chapter 175 is hereby amended by striking out clause (7), added by section 3 of chapter 236 of the acts of 1964, and inserting in place thereof the following clause: —

(7) a bank, association, financial or other institution or vendor described in clause (*j*) of subdivision (A) or, in the case of such a policy issued to the trustee or trustees designated by two or more banks, associations, financial or other institutions or vendors such person as the trustee or trustees shall designate. *Approved April 14, 1965.*

Chap. 310. AN ACT RELATIVE TO DEPOSIT OF FUNDS OF PUBLIC SERVICE CORPORATIONS.

Be it enacted, etc., as follows:

Section 3A of chapter 155 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 5, the words "or duly chartered trust companies" and inserting in place thereof the words: —, duly chartered trust companies, savings banks, co-operative banks or federal savings and loan associations, — so as to read as follows: — *Section 3A.* After December thirty-first, nineteen hundred and twenty-four, all deposits of funds of public service corporations, except common carriers under the supervision of the interstate commerce commission, shall be made by the officers of the corporations in national banks, duly chartered trust companies, savings banks, co-operative banks or federal savings and loan associations; but the foregoing provision shall not apply to any deposit for a period of not more than sixty days made for the purpose of meeting obligations maturing within said period or to any deposit for a similar period of time resulting from the sale of obligations or securities.

Approved April 14, 1965.

Chap. 311. AN ACT RELATIVE TO COMPENSATION OF OFFICERS IN CREDIT UNIONS.

Be it enacted, etc., as follows:

Section 18 of chapter 171 of the General Laws, as amended by chapter 147 of the acts of 1955, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — The officers elected by the board shall receive such compensation as it may authorize. *Approved April 14, 1965.*

Chap. 312. AN ACT EXTENDING THE TIME FOR WHICH CREDIT UNIONS MAY BORROW MONEY FROM CERTAIN BANKING INSTITUTIONS.

Be it enacted, etc., as follows:

The fifth sentence of section 16 of chapter 171 of the General Laws, inserted by chapter 60 of the acts of 1960, is hereby amended by striking out, in line 8, the words "the dividend period in which the loan is made" and inserting in place thereof the words: — a one year period from the date on which the loan is made, — so as to read as follows: — Said board may, if the credit union has a deposit or share account therein, borrow money for and on behalf of the credit union, without the approval of the commissioner, from a savings bank, co-operative bank, federal savings and loan association or the Central Credit Union Fund, Inc.; provided, that money borrowed from such institution is in an amount not exceeding said deposit or share account and is for a time not extending beyond the end of a one year period from the date on which the loan is made. *Approved April 14, 1965.*

Chap. 313. AN ACT INCREASING THE AMOUNT OF SHARES OR DEPOSITS THAT CERTAIN MEMBERS OF CREDIT UNIONS MAY HOLD.

Be it enacted, etc., as follows:

Section 10 of chapter 171 of the General Laws is hereby amended by striking out the fifth sentence, as amended by chapter 416 of the acts of 1963, and inserting in place thereof the following sentence: — A fraternal organization, voluntary association, partnership or corporation eligible for membership under the provisions of section five may purchase shares or have on deposit an amount equal to that permitted a member jointly with another member as provided for herein.

Approved April 14, 1965.

Chap. 314. AN ACT PROVIDING FOR THE DESIGNATION OF PERSONS TO PERFORM CERTAIN DUTIES OF MEMBERS, EX OFFICIIS, OF BOARDS OR COMMISSIONS APPOINTED UNDER THE PROVISIONS OF AN INTERSTATE COMPACT.

Be it enacted, etc., as follows:

Section 6A of chapter 30 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "commission", in lines 1 and 2, the words: — or of a board or commission appointed under an interstate compact. *Approved April 14, 1965.*

Chap. 315. AN ACT RELATIVE TO THE LISTING OF PERSONS IN THE CITY OF BOSTON NOT LISTED BY THE LISTING BOARD OF SAID CITY.

Be it enacted, etc., as follows:

Section 11 of chapter 29 of the General Acts of 1917 is hereby amended by striking out the first two sentences, as appearing in section 3 of chapter 265 of the acts of 1956, and inserting in place thereof the following two sentences: — If a person, twenty years of age or older, resident in the city on January first in any year, is not listed by the listing board, such person shall, in order to establish his right to be listed, present in person a written statement under oath to the election commissioners or assistant registrars, who are hereby authorized to administer oaths for this purpose, that he was on January first of such year a resident of the city, giving his name, age or year of birth, sex, citizenship, occupation, and residence on January first in the preceding year and in the current year. A person twenty years of age or older, who becomes a resident of the city after January first in any year, shall, in order to establish his right to be registered as a voter, present in person a written statement under oath to the election commissioners or assistant registrars, who are hereby authorized to administer oaths for this purpose, that he became a resident of the city at least six months immediately preceding the election at which he claims the right to vote, giving his name, age or year of birth, sex, citizenship, occupation, date of becoming a resident, and residence on January first in the preceding year and in the current year and since becoming a resident.

Approved April 14, 1965.

Chap. 316. AN ACT INCREASING THE MAXIMUM PENALTY THAT MAY BE IMPOSED FOR VIOLATION OF TOWN BY-LAWS TO FIFTY DOLLARS.

Be it enacted, etc., as follows:

Section 21 of chapter 40 of the General Laws is hereby amended by striking out the second sentence, as amended by section 8 of chapter 319 of the acts of 1953, and inserting in place thereof the following sentence: — They may, except as herein provided, affix penalties for breaches thereof, not exceeding fifty dollars for each offence, which may be recovered by indictment or on complaint before a district court, and shall enure to the town or to such uses as it may direct.

Approved April 14, 1965.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 7, 1965.

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

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 316 of the Acts of 1965 entitled "An Act Increasing the Maximum Penalty that May Be Imposed for Violation of Town By-Laws to Fifty Dollars." and the enactment of which received approval on April 14, 1965, 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 imminence of certain town meetings at which the Act might be accepted. Also, it is desirable to have the penalties in effect during the summer vacation season.

Sincerely,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 8, 1965.

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

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 317. AN ACT CLARIFYING THE LAW RELATIVE TO REDUCTION OF SENTENCES BY DONATIONS OF BLOOD.

Be it enacted, etc., as follows:

Chapter 127 of the General Laws is hereby amended by striking out section 129A, as most recently amended by chapter 794 of the acts of 1960, and inserting in place thereof the following section: — *Section 129A.* A prisoner of any correctional institution of the commonwealth or of any jail or house of correction whose term of imprisonment is thirty days or more may have his sentence reduced by five days for each pint of blood donated by him to any veterans' organization, civil defense unit, or hospital, or to the armed forces of the United States, or the Red Cross, or for the purpose of scientific research. Such reduction of sentence shall be applicable to the minimum sentence of the prisoner. Each prisoner shall be limited to one donation every three months. Any reduction of sentence so earned shall not be subject to forfeiture. The blood so donated shall not be used in any way commercially or for a profit. A list of all such blood donors and the amounts of blood donated by each shall be kept by the superintendent of the correctional institution, or the keeper or master of the jail or house of correction. The keeper of a jail or house of correction in Suffolk county shall forward such list to the penal institutions commissioner of the city of Boston; the keeper of a jail or house of correction in any other county shall forward such list to the county commissioners.

Approved April 14, 1965.

Chap. 318. AN ACT AUTHORIZING THE ERVING WATER DISTRICT TO BORROW MONEY FOR THE PURPOSE OF INCREASING ITS WATER SUPPLY.

Be it enacted, etc., as follows:

For the purpose of increasing its water supply the Erving Water District may issue, from time to time, bonds or notes to an amount not

exceeding five hundred thousand dollars. Such bonds or notes shall bear on their face the words, Erving Water District Water Loan, Act of 1965, shall be payable at the expiration of periods not exceeding thirty years from their respective dates of issue, shall bear such rates of interest as the treasurer and water commissioners of said district determine, and shall be signed by said treasurer and countersigned by said commissioners hereinafter provided for. Said district may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but not for less than their par value, and the proceeds, except premiums, shall be used only for the purposes herein specified.

Approved April 14, 1965.

Chap. 319. AN ACT RELATIVE TO THE METHOD OF ASSESSMENT OF SEWER INSTALLATION COSTS UPON CERTAIN LAND IN THE TOWN OF DANVERS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter two hundred and twenty-nine of the Special Acts of nineteen hundred and sixteen and chapter four hundred and ninety-two of the acts of nineteen hundred and forty-five, the water and sewer commissioners of the town of Danvers may, at the request of the owner of land which has been zoned for industrial purposes, assess the costs of installation of the sewer lines on or up to such land, in the manner provided in chapter eighty-three of the General Laws. Payment of such assessment may be apportioned by said commissioners over a period of twenty years.

SECTION 2. This act shall take effect upon its acceptance by the town of Danvers. *Approved April 14, 1965.*

Chap. 320. AN ACT AUTHORIZING CERTAIN NONRESIDENTS OF THE TOWN OF LEXINGTON TO TAKE THE EXAMINATION FOR THE POSITION OF POLICE OFFICER, AND PROVIDING FOR THEIR ELIGIBILITY FOR APPOINTMENT THERETO.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, of the charter of the town of Lexington, or of any ordinance thereof, a nonresident of said town may take the examination for the position of police officer in said town if otherwise eligible; provided, however, that such nonresident shall have been domiciled in the commonwealth for at least one year next prior to the date of such examination.

SECTION 2. If there is no eligible list established of applicants for such position, who have been domiciled in the town of Lexington for at least six months next prior to the date of such examination, the director of civil service shall certify from, and appointments may be made from, a list established of persons eligible to such position who were domiciled in the commonwealth for at least one year next prior to the date of such examination.

SECTION 3. This act shall be submitted for acceptance to the voters of the town of Lexington at the annual town meeting to be held in the year nineteen hundred and sixty-six 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-five, entitled

'An Act authorizing certain nonresidents of the town of Lexington to take the examination for the position of police officer, and providing for their eligibility for appointment thereto', 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 14, 1965.

Chap. 321. AN ACT RELATIVE TO BRANCHES AND DEPOTS OF CREDIT UNIONS.

Be it enacted, etc., as follows:

Section 2 of chapter 171 of the General Laws is hereby amended by adding the following paragraph: —

After such notice and hearing as the commissioner may require and with his written permission and under such conditions as he may approve, a credit union may establish and maintain one or more branch offices or depots in the county where the main office is located. Any of the usual business transacted by a credit union at its main office may be transacted at a branch office. The business at a depot shall be transacted only on such days as may be designated by the board of directors and shall be limited to the receipt of deposits and the collection of moneys due or payable to the credit union, and such business shall be subject to such other conditions, if any, as may be prescribed by the commissioner. With the written consent of the commissioner a branch office or depot may be closed, or its location may be changed.

Approved April 14, 1965.

Chap. 322. AN ACT AUTHORIZING THE PUBLIC IMPROVEMENT COMMISSION OF THE CITY OF BOSTON TO GRANT PERMITS FOR CERTAIN ENCROACHMENTS IN PUBLIC WAYS IN SAID CITY.

Be it enacted, etc., as follows:

The public improvement commission of the city of Boston may grant permits for the placing and maintaining of ornamental facing not to exceed six inches and copings not to exceed eighteen inches projecting into or placed on or over public ways in said city. Said commission may make rules and regulations relating thereto, and prescribe penalties for a breach of any such rule or regulation, not exceeding five dollars for each day during which any structure is placed or maintained contrary to the rules and regulations so made, after five days' notice to remove the same has been given by said public improvement commission. All such structures shall be constructed and connected to buildings in accordance with the requirements of the building commissioner of said city.

Approved April 14, 1965.

Chap. 323. AN ACT FURTHER DEFINING THE POWERS OF THE BOARD OF DIRECTORS OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 161A of the General Laws, as appearing in section 18 of chapter 563 of the acts of 1964, is hereby amended by adding the following sentence: — A majority of the directors shall

constitute a quorum, but a majority vote of the entire membership of the board of directors shall be required to take any particular action.

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

Approved April 15, 1965.

Chap. 324. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAW REGULATING THE SOLICITATION OF CONTRIBUTIONS FOR OR ON BEHALF OF CHARITABLE ORGANIZATIONS BY A PROFESSIONAL SOLICITOR.

Be it enacted, etc., as follows:

Section 27 of chapter 68 of the General Laws, inserted by section 1 of chapter 718 of the acts of 1964, is hereby amended by striking out subsection (*e*) and inserting in place thereof the following subsection: —

(*e*) No professional solicitor shall solicit in the name of or on behalf of any charitable organization unless he has in his possession the written authorization of two officers of such organization, a copy of which shall be filed with the division, and exhibits such written authorization on request to any person solicited, to any police officer or to any agent of the division. Such authorization shall bear the signature of the solicitor and shall state on its face the period for which it is valid, which shall not exceed one year from the date issued. *Approved April 15, 1965.*

Chap. 325. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAW RELATING TO THE DISPOSITION OF PROPERTY OR ARTICLES FOUND IN THE EXECUTION OF A SEARCH WARRANT.

Be it enacted, etc., as follows:

Section 3 of chapter 276 of the General Laws, as most recently amended by section 4 of chapter 557 of the acts of 1964, is hereby further amended by striking out, in line 5, the words "clause one" and inserting in place thereof the words: — clause First, — by striking out, in line 21, the word "three" and inserting in place thereof the word: — Third, — and by striking out, in line 29, the word "three" and inserting in place thereof the words: — Third of section one.

Approved April 15, 1965.

Chap. 326. AN ACT RELATIVE TO BRANCH OFFICES OF CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Section 12 of chapter 170 of the General Laws is hereby amended by striking out the second sentence, as amended by section 5 of chapter 1 of the acts of 1957, and inserting in place thereof the following sentence: — The corporation, after such notice and hearing as the commissioner may require and with his written permission and under such regulations as he may approve, may establish one or more depots where moneys due the bank may be collected by the treasurer or other persons duly empowered by the directors, upon such days as may be designated by vote of the board of directors; or may establish one or more branch offices in the town wherein its main banking office is located or in other towns within the same county having no main office or branch office of a co-operative bank; provided, that the offices and depots of any co-opera-

tive bank proposing consolidation with, or the sale of all or substantially all of its assets to and the assumption of its liabilities by, a co-operative bank in such other town, under section forty-eight or section forty-seven, respectively, may, with the approval of the commissioner, be maintained as branch offices or depots, respectively, of such other co-operative bank, if he is satisfied that such consolidation or sale of assets and assumption of liabilities cannot be effected, upon terms approved by him, with another co-operative bank having its main office or a branch office in the town wherein the main office of the co-operative bank so proposing is situated. *Approved April 15, 1965.*

Chap. 327. AN ACT AUTHORIZING TOWNS TO APPROPRIATE MONEY FOR THE TOWING OF MOTOR VEHICLES ABANDONED ON PRIVATE PROPERTY.

Be it enacted, etc., as follows:

Section 5 of chapter 40 of the General Laws is hereby amended by inserting after clause (58), inserted by section 2 of chapter 643 of the acts of 1964, the following clause: —

(59) For towing motor vehicles abandoned on any private way or private property. *Approved April 15, 1965.*

Chap. 328. AN ACT RELATIVE TO THE ISSUANCE OF EXECUTIONS IN ACTIONS ON JUDGMENTS.

Be it enacted, etc., as follows:

Chapter 235 of the General Laws is hereby amended by striking out section 14, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 14. (*a*) If a judgment is rendered for the plaintiff by a court in an action founded on a judgment rendered by a court outside of the commonwealth, execution shall not issue until the plaintiff files with the court rendering the judgment in the later action a transcript of the record of the judgment in the earlier case under the seal of the court rendering it, attested by the clerk of such court.

(*b*) If a judgment is rendered for the plaintiff by a court in an action founded on a judgment rendered by a different court, within the commonwealth, execution shall not issue until the plaintiff files with the court rendering the judgment in the later action, a certificate of the judgment in the earlier case under the seal of the court rendering it, attested by the clerk of such court. *Approved April 15, 1965.*

Chap. 329. AN ACT MODIFYING THE METHOD OF TRANSMISSION OF APPLICATIONS FOR ABSENTEE BALLOTS.

Be it enacted, etc., as follows:

SECTION 1. The second sentence of section 89 of chapter 54 of the General Laws, as appearing in section 3 of chapter 404 of the acts of 1936, is hereby amended by striking out, in lines 9 and 10, the words: — ", either directly or through the state secretary under the following section,".

SECTION 2. The first sentence of section 91 of said chapter 54, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 2 and 3, the following: — ", whether from the voter directly or through the state secretary". *Approved April 15, 1965.*

Chap. 330. AN ACT RELATIVE TO THE ORGANIZATION OF THE STERLING CAMP-MEETING ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 117 of the acts of 1856 is hereby amended by striking out section 2, as most recently amended by section 1 of chapter 82 of the acts of 1887, and inserting in place thereof the following section: — *Section 2.* Said corporation shall have power to receive, hold and manage all the property, real and personal, belonging to said association; and any gift, grant, bequest or donation, that may be made to them for the benefit of said association, shall be held for the support and maintenance of the camp-meeting, under the direction of said association. Said corporation through its duly elected trustees may buy, sell, transfer, convey, assign, lease, rent, mortgage, or otherwise dispose of in whole or in part, such of its real or personal property as may be in the best interest of said corporation; provided they are instructed so to do by the members of said corporation, by a two-thirds vote of the said members present at a meeting duly called for said members, each having been notified personally by written notice, which shall state the time, place, nature of the business to be transacted, and delivered to each member, not less than thirty days in advance of the meeting. Likewise in the same manner, said corporation, through its duly elected trustees, may declare in whole or in part any of its real or personal property as surplus, abandoned or not otherwise required for the support and maintenance of said corporation. Any such property so declared shall then be transferred or conveyed to the Preachers Aid Society of The New England Conference of The Methodist Church, all liabilities or other charges as may be outstanding against the same being discharged.

SECTION 2. Said chapter 117 is hereby further amended by striking out section 3, as amended by said section 1 of said chapter 82, and inserting in place thereof the following section: — *Section 3.* There shall be eleven trustees of said corporation, of which number, one, who shall be an ex-officio member, shall be the District Superintendent of the Worcester District of The Methodist Church, seven shall be active members of the Methodist Church, and three may be active members of any Protestant evangelical church. Each of the trustees shall be over the age of twenty-one years. Six trustees shall constitute a quorum for the transaction of business. Trustees shall be elected at the annual meeting of said corporation's Board of Control for a term of five years, with two trustees to be elected annually. All vacancies among the trustees that may occur by reason of death or otherwise shall be filled by said Board of Control at the annual meeting of the Association, or during the interval between annual meetings, subject to the approval of said Board of Control at the next annual meeting subsequent to the appointment.

SECTION 3. Section one of chapter fifty-six of the acts of eighteen hundred and ninety-three is hereby repealed.

Approved April 15, 1965.

Chap. 331. AN ACT RELATIVE TO DIVIDENDS IN CREDIT UNIONS.

Be it enacted, etc., as follows:

Chapter 171 of the General Laws is hereby amended by striking out section 25, as most recently amended by section 3 of chapter 268 of the

acts of 1962, and inserting in place thereof the following section: — *Section 25.* Dividends may be declared by the board of directors at least once every year for such periods as shall be provided by the by-laws, and paid from the earnings which have actually been collected during the dividend period next preceding and which remain after the deduction of all expenses, interest on deposits and shares and the amounts required to be set apart to the guaranty fund and to the reserve fund, or such dividend may be declared in whole or in part from the undivided earnings of preceding years remaining after the aforesaid deductions for such years; provided, however, that if the by-laws of the credit union so provide, a deposit made on or before the tenth day after the day on which deposits begin to draw dividends or interest, as provided in the by-laws or regulations, or if such tenth day be a Saturday, Sunday or legal holiday, on or before the next business day succeeding such tenth day, and remaining on deposit through the balance of the monthly period, shall be construed as having been on deposit one full month within the meaning of this section.

Such dividends may be paid on fully paid shares outstanding at the close of the dividend period, but shares which become fully paid during such dividend period shall be entitled only to a proportional part of said dividend, calculated from the first day of the month following such payment in full. Dividends due to a member shall, at his election, be paid to him in cash or be credited to his account in either shares or deposits, however, dividends may not be declared or paid on shares or deposits of less than three full shares or ten dollars.

No dividend exceeding eight per cent per annum shall be paid until such time as the guaranty fund equals fifteen per cent of the assets, as hereinbefore provided, after which time special dividends may be declared from surplus earnings on recommendation of the board of directors. *Approved April 15, 1965.*

Chap. 332. AN ACT PROVIDING FOR THE TERMINATION OF MEMBERSHIP IN THE MASSACHUSETTS CREDIT UNION SHARE INSURANCE CORPORATION.

Be it enacted, etc., as follows:

Section 1 of chapter 294 of the acts of 1961 is hereby amended by inserting after section 6 the following section: —

Section 6A. Termination of membership. — Whenever it shall appear to the board of directors and the commissioner that an insured credit union has conducted its business in an unsafe or unsound manner or has knowingly or negligently permitted any of its officers or agents to violate any provision of any law or regulation to which the insured credit union is subject, said board and the commissioner shall give notice of their intention to terminate its insurance after a hearing, which hearing shall be held within thirty days of such notice. Said board and the commissioner shall make such order and disposition as may be required to insure the stability and solvency of the share insurance system and the credit unions insured thereunder.

In the event of the termination of the insured status of such credit union, insurance of its accounts to the extent that they were insured on the date said order of termination is effected shall continue for a period of two years, but no deposits or share liability incurred thereafter shall be insured. In the event of termination such credit union shall be re-

quired to continue to pay for said two-year period its insurance assessment pursuant to the provisions of this act.

In the event of termination of said insurance the commissioner may order the credit union to give such notice to its shareholders and depositors as he may require. In the event of failure to give the notice required to insured members as herein provided, the commissioner is authorized to give such notice in such manner as he may determine and for such purpose the credit union shall provide a list of its depositors and shareholders to the commissioner.

If any insured credit union shall fail to pay any assessment lawfully required under this chapter, the treasurer of the corporation shall notify the commissioner of such failure and the commissioner shall forthwith notify such credit union in writing. The failure of such credit union to make such payment within fifteen days after the notice from the commissioner shall constitute a violation of law within the meaning of section five of chapter one hundred and sixty-seven of the General Laws.

Approved April 15, 1965.

Chap. 333. AN ACT RELATIVE TO HOME IMPROVEMENT LOANS IN CREDIT UNIONS.

Be it enacted, etc., as follows:

Subdivision (B) of section 24 of chapter 171 of the General Laws is hereby amended by adding after paragraph 3A the following paragraph: —

3B. A credit union may make loans to the owner of improved real estate upon which it holds a mortgage, for the purpose of financing the improvement, repair, alteration or rehabilitation of such real estate or the purchase and installation of fixtures to be affixed thereto. Such loan shall not exceed two thousand five hundred dollars, exclusive of interest or discount from the date of the note, with respect to any one parcel of such real estate. The loan shall be payable within five years from the date of the note. The terms of the note or mortgage shall require that, commencing not later than two months after the date of the note, (*a*) payments shall be made on account of the principal in equal monthly installments in amounts which, at the maturity of the note, shall equal the original amount of the loan, or (*b*) fixed monthly payments shall be made in approximately the same amount during the term of the loan, which payments shall first be applied to interest and the balance to principal. The aggregate balance of principal outstanding at any one time on loans of this class shall not exceed ten per cent of the deposits and shares of such corporation. *Approved April 15, 1965.*

Chap. 334. AN ACT TO INCREASE MINIMUM FAIR WAGE RATES FOR SERVICE PEOPLE WHO REGULARLY RECEIVE GRATUITIES.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 7 of chapter 151 of the General Laws, as most recently amended by section 2 of chapter 644 of the acts of 1964, is hereby further amended by striking out, in line 6, the word "eighty-five" and inserting in place thereof the word: — ninety.

SECTION 2. Said second paragraph of said section 7 of said chapter 151 is hereby further amended by striking out the word "ninety", as inserted by section 1 of this act and inserting in place thereof the word: — ninety-three.

SECTION 3. Section one of this act shall take effect on September fifth, nineteen hundred and sixty-six.

SECTION 4. Section two of this act shall take effect on September fifth, nineteen hundred and sixty-seven. *Approved April 15, 1965.*

Chap. 335. AN ACT IMPOSING CRIMINAL PENALTIES ON EMPLOYERS FOR CERTAIN VIOLATIONS OF THE MINIMUM WAGE LAW.

Be it enacted, etc., as follows:

Section 19 of chapter 151 of the General Laws is hereby amended by adding the following subsection: —

(5) Whoever directly or indirectly solicits, demands, requests or accepts from any employee any return of a portion of his wages, which would result in such employee retaining less than the rate of wages required by this chapter, or whoever threatens, coerces or intimidates any employee who has wages due under this chapter for the purpose of causing such person to accept as payment in full a lesser sum than the full amount of the wages so due, shall be punished by a fine of not less than fifty nor more than two hundred dollars, or imprisonment for not less than ten nor more than ninety days, or by both such fine and imprisonment, and each employee so solicited or threatened shall constitute a separate offense. *Approved April 15, 1965.*

Chap. 336. AN ACT AUTHORIZING THE CITY OF BOSTON TO SELL TO THE MOUNT PLEASANT BUILDING ASSOCIATION, INC., CERTAIN PARK LAND IN THE WEST ROXBURY DISTRICT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of general or special law, the city of Boston, acting by its mayor, may sell and convey to the Mount Pleasant Building Association, Inc., not more than 13,500 square feet of the land at the corner of Stimson and Washington streets in the West Roxbury district of said city; said land having been conveyed to said city by Eliphalet Stone and Nathaniel Shepard by deed dated June thirtieth, eighteen hundred and sixty-four, and recorded with Norfolk registry of deeds Book 325, Page 119, and held by said city for park purposes; provided, that the parks and recreation commission of said city, by vote at a regular or special meeting, assents to such sale.

SECTION 2. The mayor of said city, in the name and on behalf of said city, shall execute and deliver any instrument necessary to convey any land or interest therein sold under authority of this act.

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

Approved April 20, 1965.

Chap. 337. AN ACT AUTHORIZING THE TOWN OF LEICESTER TO PAY CERTAIN SUMS OF MONEY AS DAMAGES FOR CERTAIN LAND TAKINGS TO REINE M. R. PAGE, GEORGE S. KEBLER, ALMA KEBLER, JOHN C. COLBY, DORIS L. COLBY, ROBERT C. STREETER, AND LOIS STREETER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law and for the purpose of discharging a moral obligation, the town of Leicester may appropriate and pay to the following the sums after their respective

names: Reine M. R. Page, one hundred and fifteen dollars; George S. Kebler and Alma Kebler, jointly, one hundred and twenty-five dollars; John C. Colby and Doris L. Colby, jointly, twelve hundred dollars; and Robert C. Streeter and Lois Streeter, jointly, three hundred and fifty dollars, as compensation for damages for land, including buildings, taken by eminent domain, said sums being the amounts heretofore agreed upon with them by the board of selectmen of said town, the time having expired within which a petition for the assessment of damages could legally be brought because of such takings.

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

Approved April 20, 1965.

Chap. 338. AN ACT AUTHORIZING THE TOWN OF BARNSTABLE TO LEASE LAND FOR PUBLIC PARKING PURPOSES AND TO BORROW MONEY FOR ACQUIRING AND CONSTRUCTING PUBLIC PARKING AREAS AND FOR LAYING OUT AND CONSTRUCTING PUBLIC WAYS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of section twenty-two B of chapter forty of the General Laws or of any other provision of law, the town of Barnstable may acquire land by lease, for terms not exceeding ninety-nine years, for the purpose of providing public parking areas.

SECTION 2. Said town may install in public parking areas owned by it or on land leased by it under section one parking meters or other similar devices and the proceeds from such meters or other devices shall be used for paying the costs of such leases, for constructing or reconstructing, surfacing, operating, policing and maintaining parking areas owned or leased by said town.

SECTION 3. For the purposes of acquiring land by eminent domain or by purchase in the village of Hyannis, for constructing and surfacing public parking areas thereon, for equipping such areas with parking control devices, and for laying out, altering, relocating, constructing, resurfacing, extending and widening public ways and sidewalks, including the cost of acquiring necessary land and easements, the town of Barnstable may from time to time within a period of ten years after the effective date of this act, borrow such sums, not exceeding, in the aggregate, one million five hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Barnstable Public Parking Loan, Act of 1965. 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 said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof.

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

Approved April 20, 1965.

Chap. 339. AN ACT RELATIVE TO THE POWERS OF THE LICENSING BOARD OF THE CITY OF NEW BEDFORD TO TRANSFER CERTAIN LICENSES TO SELL ALCOHOLIC BEVERAGES FROM PREMISES TAKEN FOR INTERSTATE ROUTE 195.

Be it enacted, etc., as follows:

SECTION 1. In the case of any license granted under section twelve of chapter one hundred and thirty-eight of the General Laws to do business on premises located within five hundred feet, measured along public ways, of a church or school, as defined in section sixteen C of said chapter one hundred and thirty-eight, which have been taken by the commonwealth of Massachusetts for the purposes of interstate Route 195 by instrument dated September third, nineteen hundred and sixty-three and recorded with Bristol County, Southern District, Registry of Deeds Book 1421, Page 199, the licensing board for the city of New Bedford in addition to any and all other powers which it may have to transfer any such license, may transfer any such license to any other premises located within five hundred feet, measured along public ways, of a church or school, notwithstanding the limitations of section sixteen C of said chapter one hundred and thirty-eight.

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

Approved April 20, 1965.

Chap. 340. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAW RELATIVE TO CHILDREN'S RESPONSIBILITY FOR MEDICAL ASSISTANCE FURNISHED TO THEIR AGED PARENTS.

Be it enacted, etc., as follows:

Paragraph 3 of section 30 of chapter 118A of the General Laws is hereby amended by striking out, in line 5, 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.

Approved April 20, 1965.

Chap. 341. AN ACT RELATIVE TO THE POSTING OF CIVIL SERVICE SENIORITY LISTS.

Be it enacted, etc., as follows:

Section 15C of chapter 31 of the General Laws, as most recently amended by chapter 195 of the acts of 1953, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

Every such appointing officer shall cause a copy of such list signed by him to be posted forthwith in a prominent place in the department for inspection on or before May first in the year in which the list of officers and employees is compiled. Such list shall be dated as of the day of posting and shall remain posted for one year from the date of posting.

Approved April 20, 1965.

Chap. 342. AN ACT RELATIVE TO THE OPERATION AND LEASING OF BUS TERMINALS CONSTRUCTED BY THE CITY OF BOSTON ON PROPERTY ACQUIRED FOR PUBLIC OFF-STREET PARKING FACILITIES.

Be it enacted, etc., as follows:

Section 1 of chapter 474 of the acts of 1946 is hereby amended by striking out clause (*e*½), as amended by chapter 218 of the acts of 1965, and inserting in place thereof the following clause: —

(*e*½) The power to construct, maintain and operate, on any property acquired for the purposes of this act after January first, nineteen hundred and sixty-three, or determined after said date to be devoted to such purposes under clause (*b*), and to lease to any person, including the Massachusetts Bay Transportation Authority, for operation for such period, not exceeding five years, and upon such terms as the board shall determine, such terminal for buses of said authority or of common carriers of passengers for hire, and such facilities accessory and incidental thereto, as the board with the approval of the commissioner of traffic and parking of the city shall determine; also the power to lease to any person for such period, not exceeding ninety-nine years, upon such terms as the board shall determine, the whole or any part of the airspace above any public off-street parking facility constructed under this act in the government center urban renewal project area in said city for such uses as the board, giving due consideration to the promotion of the night-time use of the parking facility, shall determine, and the power to include in any such lease suitable provisions for the construction and maintenance of a structure in such airspace, and for the support of, and suitable access to and from, such structure. The provisions of section three to the contrary notwithstanding, structures and other things erected or affixed pursuant to the lease of any such airspace shall be taxed to the lessee thereof or his assigns in the same manner and to the same extent as if such lessee or his assigns were the owners of the land in fee; provided, that no part of the value of either the land or the off-street parking facility, except the fact of the proximity of such facility, shall be included in any such assessment or considered in determining valuation for the purpose of any such assessment; and, provided, further, that for the purpose of enforcing the payment of any such tax the leasehold interest of the lessee or his assigns may be sold or taken by the collector-treasurer of said city in the manner provided by law for the sale or taking of real estate for the non-payment of taxes, and said collector-treasurer shall have for the collection of any such tax all other remedies provided by law for the collection of taxes on real estate.

Approved April 20, 1965.

Chap. 343. AN ACT PROVIDING THAT A PRISONER IN A JAIL OR HOUSE OF CORRECTION SHALL BE BROUGHT INTO COURT FOR TRIAL OF INDICTMENTS PENDING AGAINST HIM IF HE MAKES APPLICATION THEREFOR.

Be it enacted, etc., as follows:

Chapter 277 of the General Laws is hereby amended by striking out section 72A, inserted by chapter 486 of the acts of 1963, and inserting

in place thereof the following section: — *Section 72A*. The commissioner of correction, the sheriff, master or keeper of a jail or house of correction, or in Suffolk county, the penal institutions commissioner of the city of Boston, shall, upon learning that an untried indictment, information or complaint is pending in any court in the commonwealth against any prisoner serving a term of imprisonment in any correctional institution, jail or house of correction, which is under his supervision or control, notify such prisoner in writing thereof, stating its contents, including the court in which it is pending, and that such prisoner has the right to apply, as hereinafter provided, to such court for prompt trial or other disposition thereof.

Such application shall be in writing and given or sent by such prisoner to the commissioner of correction, or such sheriff, master, keeper or penal institutions commissioner, who shall promptly forward it to such court by certified mail, together with a certificate of said commissioner of correction, sheriff, master, keeper, or penal institutions commissioner, stating (*a*) the term of commitment under which such prisoner is being held, (*b*) the amount of time served, (*c*) the amount of time remaining to be served, (*d*) the amount of good time earned, (*e*) the time of parole eligibility of such prisoner, and (*f*) any decisions of the board of parole relating to such prisoner. Said commissioner of correction, sheriff, master, keeper, or penal institutions commissioner shall notify the appropriate district attorney by certified mail of such application to the court.

Any such prisoner shall, within six months after such application is received by the court, be brought into court for trial or other disposition of any such indictment, information or complaint, unless the court shall otherwise order. *Approved April 20, 1965.*

Chap. 344. AN ACT PROVIDING THAT ANY PERSON AUTHORIZED BY VOTE OF A TOWN TO ACT ON BEHALF OF THE BOARD OF SELECTMEN SHALL BE APPOINTED AND MAY BE REMOVED BY SAID BOARD.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 23B the following section: —

Section 23C. No person shall be authorized by vote of a town to act on behalf of the board of selectmen unless the vote provides that such person shall be appointed and may be removed by said board.

Approved April 20, 1965.

Chap. 345. AN ACT AUTHORIZING CERTAIN NONCITIZENS TO BE CERTIFIED TO TEACHING POSITIONS.

Be it enacted, etc., as follows:

Section 38G of chapter 71 of the General Laws, as most recently amended by section 1 of chapter 333 of the acts of 1960, is hereby further amended by adding the following paragraph: —

Upon the request of a school committee, any person who is not an American citizen but who otherwise qualifies under the first paragraph

of this section may be certified by the board to the position of teacher to teach only the language of his country of origin; provided, that such person is legally present in the United States and presents to the board a copy of his declaration of intention to become a citizen of the United States, certified by the clerk of the court in which it was filed or a certificate from the Immigration and Naturalization Service of the United States showing that he has declared his intention to become such citizen. Any certificate issued under this paragraph shall not be valid after six years from the date of issue, and such certificate shall not be renewable. Service by a teacher certified under this paragraph shall not be counted as service in acquiring the status of serving at the discretion of the school committee, as provided in section forty-one.

Approved April 20, 1965.

Chap. 346. AN ACT RELATIVE TO THE TERM OF OFFICE OF THE MAYOR OF THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section forty-eight of chapter forty-three of the General Laws, the city of Fall River shall have a mayor elected by and from the qualified voters of said city, who shall be the chief executive officer of said city and shall hold office for the term of four years from the first Monday of January following his election and until his successor is qualified.

SECTION 2. This act shall be submitted to the voters of the city of Fall River at the next regular municipal election in the form of the following question which shall be placed upon the official ballot to be used at said election: — "Shall the mayor of the city of Fall River be elected to serve for a term of four years?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect commencing with the regular municipal election to be held in the year nineteen hundred and sixty-seven, but not otherwise.

Approved April 20, 1965.

Chap. 347. AN ACT RELATIVE TO THE ENFORCEMENT OF REGULATIONS OF THE DEPARTMENT OF PUBLIC HEALTH FOR PREVENTING THE POLLUTION OR CONTAMINATION OF WATERS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 5H of chapter 111 of the General Laws, inserted by section 2 of chapter 16 of the acts of 1964, is hereby amended by adding the following paragraph: —

Upon determination that such regulations are being violated, the department may issue a written order requiring compliance with such regulations. Any finding of fact made by the department in making such an order shall be prima facie evidence of the facts so found in any proceeding to enforce such order. The department shall consult and advise with the owner of any factory or establishment, or with any municipality, violating any such regulation, at his or its request or of the department's own volition, as to the best practicable and reasonably

available way of eliminating such violations. The department, in making its orders, shall consider the industrial, commercial and other interests to be affected thereby and any other material considerations including the technical and economic feasibility, necessity and advantage of the order. The supreme judicial and the superior court shall have jurisdiction in equity to enforce any order made by the department hereunder. Proceedings to enforce any such order shall be instituted and prosecuted by the attorney general upon the request of the department. Whoever violates any order of the department issued under this section shall be punished by a fine of not less than twenty-five nor more than five hundred dollars. For the purposes of this section each day or part thereof during which any such order is violated, whether such violation be continuous or intermittent, shall be construed as a separate and succeeding offence. *Approved April 20, 1965.*

Chap. 348. AN ACT INCREASING THE PENALTY FOR CAUSING OR CONTRIBUTING TO THE DELINQUENCY OF A CHILD.

Be it enacted, etc., as follows:

Section 63 of chapter 119 of the General Laws, as amended by section 1 of chapter 95 of the acts of 1932, is hereby further amended by striking out, in lines 6 and 7, the words "fifty dollars or by imprisonment for not more than six months" and inserting in place thereof the words: — five hundred dollars or by imprisonment for not more than one year, or both. *Approved April 20, 1965.*

Chap. 349. AN ACT AUTHORIZING THE TOWN OF SALISBURY TO BORROW MONEY FOR THE EXTENSION OF PIPE LINES INTO SAID TOWN.

Be it enacted, etc., as follows:

Chapter 243 of the Special Acts of 1915 is hereby amended by striking out section 5A, inserted by section 1 of chapter 276 of the acts of 1960, and inserting in place thereof the following section: — *Section 5A.* Said corporation may enter into contracts with the town of Salisbury for the extension of pipe lines and related facilities in the town, the cost of installation of said pipe lines and related facilities to be paid by said town. For the purpose of paying the necessary expenses and liabilities incurred under this section, said town may appropriate and pay or, from time to time, within ten years after the passage of this act, borrow and pay such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Salisbury Pipe Line Loan, Act of 1965. 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 section shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws. Any money so appropriated or borrowed and paid by said town shall be refunded to it by said corporation, after said pipe line extensions are installed and public fire hydrants and consumer service lines are attached to said pipe line extensions, in the following manner: The

town shall be paid annually an amount equal to three and one-half times the estimated or actual revenue received during the first year from each fire hydrant or consumer; provided, that such payment shall cease and terminate ten years from the date of each such contract; and provided, further, that the total amount of such refunds shall not exceed the amount appropriated and paid by said town under such contract, without interest. Said pipe lines and related facilities shall be and remain the property of said corporation.

In the event of the purchase of the franchise and corporate property of said corporation under the provisions of section ten, the value of said corporate assets shall be arrived at without enhancement because of any contract made under authority of this section.

Approved April 20, 1965.

Chap. 350. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-FIVE, 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 three hundred and thirty-seven of the acts of nineteen hundred and sixty-four.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Legislature.

Senate.

Item		
0101-07	For clerical and other assistance including expenses of the senate committee on rules, including not more than eight permanent positions	$15,000
0101-56	For the expenses of the senate committee on ways and means, including not more than three permanent positions, prior appropriation continued	15,000

House of Representatives.

0102-07	For clerical and other assistance to the house committee on rules, including not more than fourteen permanent positions, prior appropriation continued	$30,000

Sergeant-at-Arms.

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	$40,000

Recodification Counsel.

Item
0105-01 For expenses of the recodification counsel, including not more than four permanent positions $1,500

Other Expenses.

0110-30 For traveling and such other expenses of joint committees of the general court as may be authorized by joint order of the general court $6,000

0110-34 Item 0110-34 of section two of chapter four hundred and twenty-four of the acts of nineteen hundred and sixty-four is hereby amended by inserting after the word "sixty-four," in line four, the following: — and an order adopted in the house of representatives and in the senate on June thirtieth, nineteen hundred and sixty-four . . 2,500

Judiciary.

Supreme Judicial Court.

0301-07 For the salaries of the officers and messengers . . . $1,104

Executive.

Governor.

0401-03 For postage, printing, office and other contingent expenses, including travel of the governor $45,000

Boards and Commissions Serving Under Governor and Council.

Fiscal Affairs Division.

0441-11 Item 0441-11 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four is hereby amended by adding the following: — ; provided, that notwithstanding the limitations of said section fifty-five, compensation and expenses may be allowed each member for forty additional days . . . $8,500

Central Services Division.

0441-32 For the acquisition and installation of furniture, furnishings, fixtures, partitions and equipment and for the cost of packing, unpacking and moving property now under the control of the various departments from present location to state office building $837,000

Department of Natural Resources.

Division of Forests and Parks.

1002-12 For the service of the state fire warden, including not more than nineteen permanent positions, and for expenses of the Northeastern Forest Fire Protection Commission, and for compensation of commissioners, as authorized by chapter four hundred and fifty-seven of the acts of nineteen hundred and forty-nine; for the year nineteen hundred and sixty-five and the previous year $75,000

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 45,000

Department of Education.

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:

Item

1338-01 State college at Boston, including not more than one hundred and ninety-seven permanent positions $15,000

1338-05 For compensation of certain instruction personnel for the additional semester on account of the trimester program at the state college at Boston, appropriation expires June thirtieth, nineteen hundred and sixty-six 40,000

Department of Civil Service and Registration.

Division of Civil Service.

1402-01 Item 1402-01 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four is hereby amended by adding 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

Division of Registration.

For the service of the following agencies in the division:

1415-01 Board of public accountancy, including not more than nine permanent positions $8,000

Department of Commerce.

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 $150,000

Department of Labor and Industries.

Division of Industrial Accidents.

1651-06 Item 1651-06 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four is hereby amended by striking out, in line five, the words "four hundred and twenty thousand" and inserting in place thereof the following: — five hundred and forty-four thousand six hundred and fifty-five . . $356,156

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

Approved April 26, 1965.

Chap. 351. AN ACT PROHIBITING THE CLASSIFICATION OF CERTAIN MUNICIPAL OFFICERS AND EMPLOYEES AS SPECIAL MUNICIPAL EMPLOYEES UNDER THE CONFLICT OF INTEREST LAW.

Be it enacted, etc., as follows:

Section 1 of chapter 268A of the General Laws, as appearing in section 1 of chapter 779 of the acts of 1962, is hereby amended by striking out the definition of "Special municipal employee" and inserting in place thereof the following definition: —

(*n*) "Special municipal employee", a municipal employee who is not a mayor, a member of a board of aldermen, a member of a city council, or a selectman in a town with a population in excess of one thousand persons, and whose position or employment has been expressly classified by the city council, or board of aldermen if there is no city council, or the board of selectmen as that of a special employee under the terms and provisions of this chapter. Such classification shall be made by employing standards reasonably related to the terms and provisions of this chapter and all employees who hold equivalent offices, positions, employment or membership in the same municipal agency shall have the same classification. All employees of any city or town wherein no such classification has been made shall be deemed to be "municipal employees", and shall be subject to all of the provisions of this chapter with respect thereto without exception.

Approved April 27, 1965.

Chap. 352. 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 section twenty-two of chapter eight hundred and ten of the acts of nineteen hundred and sixty-three, any justice of a district court who was appointed to said office between July third, nineteen hundred and sixty-four and January fifth, nineteen hundred and sixty-five, both dates inclusive, shall receive the salary or compensation provided by sections seventy-five, 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. Notwithstanding the provisions of section twenty-three of chapter eight hundred and ten of the acts of nineteen hundred and sixty-three, any special justice of any district court, who was appointed to said office between July third, nineteen hundred and sixty-four and January fifth, nineteen hundred and sixty-five, both dates inclusive, shall receive the salary or compensation provided by section six of chapter two hundred and eighteen of the General Laws.

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

Approved April 27, 1965.

Chap. 353. AN ACT PROVIDING THAT DAMAGES PAID TO THE CITY OF SPRINGFIELD ON ACCOUNT OF THE TAKING OF A PART OF BLUNT PARK SHALL BE USED ONLY FOR THE IMPROVEMENT OF RECREATIONAL FACILITIES IN SAID PARK.

Be it enacted, etc., as follows:

SECTION 1. Any damages which may be paid to the city of Springfield by the commonwealth on account of the taking by eminent domain of a part of Blunt park in said city shall be kept by the treasurer of said city in a separate fund to be used only for the improvement of recreational facilities in said park.

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

Approved April 27, 1965.

Chap. 354. AN ACT RELATIVE TO DISCLOSURE OF INVESTMENTS OF OFFICERS, DIRECTORS AND PRINCIPAL STOCKHOLDERS OF DOMESTIC STOCK INSURANCE COMPANIES AND REGULATING THE SOLICITATION OF PROXIES OF SHAREHOLDERS OF CERTAIN DOMESTIC STOCK INSURANCE COMPANIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay the disclosure of investments in domestic stock insurance companies by their officers, directors and stockholders and to regulate the solicitation of proxies, 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 175 of the General Laws is hereby amended by inserting after section 193H the following two sections: —

Section 193 I. (*a*) As used in this section and in section one hundred and ninety-three J, the following terms shall have the following meanings: —

"Equity security", any stock or similar security; or any security convertible, with or without consideration, into such a security, or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right; or any other security which the commissioner shall deem to be of similar nature and consider necessary or appropriate, by such rules and regulations as he may prescribe in the public interest or for the protection of investors, to treat as an equity security.

"National securities exchange", any exchange registered as such with the Securities and Exchange Commission under the United States Securities Exchange Act of 1934, as amended.

(*b*) Every person who is directly or indirectly the beneficial owner of more than ten per cent of any class of any equity security of a domestic stock insurance company, or who is a director or an officer of such a company shall file in the office of the commissioner within ten days after he becomes such beneficial owner, director or officer, a statement, in such form as the commissioner may prescribe, of the amount of all equity securities of such company of which he is the beneficial owner, and within ten days after the close of each calendar month thereafter, if there has been a change in such ownership during such month, shall file in the office of the commissioner a statement, in such form as the commissioner may prescribe, indicating his ownership at the close of the calendar month and such changes in his ownership as have occurred during such calendar month.

(*c*) For the purpose of preventing the unfair use of information which may have been obtained by such beneficial owner, director or officer by reason of his relationship to such company, any profit realized by him from any purchase and sale, or any sale and purchase, of any equity security of such company within any period of less than six months, unless such security was acquired in good faith in connection with a debt previously contracted, shall inure to and be recoverable by the company, irrespective of any intention on the part of such beneficial owner, director or officer in entering into such transaction of holding the security purchased or of not repurchasing the security sold for a period exceeding six months. Suit to recover such profit may be insti-

tuted at law or in equity in any court of competent jurisdiction by the company, or by the owner of any security of the company in the name and in behalf of the company if the company shall fail or refuse to bring such suit within sixty days after request or shall fail diligently to prosecute the same thereafter; but no such suit shall be brought more than two years after the date such profit was realized. This subsection shall not be construed to cover any transaction where such beneficial owner was not such both at the time of the purchase and sale, or the sale and purchase, of the security involved, or any transaction or transactions which the commissioner by rules and regulations may exempt as not comprehended within the purpose of this subsection.

(*d*) It shall be unlawful for any such beneficial owner, director or officer, directly or indirectly, to sell any equity security of such company if the person selling the security or his principal (i) does not own the security sold, or (ii) if owning the security, does not deliver it against such sale within twenty days thereafter, or does not within five days after such sale deposit it in the mails or other usual channels of transportation; but no person shall be deemed to have violated this subsection if he proves that notwithstanding the exercise of good faith he was unable to make such delivery or deposit within such time, or that to do so would cause undue inconvenience or expense.

(*e*) The provisions of subsection (*c*) shall not apply to any purchase and sale, or sale and purchase, and the provisions of subsection (*d*) shall not apply to any sale of an equity security of a domestic stock insurance company, not then or theretofore held by him in an investment account, by a dealer in the ordinary course of his business and incident to the establishment or maintenance by him of a primary or secondary market, otherwise than on a national securities exchange, for such security. The commissioner may, by such rules and regulations as he deems necessary or appropriate in the public interest, define and prescribe terms and conditions with respect to securities held in an investment account and transactions made in the ordinary course of business and incident to the establishment or maintenance of a primary or secondary market.

(*f*) The provisions of subsections (*b*), (*c*) and (*d*) shall not apply to foreign or domestic arbitrage transactions unless made in contravention of such rules and regulations as the commissioner may adopt in order to carry out the purposes of this section.

(*g*) The provisions of subsections (*b*), (*c*) and (*d*) shall not apply to equity securities of a domestic stock insurance company if (i) such securities are registered, or are required to be registered, pursuant to section 12 of the United States Securities Exchange Act of 1934, as amended, or if (ii) such domestic stock insurance company does not have any class of its equity securities held of record by one hundred or more persons on the last business day of the year next preceding the year in which equity securities of the company would be subject to the provisions of subsections (*b*), (*c*) and (*d*) except for the provisions of this clause (ii).

(*h*) The commissioner shall have the power to make such rules and regulations as may be necessary for the execution of the functions vested in him by this section, and may for such purpose classify domestic stock insurance companies, securities, and other persons or matters within his jurisdiction. No provision of subsections (*b*), (*c*) and (*d*) imposing any liability shall apply to any act done or omitted in good faith in conformity with any rule or regulation of the commissioner, notwithstanding that

such rule or regulation may, after such act or omission, be amended or rescinded or determined by judicial or other authority to be invalid for any reason.

Section 193J. (*a*) It shall be unlawful for any person in contravention of such rules and regulations, as the commissioner may prescribe as necessary or appropriate in the public interest or for the protection of investors, to solicit or to permit the use of his name to solicit any proxy or consent or authorization in respect of any security of a domestic insurer not listed on a national securities exchange.

(*b*) It shall be unlawful for any broker required to be registered under chapter one hundred and ten A, to give, or to refrain from giving, in contravention of such rules and regulations as the commissioner may prescribe as necessary or appropriate in the public interest or for the protection of investors, a proxy, consent, or authorization in respect of any security of a domestic insurer not listed on a national securities exchange if the security is carried for the account of a customer.

(*c*) Unless proxies, consents, or authorizations in respect of a security of a domestic insurer not listed on a national securities exchange are solicited by or on behalf of the management of the issuer from the holders of record of such security, in accordance with the rules and regulations prescribed under this section, prior to any annual or other meeting of the holders of such security, such issuer shall file with the commissioner and transmit to all holders of record of such security information substantially equivalent to the information which would be required to be transmitted if a solicitation were made. *Approved April 27, 1965.*

Chap. 355. AN ACT TO PROVIDE FOR ADDITIONAL JURORS IN PROTRACTED CASES.

Be it enacted, etc., as follows:

SECTION 1. Section 26B of chapter 234 of the General Laws, as appearing in section 1 of chapter 428 of the acts of 1945, is hereby amended by striking out, in line 5, the word "fourteen" and inserting in place thereof the word: — sixteen.

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

Approved April 27, 1965.

Chap. 356. AN ACT PREVENTING THE CIRCUMVENTION OF THE LAWS RELATIVE TO ATTACHMENT OF WAGES BY ATTACHMENTS OUTSIDE THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 246 of the General Laws is hereby amended by inserting after section 20 the following section: —

Section 20A. No person shall send out of this commonwealth by assignment, transfer, or in any other manner, with or without consideration, or institute in a foreign court any action upon a claim against a resident debtor of this commonwealth, with the intent of depriving such resident debtor of the benefit of the exemptions and protection accorded by this commonwealth to wage earners whose wages are in the hands of their employers, so long as such resident debtor and the employer hold-

ing such wages intended to be reached by such proceedings are within the jurisdiction of the courts of this commonwealth.

Any person who violates any provision of this section shall be liable in contract to the person from whom such claim was collected for the full amount of such claim, interest and costs.

Approved April 27, 1965.

Chap. 357. AN ACT INCORPORATING THE REGIS COLLEGE FOR WOMEN, AND AUTHORIZING THE CONGREGATION OF THE SISTERS OF SAINT JOSEPH OF BOSTON TO TRANSFER ITS POWERS, DUTIES AND OBLIGATIONS IN RELATION TO REGIS COLLEGE AND PROPERTY HELD BY IT FOR THE BENEFIT OF SAID COLLEGE TO THE REGIS COLLEGE FOR WOMEN.

Be it enacted, etc., as follows:

SECTION 1. Katherine Casey, Mary Moore, Katherine Morgan, Elizabeth McLoughlin, Loretta Boleman, Mary A. Burns, Joanne Gibbons, their associates and successors, are hereby constituted a body corporate by the name of The Regis College for Women, hereinafter called the corporation, and they and their successors and such persons as shall be duly elected trustees of the corporation shall be and remain a body corporate by that name forever. The trustees shall be self-perpetuating and may elect a president, a treasurer, a secretary and such other officers of the corporation as may be necessary, and shall establish the duties, salaries, and tenures of their respective offices, and may remove any trustee when in their judgment he becomes incapable of discharging the duties of his office or neglects or refuses to perform the same, and may from time to time elect new trustees of the corporation to fill a vacancy caused by the death, resignation or disability of a trustee. The number of trustees shall not be less than seven nor more than nine.

SECTION 2. The corporation shall establish rules for the holding and conducting of its meetings, may sue and be sued in its corporate name and may receive and hold real or personal property, or interest therein, within or without the commonwealth, in fee simple or otherwise, by gift, grant, devise, bequest, purchase or otherwise. The corporation may have a seal which it may alter or renew at pleasure, and all deeds sealed with the seal of said corporation and signed by its order in its corporate name shall be deeds of the corporation. The corporation shall have all the powers and privileges and be subject to all the restrictions, duties and liabilities of a corporation incorporated under the provisions of chapter one hundred and eighty of the General Laws. Upon the transfer and acceptance of the property, powers and duties of The Congregation of the Sisters of Saint Joseph of Boston, as provided in section five, and the recording thereof, as provided in section six, the trustees of The Regis College for Women shall elect from time to time such officers, tutors, instructors, clerks and other officers of Regis College, hereinafter called the college, as it shall be judged to be for the best interest thereof, and establish their duties, salaries and tenures, and make from time to time reasonable rules and regulations for the government of said college and determine and regulate the course of instruction therein.

SECTION 3. The clear rents and profits of all the estate, real and personal, of the corporation shall be all appropriated to the endowment of the college in such manner as shall most effectually promote virtue, piety and learning in such of the languages and of the liberal and useful arts and sciences as shall be recommended from time to time by the corporation, though conforming to the will of any donor or donors in the application of any property or the income therefrom which may be given, devised or bequeathed for any particular object connected with the college.

SECTION 4. No student in the college shall be refused admission to or denied any of the privileges, honors or degrees of the college on account of his race, color or the religious opinions he may entertain.

SECTION 5. The Congregation of the Sisters of Saint Joseph of Boston, incorporated under the provisions of general law, is hereby authorized to transfer, grant and confer upon the corporation all the powers, duties and obligations of which it is now possessed which relate to the college, including more specifically the power to confer at the college such degrees as are usually conferred by colleges in the commonwealth, except medical degrees and degrees of bachelor of laws, and to transfer to the corporation all property, real, personal or mixed, now held by The Congregation of the Sisters of Saint Joseph of Boston for the use or benefit of the college. Upon the acceptance thereof by vote of the corporation, all such powers, duties and obligations shall thereafter be assumed, exercised and performed by the corporation and the said property shall be held by the corporation for the benefit and use of the college and the corporation shall be deemed to be the successor of The Congregation of the Sisters of Saint Joseph of Boston.

No action heretofore taken by The Congregation of the Sisters of Saint Joseph of Boston under the provisions of chapter thirty-four of the acts of nineteen hundred and twenty-seven and chapter thirty-two of the acts of nineteen hundred and twenty-eight shall be affected or impaired by the passage of this act.

SECTION 6. Certified copies of the respective votes showing the transfer of, and the acceptance of, the property, powers and obligations as provided in section five, sworn to by the duly elected officers of The Congregation of the Sisters of Saint Joseph of Boston and by the trustees of the corporation, shall be filed for recording in the registries of deeds for the counties in which the real property of The Congregation of the Sisters of Saint Joseph of Boston is located, with the city or town clerk where the personal property is located, and in the office of the state secretary.

SECTION 7. This act shall take effect upon its passage.

Approved April 27, 1965.

Chap. 358. AN ACT PROVIDING FOR THE ESTABLISHMENT OF A UNIFORM PLUMBING CODE IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Section eight of chapter one hundred and forty-two of the General Laws is hereby repealed.

SECTION 2. Said chapter 142 is hereby further amended by striking out section 13, as most recently amended by section 2 of chapter 228

of the acts of 1963, and inserting in place thereof the following section: — *Section 13.* In all cities, except Boston, and in each town which has two thousand inhabitants or more, the examiners, subject to the approval of the department of public health, shall make and from time to time in like manner alter, amend and repeal rules and regulations relative to the construction, alteration, repair and inspection of plumbing in such cities and towns, which rules and regulations shall be reasonable, uniform, and based on generally accepted standards of plumbing practice; provided, however, that the application of such rules and regulations may be varied by the examiners in a particular city or town upon petition of the board of health or health department thereof.

SECTION 3. Any ordinance, by-law or regulation adopted under section thirteen of chapter one hundred and forty-two of the General Laws prior to the effective date of this act, and in effect on said date, shall continue in effect until superseded by rules and regulations of the board of state examiners of plumbers, as authorized by section thirteen of said chapter one hundred and forty-two, as amended by section one of this act. *Approved April 27, 1965.*

Chap. 359. AN ACT AUTHORIZING THE FORMATION OF A VOCATIONAL REGIONAL SCHOOL DISTRICT BY THE CITY OF LOWELL AND THE TOWNS OF DRACUT, DUNSTABLE, TYNGSBOROUGH AND PEPPERELL.

Be it enacted, etc., as follows:

SECTION 1. The city of Lowell, by vote of its city council, and each of the towns of Dracut, Dunstable, Tyngsborough and Pepperell, 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 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. The proceedings taken by the city of Lowell and the towns of Dracut, Dunstable, Pepperell and Tyngsborough, whereby said municipalities purported to create committees for the purpose of planning a vocational regional school district, and the proceedings heretofore taken by such committees either separately or together as a planning board are ratified and confirmed in all respects, and for all the purposes of this act said committees and said board shall be deemed to be the committees and the board whose creation and organization are authorized by this section.

SECTION 2. It shall be the duty of the vocational regional school district planning board to study the advisability of establishing a vocational regional school district, hereinafter called the regional school district or the 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 methods 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 said city 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 said city and two of said 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 the city council of the city of Lowell 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, 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-five, providing for the establishment of a regional school district by the city of Lowell and the towns of (such towns as may be recommended under section three of this act) and the construction, maintenance and operation of a vocational regional school by the said district in accordance with the provisions of a proposed agreement filed with the city council of said city and the selectmen of said towns?" If a majority of the voters present and voting in said city 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 school district, comprising the said city and the towns which accepted this act as herein provided, shall be deemed to be established forthwith in accordance with the terms of the agreement so adopted.

SECTION 6. The regional school district established under the provisions of section five shall be a body politic and corporate with all the powers and duties conferred by law upon school committees, and with the following additional powers and duties: —

(*a*) To adopt a name and a corporate seal, 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 said city and to the board of selectmen in each of the member towns comprising the district not later than seven days after the date on which said debt was authorized by the district committee; and no debt may be incurred until the expiration of thirty days from the date said debt was authorized by the district committee. If, prior to the expiration of said period, the city council of said city expresses disapproval of the amount authorized by the district committee, or any member town expresses such disapproval by vote of a majority of the voters present and voting on the matter at a town meeting called for the purpose of expressing such disapproval, the said debt shall not be incurred and the district school committee shall prepare another proposal which may be the same as any prior proposal and an authorization to incur debt therefor.

(*e*) To issue bonds and notes in the name and upon the full faith and credit of said district; said bonds or notes shall be signed by the chairman and treasurer of the district committee, except that said chairman by a writing bearing his written signature and filed in the office of said treasurer, which writing shall be open to public inspection, may authorize said treasurer to cause to be engraved or printed on said bonds or notes a facsimile of said chairman's signature, and such facsimile so engraved or printed shall have the same validity and effect as said chairman's written signature, and each issue of bonds or notes shall be a separate loan.

(*f*) To receive and disburse funds for any district purpose.

(*g*) To incur temporary debt in anticipation of revenue to be received from member municipalities.

(*h*) To assess member municipalities for any expenses of the district.

(*i*) To receive any grants or gifts for the purposes of the regional district school or schools.

(*j*) To engage legal counsel.

(*k*) To submit an annual report to each of the member municipalities, containing a detailed financial statement, and a statement showing the method by which annual charges assessed against each municipality

were computed, together with such additional information relating to the operation and maintenance of such school or schools as may be deemed necessary by the district school committee or by the city council of said city or by the selectmen of any member town.

(*l*) To employ an administrator who meets the qualifications for a director of a state aided vocational school as established by the division of vocational education of the department of education, and said administrator shall have all the powers and duties imposed upon school superintendents by law.

(*m*) To adopt an annual operating and maintenance budget, not later than December first.

SECTION 7. The powers, duties and liabilities of 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 section 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 reim-

bursement 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 said city and to the chairman of the board of selectmen of each town and the chairman of the school committee of each municipality which is a member of the district. The director shall apportion the cost among the several municipalities which are members of the district on the basis provided by section three, 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 provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of said act and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby. *Approved April 27, 1965.*

Chap. 360. AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF NANTUCKET TO PROHIBIT THE USE OF MOTORCYCLES ON CERTAIN WAYS IN THE OLD AND HISTORIC NANTUCKET DISTRICT DURING CERTAIN HOURS.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions of section two of chapter eighty-five of the General Laws but notwithstanding any other provision of law, the board of selectmen of the town of Nantucket may from time to time adopt, amend or revoke regulations prohibiting, during certain hours, the use of motorcycles, motor scooters or motor bicycles upon ways or parts of ways within the Old and Historic Nantucket District, as defined in chapter six hundred and one of the acts of nineteen hundred and fifty-five, and may affix penalties of not more than twenty dollars for each violation thereof.

SECTION 2. This act shall take effect upon its acceptance by the town of Nantucket. *Approved April 27, 1965.*

Chap. 361. AN ACT FURTHER DEFINING THE LAW RELATIVE TO REASSIGNING CERTAIN EMPLOYEES UNDER CIVIL SERVICE.

Be it enacted, etc., as follows:

Paragraph (*a*) of section 43 of chapter 31 of the General Laws, as most recently amended by section 1 of chapter 569 of the acts of 1959, is hereby further amended by striking out, in line 7, the words ", lowered in rank or compensation" and inserting in place thereof the words: — in writing, lowered in rank or compensation, without his consent in writing. *Approved April 27, 1965.*

Chap. 362. AN ACT DEFINING "RESIDENT" FOR PURPOSES OF CHRONIC NONRESIDENCY IN THE TUBERCULOSIS LAW.

Be it enacted, etc., as follows:

The second paragraph of section 80 of chapter 111 of the General Laws, as appearing in section 2 of chapter 608 of the acts of 1961, is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences: — For the purposes of this section, the term "resident" means any person having his principal living quarters in such city or town and having no present intention to move to another city or town, or, in the case of a person who is an inmate or patient in an institution, in the city or town in which he last maintained

a residence outside of an institution; provided, however, that any tuberculous patient determined to be a chronically nonresident person and a special problem for tuberculosis disease control shall not be charged as a resident of any city or town, and shall be the financial responsibility of the state. For the purposes of this section an "institution" shall include any sanatorium, hospital, rest home, convalescent or nursing home, for the operation of which a license is required by law; any facility conducted by an agency incorporated under chapter one hundred and eighty; and any facility operated by municipal, county, state and federal governments. *Approved April 27, 1965.*

Chap. 363. AN ACT DESIGNATING THE NEW STATE PIER TO BE CONSTRUCTED IN THE TOWN OF PLYMOUTH AS THE FRAZIER MEMORIAL STATE PIER.

Be it enacted, etc., as follows:

The state pier to be constructed in the town of Plymouth shall, when completed, be designated and known as The Frazier Memorial State Pier, in memory of James T. Frazier, a former member of the board of selectmen of said town. The division of waterways shall erect a bronze marker in a suitable location on said pier, which shall be inscribed as follows: "The Frazier Memorial State Pier, named in memory of James T. Frazier, who faithfully and untiringly served as a member of the board of selectmen of the town of Plymouth from nineteen hundred and thirty-eight to nineteen hundred and sixty-four."

Approved April 27, 1965.

Chap. 364. AN ACT RELATIVE TO THE PURPOSE OF THE MASSACHUSETTS CREDIT UNION SHARE INSURANCE CORPORATION.

Be it enacted, etc., as follows:

Section 1 of chapter 294 of the acts of 1961 is hereby amended by striking out *section 1* and inserting in place thereof the following section:— *Section 1. Creation, Purpose.* — There is hereby constituted a corporation under the name of Massachusetts Credit Union Share Insurance Corporation, hereinafter referred to as the corporation, for the purpose of creating and maintaining a fund for the insurance of shares and deposits of members of those credit unions and the Central Credit Union Fund, Inc. established under the laws of the commonwealth which become members of the corporation, hereinafter referred to as member credit unions. *Approved April 27, 1965.*

Chap. 365. AN ACT RELATIVE TO SPECIAL POLICE OFFICERS APPOINTED ON APPLICATION OF THE COMMISSIONER OF TRAFFIC AND PARKING OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 282 of the acts of 1898, as amended by chapter 674 of the acts of 1950, is hereby further amended by inserting before the last sentence the following sentence: — Every special

police officer appointed under the provisions of this act upon the written application of the commissioner of traffic and parking of said city shall have all the powers and duties of a police officer, including those conferred or imposed by section twenty C of chapter ninety of the General Laws, to enforce all laws, rules and regulations regulating, directing, controlling or restricting the stopping or standing of vehicles at meters in public ways and in off-street parking areas and facilities deemed to be ways under the control of the city.

SECTION 2. Section 5 of chapter 31 of the General Laws, as most recently amended by chapter 31 of the acts of 1965, is hereby further amended by inserting after the word "schools", in line 27, the words: — ; parking meter supervisors. *Approved April 27, 1965.*

Chap. 366. AN ACT RELATIVE TO THE EXEMPTION OF LAND SHOWN ON CERTAIN SUBDIVISION PLANS FROM THE APPLICATION OF ZONING ORDINANCES OR BY-LAWS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 7A of chapter 40A of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 65 of the acts of 1965, and inserting in place thereof the following sentence: — 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 seven 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.

SECTION 2. The provisions of this act shall apply to plans submitted to planning boards prior to its effective date.

Approved April 27, 1965.

Chap. 367. AN ACT AUTHORIZING REGIONAL SCHOOL DISTRICTS TO INCUR DEBT TO CONSTRUCT OR PURCHASE SEWERAGE SYSTEMS.

Be it enacted, etc., as follows:

Section 16 of chapter 71 of the General Laws is hereby amended by striking out clause (*d*), as most recently amended by chapter 380 of the acts of 1961, and inserting in place thereof the following clause: —

(*d*) To incur debt for the purpose of acquiring land and constructing, reconstructing, adding to, and equipping a school building or buildings for a term not exceeding twenty years or for the purpose of remodeling and making extraordinary repairs to a school building or buildings and for the construction of sewerage systems and sewerage treatment and disposal facilities, or for the purchase or use of such systems with municipalities, for a term not exceeding ten years; provided, however, that any indebtedness so incurred shall not exceed an amount approved by the emergency finance board; and provided, further, that written notice of the amount of the debt and of the general purposes for which it was authorized shall be given to the board of selectmen in each of the towns comprising the district not later than seven days after the date on which said debt was authorized by the district committee; and no debt may be incurred until the expiration of thirty days from the date on which said debt was so authorized; and prior to the expiration of said period any member town of the regional school district may call a town meeting for the purpose of expressing disapproval of the amount of debt authorized by the district committee, and if at such meeting a majority of the voters present and voting thereon express disapproval of the amount authorized by the district committee, the said debt shall not be incurred and the district school committee shall prepare another proposal which may be the same as any prior proposal and an authorization to incur debt therefor. *Approved April 27, 1965.*

Chap. 368. AN ACT FURTHER DEFINING THE LAWS RELATIVE TO THE LABELING OF FEATHERS AND DOWN WHEN USED AS A FILLING IN FURNITURE OR BEDDING.

Be it enacted, etc., as follows:

Clause (*b*) of the sixth paragraph of section 272 of chapter 94 of the General Laws, as appearing in section 2 of chapter 611 of the acts of 1959, is hereby amended by striking out the second sentence and inserting in place thereof the following four sentences: — In the case of feathers and mixtures thereof or articles containing such mixtures, the label shall specify the kind of fowl from which the feathers were obtained and the physical condition of such feathers. If an article contains down, the term down may be used without further description if the contents consist wholly of said material. If, however, the article is labeled goose or duck down it shall consist wholly of down derived from said fowl. If the article is labeled as containing a mixture of goose and duck down, the label shall specify the percentage of each.

Approved April 27, 1965.

Chap. 369. AN ACT REQUIRING CERTAIN INSURANCE COMPANIES TO FURNISH COPIES OF MEDICAL REPORTS OF PERSONS INJURED IN AN ACCIDENT.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 111E, inserted by chapter 760 of the acts of 1963, the following section: —

Section 111F. Any company issuing or executing a liability policy, which requests and makes a medical examination of a person injured in an accident, shall, upon request of the injured party or his attorney, furnish said party or attorney with copies of reports of all medical examinations made by said insurer; provided that such injured party shall, upon request of said insurer, furnish it with copies of reports of all medical examinations and treatment made by his attending physician or physicians. *Approved April 27, 1965.*

Chap. 370. AN ACT PERMITTING THE OPERATION OF CAR-WASHING BUSINESSES BETWEEN CERTAIN HOURS ON SUNDAY.

Be it enacted, etc., as follows:

Section 6 of chapter 136 of the General Laws is hereby amended by adding the following clause: —

(44) The operation of a car-washing business between eight o'clock in the forenoon and one o'clock in the afternoon.

Approved April 27, 1965.

Chap. 371. AN ACT EXTENDING THE TIME WITHIN WHICH THE TOWN OF WEST SPRINGFIELD MAY BORROW MONEY FOR THE PURPOSE OF AUGMENTING ITS SEWAGE COLLECTING AND DISPOSAL SYSTEM.

Be it enacted, etc., as follows:

Chapter 120 of the acts of 1961 is hereby amended by striking out, in line 10, the word "five" and inserting in place thereof the word: — ten.

Approved April 27, 1965.

Chap. 372. AN ACT AUTHORIZING THE SCHOOL COMMITTEE OF THE CITY OF QUINCY TO REQUIRE CERTAIN EXAMINATIONS OF PRE-SCHOOL CHILDREN.

Be it enacted, etc., as follows:

The school committee of the city of Quincy may make, with the approval of a parent or guardian, comprehensive examinations of certain pre-school children to determine the incidence of physical disability, emotional disturbance and retardation in order to bring remedial help. Such examinations may include tests of educational aptitude, and shall be subject to the approval of the department of mental health.

Pilot projects may be carried out initially in certain areas of said city.

Said school committee may appoint a committee or committees to assist it in carrying out the purposes of this act.

Said school committee, on behalf of said city, may accept grants or gifts and may make application for state and federal funds and use such grants, gifts and funds for the purposes of this act.

Approved April 27, 1965.

Chap. 373. AN ACT RELATIVE TO EARNINGS AND DISTRIBUTIONS IN CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*b*) 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 second sentence.

SECTION 2. Paragraph (*c*) of subsection 3 of section 13 of said chapter 170, as amended by chapter 195 of the acts of 1959, is hereby further amended by striking out, in lines 4 and 5, the words ", not exceeding the dividend rate payable upon paid-up shares", — so as to read as follows: —

(*c*) There shall be credited to each savings share account of ten dollars or more at every distribution date applicable to savings shares, interest on such rate basis as the directors from time to time may determine, computed without regard to fractions of a dollar; provided, that interest shall not be credited on amounts withdrawn between distribution dates, and shall be credited upon amounts deposited from and after the bank day next following, and may be credited upon amounts deposited within ten days subsequent to the preceding bank day.

SECTION 3. Paragraph (*a*) of subsection 4 of said section 13 of said chapter 170, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby amended by striking out, in lines 8 and 9, the words: — ", but not exceeding the dividend rate payable upon serial shares", — so as to read as follows: —

(*a*) Dividend Savings Accounts: Any dividends to which any holder of paid-up shares may become entitled, may be held by the corporation in a savings share account or in a dividend savings account. Such dividend savings accounts shall be subject to withdrawals therefrom by the holder from time to time, and shall bear interest, which shall be credited thereto, on such rate basis as the directors from time to time may determine; provided, that no deposits shall be made or received in such accounts except from the proceeds of dividends as aforesaid.

Approved April 27, 1965.

Chap. 374. AN ACT PROVIDING FOR THE USE OF LOCAL GOVERNMENTAL EMPLOYEES' GROUP INSURANCE DIVIDENDS, OR REFUNDS TO REDUCE THE EMPLOYEES' SHARE OF PREMIUM COSTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 32B of the General Laws is hereby amended by inserting after section 8 the following section: —

Section 8A. In any governmental unit which accepts the provisions of this section, all dividends, their equivalent and other such refunds accepted by the governmental unit from the carrier or carriers as a result of any policy or policies entered into under the authority of this chapter shall be deposited by the treasurer thereof in a separate fund to be known as the employees' group insurance trust fund.

Prior to the distribution of all such dividends or refunds, the appropriate public authority shall determine the total administrative cost of all policies of insurance entered into under authority of this chapter for the calendar year preceding the date of receipt of the dividend, and shall

notify the treasurer to transfer the amount of said total administrative cost from the said trust fund to the appropriate general revenue accounts of the governmental unit.

If the said total administrative cost exceeds the dividend receipts, the entire dividend shall be so transferred; if the dividend receipts exceed the said total administrative cost, the appropriate public authority shall notify the treasurer to transfer to the appropriate revenue accounts that portion of the remaining balance which represents the governmental units' proportionate share of the premium cost of the policy year to which the dividend or refund is attributable. The balance of said dividend remaining in the trust fund shall represent the employees' proportionate share of the premium cost. The appropriate public authority at a date deemed practicable shall then authorize the treasurer to expend the remaining balance of the trust fund on behalf of the insured employees to reduce the employees' share of future premium costs. The reduction of such costs shall be determined by using the ratio of the dividends received to the employees' share of total premiums which yielded the dividend.

In the event two or more governmental units are participating in accordance with section eleven, all dividends or their equivalent or other such refunds shall first be allocated to the respective governmental units in proportion to the gross premiums paid by each governmental unit to the respective carrier or carriers.

This section shall take effect in a county, city, town or district upon its acceptance in the following manner: — In a county by vote of the county commissioners; in a city having a Plan D or Plan E charter by majority vote of its city council; in any other city by vote of its city council, approved by the mayor; in a district by vote of the district at a district meeting; and in a town if a majority of the votes cast in answer to the following question, which shall be printed on the official ballot to be used at an election in said town, is in the affirmative: — "Shall the town distribute to its insured employees, after deducting the town's total administrative cost, the balance of any group insurance dividend which shall be based upon the employees' proportionate share of the total premiums paid for all insurance coverages?"

Section eight shall not apply in any governmental unit which accepts the provisions of this section.

SECTION 2. Said chapter 32B is hereby amended by striking out section 10, as most recently amended by section 4 of chapter 647 of the acts of 1962, and inserting in place thereof the following section: — *Section 10.* This chapter, except sections eight A, nine A, eleven A and eleven B, may be accepted 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, except as hereinafter provided, by vote of the registered voters of the district at a district meeting; in a regional school district by vote of the regional district school committee; in a veterans' services district by vote of the district board; in a welfare district by vote of the district welfare committee; and in a town by submission for acceptance to the registered voters in the form of the following question which shall be printed upon the official ballot to be used at an election: — "Shall certain provisions of chapter thirty-two B of the General Laws, authorizing any county, city, town or district to

provide a plan of contributory group life insurance, group accidental death and dismemberment insurance, and group general or blanket hospital, surgical and medical insurance for certain persons in the service of such county, city, town or district and their dependents, be accepted by this town?" If a majority of the voters voting on the question shall vote in the affirmative, this chapter, except sections eight A, nine A, eleven A and eleven B, shall take effect in such town.

Approved April 27, 1965.

Chap. 375. AN ACT REQUIRING PUBLICATION IN ADDITION TO WRITTEN NOTICES ON HEARINGS RELATIVE TO REMOVAL, FILLING AND DREDGING OF CERTAIN AREAS BORDERING ON THE COASTAL WATERS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 27A of chapter 130 of the General Laws, inserted by chapter 426 of the acts of 1963, is hereby amended by striking out the third sentence and inserting in place thereof the following two sentences: — The selectmen or, in the case of a city, the licensing authority, shall hold a hearing on said proposal within twenty days of the receipt of said notice, notice of which hearing shall be given by them by publication in a newspaper published in such town or city, or if there be no newspaper published in such town or city, then in a newspaper published within the county, and shall notify by mail the person intending to do such removing, filling or dredging, the department of public works and the director, of the time and place of said hearing. The cost of such publication of notice shall be borne by the person filing the notice of intention to so remove, fill or dredge. *Approved April 27, 1965.*

Chap. 376. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO BORROW MONEY FOR REMODELING, RECONSTRUCTING AND MAKING EXTRAORDINARY REPAIRS TO SCHOOL BUILDINGS OWNED BY SAID CITY.

Be it enacted, etc., as follows:

The city of Springfield may borrow, from time to time, inside its limit of indebtedness as prescribed by section ten of chapter forty-four of the General Laws, sums, not exceeding, in the aggregate, two million dollars, for remodeling, reconstructing or making extraordinary improvements or repairs to school buildings owned by said city, and may issue bonds or notes therefor, which shall bear on their face the words, City of Springfield, Extraordinary Repairs Loan, Act of 1965. 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, except as provided herein, be subject to the provisions of said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof. *Approved April 27, 1965.*

Chap. 377. AN ACT RELATIVE TO THE REMOVAL OF ACTIONS FROM THE DISTRICT COURTS.

Be it enacted, etc., as follows:

Chapter 231 of the General Laws is hereby amended by striking out section 104, as most recently amended by section 1 of chapter 352 of the acts of 1960, and inserting in place thereof the following section: — *Section 104.* No other party to such action shall be entitled to an appeal. In lieu thereof any such other party may within two days after the time allowed for entering his appearance, and provided that the ad damnum in the writ exceeds two thousand dollars, file in said court a claim of trial by the superior court together with the sum of five dollars for the entry of the cause of each plaintiff in the superior court, and, except as provided in section one hundred and seven, a bond in the penal sum of one hundred dollars, with such surety or sureties as may be approved by the plaintiff or the clerk or an assistant clerk of said district court, payable to the other party or parties to the cause, conditioned to satisfy any judgment for costs which may be entered against him in the superior court in said cause within thirty days after the entry thereof. The clerk shall forthwith transmit the papers and entry fee in the cause to the clerk of the superior court and the same shall proceed as though then originally entered there.

Removal of a case under this section shall remove any default of a defendant entered for failure to appear and answer in the district court, excepting cases in which the ad damnum does not exceed two thousand dollars.

If the ad damnum in the writ does not exceed two thousand dollars, the case shall be tried in the district court and the defendant shall, if he desires trial by the superior court, file said entry fee and bond within ten days after notice of the decision or finding. Such filing shall have the same effect as a request for retransfer under section one hundred and two C, and the decision shall be transmitted to and the case tried in the superior court subject to the provisions of said section one hundred and two C applicable to retransferred cases. *Approved April 27, 1965.*

Chap. 378. AN ACT PROVIDING THAT NOTICES OF INJURIES RECEIVED BY REASON OF DEFECTS IN WAYS CAUSED BY SNOW OR ICE MAY BE GIVEN IN THIRTY DAYS INSTEAD OF TEN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 84 of the General Laws is hereby amended by striking out section 18, as amended by section 1 of chapter 114 of the acts of 1933, and inserting in place thereof the following section: — *Section 18.* A person so injured shall, within thirty days thereafter, give to the county, city, town or person by law obliged to keep said way in repair, notice of the name and place of residence of the person injured, and the time, place and cause of said injury or damage; and if the said county, city, town or person does not pay the amount thereof, he may recover the same in an action of tort if brought within two years after the date of such injury or damage. Such notice shall not be invalid or insufficient solely by reason of any inaccuracy in stating the name or place of residence of the person injured, or the time, place

or cause of the injury, if it is shown that there was no intention to mislead and that the party entitled to notice was not in fact misled thereby. The words "place of residence of the person injured", as used in this and the two following sections, shall include the street and number, if any, of his residence as well as the name of the city or town thereof.

SECTION 2. Said chapter 84 is hereby further amended by striking out section 19, as amended by section 2 of said chapter 114, and inserting in place thereof the following section: — *Section 19.* Such notice shall be in writing, signed by the person injured or by some one in his behalf, and may be given, in the case of a county, to one of the county commissioners or the county treasurer; in the case of a city, to the mayor, the city clerk or treasurer; in the case of a town, to one of the selectmen or to the town clerk or treasurer. If the person injured dies within the time required for giving the notice, his executor or administrator may give such notice within thirty days after his appointment. If by reason of physical or mental incapacity it is impossible for the person injured to give the notice within the time required, he may give it within thirty days after such incapacity has been removed, and if he dies within said thirty days his executor or administrator may give the notice within thirty days after his appointment. Any form of written communication signed by the person so injured, or by some person in his behalf, or by his executor or administrator, or by some person in behalf of such executor or administrator, which contains the information that the person was so injured, giving the name and place of residence of the person injured and the time, place and cause of the injury or damage, shall be considered a sufficient notice.

SECTION 3. Said chapter 84 is hereby further amended by striking out section 21, as amended by chapter 505 of the acts of 1955, and inserting in place thereof the following section: — *Section 21.* Sections eighteen, nineteen and twenty shall apply to actions against persons founded upon the defective condition of their premises, or of adjoining ways, when caused by or consisting in part of snow or ice resulting from rain or snow and weather conditions; provided, that any such notice may be given by posting it in a conspicuous place on said premises and by leaving it with any person occupying the whole or any part of said premises, if there be such a person, and no such notice shall be invalid by reason of any inaccuracy or misstatement in respect to the owner's name if it appears that such error was made in good faith and did not prevent or unreasonably delay the owner from receiving actual notice of the injury and of the contention that it occurred from the defective condition of his premises or of a way adjoining the same.

Approved April 27, 1965.

Chap. 379. AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL AND CONVEY CERTAIN LAND TO THE CITY OF BOSTON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize the commissioner of mental health to sell and convey forthwith certain land to the city of Boston for the purpose of improving the same and rendering the area safer for the patients

of Boston state hospital, 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:

The commissioner of mental health, acting for and on behalf of the commonwealth, is hereby authorized to sell and convey to the city of Boston the following parcels of land located on the northwesterly side of Harvard street, in the West Roxbury district of said city, described as follows: —

Parcel I. Approximately thirty-seven thousand nine hundred and fifty-eight (37,958) square feet as shown on a plan hereinafter referred to, running from Walk Hill street to Morton street.

Parcel II. Approximately forty-eight thousand eight hundred and sixty-seven (48,867) square feet as shown on said plan, running from Morton street to Austin street.

Both of said parcels are shown on a plan entitled "City of Boston, Public Works department, Engineering Division, Plan of Land on Northerly Side of Harvard Street, West Roxbury, Walk Hill Street to Austin Street, March 14, 1963, Frederick L. Garvin, Acting Division Engineer" on file in the survey division of the public works department of the city of Boston.

Said land shall be used by the city of Boston for the widening of Harvard street. This transfer shall be subject to such conditions and restrictions as the commissioner of mental health may deem advisable, including a provision that title to said land shall revert to the commonwealth if such conditions and restrictions are not complied with within a period of one year thereafter. *Approved April 28, 1965.*

Chap. 380. AN ACT AUTHORIZING THE CITY OF LOWELL TO BORROW MONEY FOR THE REPAIR AND RECONSTRUCTION OF THE TEXTILE MEMORIAL BRIDGE AND THE PAWTUCKET BRIDGE IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of repairing and reconstructing the Textile Memorial Bridge and the Pawtucket Bridge in the city of Lowell, said city may borrow such sums as may be necessary, not to exceed, in the aggregate, eight hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face, in relation to the Textile Memorial Bridge, the words, Lowell Textile Memorial Bridge Repair Loan, Act of 1965; and in relation to the Pawtucket Bridge the words, Lowell Pawtucket Bridge Repair Loan, Act of 1965. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall be outside the statutory limit, and shall, except as 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 2. This act shall take effect upon its passage.

Approved April 28, 1965.

Chap. 381. AN ACT PROVIDING THAT POLICE APPOINTING AUTHORITIES MAY APPOINT PARKING CONTROL OFFICERS.

Be it enacted, etc., as follows:

Chapter 147 of the General Laws is hereby amended by inserting after section 10E the following section: —

Section 10F. Any board or officer authorized to appoint police officers in any city or town which accepts this section may appoint parking control officers who shall have only those powers and duties conferred or imposed on police officers by section twenty A or twenty C of chapter ninety. *Approved April 28, 1965.*

Chap. 382. AN ACT RELATIVE TO THE REQUISITION OF POLICE OFFICERS FOR SERVICE IN OTHER TOWNS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 99, as most recently amended by chapter 53 of the acts of 1958, and inserting in place thereof the following section: — *Section 99.* The mayor, selectmen, chief of police, or person however designated having the duties of a chief of police, or, in the absence of the chief of police, or person however designated having the duties of a chief of police, the commanding officer, may upon the request of the mayor, selectmen, chief of police, or person however designated having the duties of a chief of police, or in the absence of the chief of police or person however designated having the duties of a chief of police, the commanding officer of any other city or town, provide police officers, who shall have the authority of constables and police officers within the limits of such city or town, except as to the service of civil process, and, while exercising such authority within such limits, shall have the same immunities and privileges as when acting within their respective cities and towns; and the city or town providing said officers shall be entitled to receive from such city or town the amount paid to them for their service, including their necessary traveling expenses. *Approved April 28, 1965.*

Chap. 383. AN ACT REQUIRING THE FILING AND APPROVAL OF FORMS OF MOTOR VEHICLE PHYSICAL DAMAGE POLICIES AND CERTAIN MOTOR VEHICLE LIABILITY POLICIES.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by striking out section 22A, as most recently amended by section 3 of chapter 384 of the acts of 1955, and inserting in place thereof the following section: — *Section 22A.* No company shall issue any policy of insurance which provides coverage against loss or damage caused by hazards specified in more than one of the clauses of section forty-seven, or which provides coverage against loss or damage to, or loss of use of, motor vehicles resulting from collision, fire, lightning, any larceny, pilferage, theft, malicious mischief, vandalism or any other perils usually insured against, or which insures any person against legal liability for loss or damage on account of the bodily injury or death of any other person or on account

of any damages to property of another, arising out of the ownership, maintenance, control or use of motor vehicles, until a copy of the form of the policy has been on file for thirty days with the commissioner, unless before the expiration of said thirty days he shall have approved the form of the policy in writing; nor if the commissioner notifies the company in writing within said thirty days that the form of the policy does not comply with the laws of the commonwealth, specifying his reasons therefor, provided that the opinion of the commissioner shall be subject to review by the supreme judicial court; but nothing in the foregoing provisions of this section shall permit the incorporation in any policy issued under section one hundred and eleven A or one hundred and seventeen A, or any policy subject to section one hundred and eight or one hundred and thirteen A or one hundred and thirty-two, of any coverage not otherwise permitted by this chapter to be incorporated therein. The provisions of this paragraph shall not apply to policies authorized by section fifty-four D. *Approved April 28, 1965.*

Chap. 384. AN ACT RELATIVE TO AFFIDAVITS IN SUPPORT OF APPLICATIONS FOR SEARCH WARRANTS.

Be it enacted, etc., as follows:

Section 2B of chapter 276 of the General Laws, as appearing in section 3 of chapter 557 of the acts of 1964, is hereby amended by striking out the jurat clause of the affidavit and inserting in place thereof the following clause: —

Then personally appeared the above named ..... and made oath that the foregoing affidavit by him subscribed is true.
Before me this ..... day of ....., 19

Justice or Special Justice,
Clerk or Assistant Clerk
of the ..... Court.

Approved April 28, 1965.

Chap. 385. AN ACT PROHIBITING THE ESTABLISHMENT OF WATER COMPANIES UNLESS THEIR PROPOSED DISTRIBUTION SYSTEMS HAVE BEEN APPROVED BY THE DEPARTMENT OF PUBLIC UTILITIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 40 of the General Laws is hereby amended by adding after section 53 the following section, under the caption RESTRICTIONS ON ISSUANCE OF BUILDING PERMITS: —

Section 54. No building permit shall be issued for the construction of a building which would necessitate the use of water therein, unless a supply of water is available therefor either from a water system operated by a city, town or district, or from a well located on the land where the building is to be constructed, or from a water corporation or company, as defined in section one of chapter one hundred and sixty-five.

SECTION 2. Chapter 165 of the General Laws is hereby amended by inserting after section 1 the following section: —

Section 1A. No corporation or company shall engage in the distribution or sale of water in the commonwealth through its pipes or mains unless written approval of the adequacy of its distribution system has first been obtained from the department, and unless proof of compliance with chapter one hundred and eleven has been furnished to the department.

SECTION 3. The provisions of section one A of chapter one hundred and sixty-five of the General Laws, inserted by section two of this act, shall not be applicable to any corporation or company engaged in the sale or distribution of water in the commonwealth immediately prior to the effective date of this act, but shall apply only to such corporations or companies formed on or after said effective date.

Approved April 28, 1965.

Chap. 386. AN ACT DESIGNATING THE BOARD OF WATER COMMISSIONERS OF THE TOWN OF WARE AS THE BOARD OF WATER AND SEWER COMMISSIONERS AND DEFINING ITS POWERS AND DUTIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 75 of the acts of 1963 is hereby amended by striking out section 3 and inserting in place thereof the following section: — *Section 3.* All the authority granted under the provisions of this act shall vest in and be administered by the board of water commissioners elected under authority of chapter fifty-two of the acts of eighteen hundred and eighty-six, and acting as a board of sewer commissioners under the provisions thereof. Said board of water commissioners shall hereafter be known as the board of water and sewer commissioners.

SECTION 2. Section 4 of said chapter 75 is hereby amended by inserting after the word "of", in line 1, the words: — water and.

SECTION 3. Section five of said chapter seventy-five is hereby repealed.

SECTION 4. Section 6 of said chapter 75 is hereby amended by inserting after the word "of", in line 2, the words: — water and.

SECTION 5. Section 7 of said chapter 75 is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — The collector of taxes of said town shall certify the payment or payments of such assessments, or apportionments thereof to the water and sewer commissioners who shall preserve a record thereof.

SECTION 6. Section 10 of said chapter 75 is hereby amended by inserting after the word "of", in line 1, the words: — water and.

SECTION 7. Section 11 of said chapter 75 is hereby amended by inserting after the word "of", in line 1, the words: — water and.

SECTION 8. Section 12 of said chapter 75 is hereby amended by inserting after the word "of", in line 1, the words: — water and.

SECTION 9. Notwithstanding the provisions of this act, the duly authorized committee of the town of Ware, established under the provisions of section five of chapter seventy-five of the acts of nineteen hundred and sixty-three, in effect prior to the effective date of this act, shall continue with all its powers and duties until the completion of the sewage treatment plant and sewer interceptor lines presently under

construction. Upon such completion the control, management and maintenance of said plant and lines and of the existing sanitary sewer system and any extensions thereof shall vest in the board of water and sewer commissioners designated by said chapter seventy-five, as amended by this act.

SECTION 10. This act shall take effect upon its acceptance by the town of Ware. *Approved April 28, 1965.*

Chap. 387. AN ACT TO PROVIDE FOR CONFORMANCE WITH THE WELFARE COMPENSATION PLAN ESTABLISHED UNDER THE CIVIL SERVICE LAW AND RULES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith bring the civil service laws relative to employees of welfare departments of certain cities and towns into conformity with the Federal requirements and since doubt has arisen whether Federal assistance will continue if present provisions are not amended, 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 47C of chapter 31 of the General Laws is hereby amended by striking out paragraph (1), as most recently amended by section 2 of chapter 432 of the acts of 1963, and inserting in place thereof the following paragraph: —

(1) This chapter and the rules made thereunder shall apply in all cities and towns to all positions the duties of which require full time or part time on programs relative to old age assistance or aid to families with dependent children or assistance to persons who are disabled or medical assistance for the aged, or any combination of the foregoing, except that it shall not apply to members of local boards of public welfare, boards having charge of a bureau of old age assistance, and officers having the power and duties of a board of public welfare when such members of boards or officers perform only incidental administrative duties on old age assistance and aid to families with dependent children and assistance to persons who are disabled and medical assistance for the aged. Nothing in this section shall be construed, however, as authorizing any such board or any member thereof or any such officer to take part in the actual administration of any program relative to old age assistance or aid to families with dependent children or assistance to persons who are disabled or medical assistance for the aged carried on by a city or town, or in any of the duties of employees in the positions classified under this chapter as distinguished from the general direction of such a program and the determination of the policies to be pursued.

SECTION 2. Section 47D of said chapter 31, inserted by section 1 of chapter 402 of the acts of 1941, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The director shall establish, with the approval of a board consisting of the commissioner of public welfare, the chairman of the civil service commission and the director of accounts, ex officiis, a compensation plan, which compensation plan shall be the only plan applicable to positions described in section forty-seven C, and to holders of positions referred to in said section. *Approved April 29, 1965.*

Chap. 388. AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A BRANCH OF THE UNIVERSITY OF MASSACHUSETTS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing an appropriation previously made for the University of Massachusetts, the sum set forth in section two of this act is hereby appropriated from the General Fund, to be in addition to any amounts otherwise available for the purpose, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to appropriations for the University of Massachusetts in chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Education.

University of Massachusetts.

Item

1350-39 Item 1350-39 of section two of chapter five hundred and sixty-two of the acts of nineteen hundred and sixty-four is hereby amended by striking out the wording and inserting in place thereof the following: —

For the formulation and establishment of an education 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 temporary and permanent sites and plans and specifications for facilities; for the lease by the board of trustees of the University of Massachusetts of the land and the buildings thereon approved February 16, 1965 by said board as a location for the Boston campus of the University of Massachusetts and for the renovation, remodelling and alteration of such buildings and for the purchase and installation therein of equipment, furnishings and furniture; provided, however, that no funds shall be used or paid from this appropriation for the construction or acquisition of garages, parking lots or other parking facilities for the parking of motor vehicles of students or staff members; provided, further, that such lease shall contain an option to purchase the said land and buildings at a price not to exceed one million five hundred thousand dollars; for other necessary supplies and equipment; to be expended with any federal or other funds available for the purpose; provided, further, that the employment of personnel, the retaining of consulting services, and the making of purchases and other contracts hereunder shall be without recourse to any state board, bureau, department or commission, but otherwise subject to the proviso in the first sentence of section thirteen of chapter seventy-five of the General Laws; provided, further, that such lease may provide, among other things, for the maintenance and repair of buildings leased thereby, and the restoration thereof during or prior to the end of the term of such lease, by the commonwealth and for the payment of rent in an amount which may be measured in whole or in part by property taxes and other assessments and charges assessed or levied on such land and buildings by any government, and by premiums for insurance maintained by the lessor thereof pursuant to any agreement with the owner thereof against fire and other casualties and against liability for harms to persons or property and by any liability for such harms and for the giving of undertakings by the commonwealth respecting any obligation to maintain, repair, restore and pay rent as aforesaid; and provided, further, that said board of trustees or officer of the University designated by them may, notwithstanding the provisions of chapter one

hundred and forty-nine of the General Laws, contract for the renovation, remodelling and alteration of said buildings in accordance with plans and specifications approved by said board of trustees or officer, prior appropriation continued, appropriation expires June 30, 1966. The board of trustees shall exercise said option on or before February 1, 1966 if an appropriation therefor shall have been made . **$1,500,000**

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

Approved April 29, 1965.

Chap. 389. AN ACT FURTHER DEFINING THE POWERS OF THE METROPOLITAN AREA PLANNING COUNCIL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by striking out section 114, as appearing in section 2 of chapter 668 of the acts of 1963, and inserting in place thereof the following section: — *Section 114.* The council is authorized to enter into contracts and agreements with any department, agency or subdivision of the federal or state government and any individual, corporation, association or public authority to provide or receive services, facilities, staff assistance or money payments in connection with the work of the council, and the council may contribute or receive services, facilities, staff assistance or money payments as consideration in such contracts and agreements.

The council may expend for services and other expenses such amounts as the general court may appropriate therefor together with such amounts as the council may receive under any federal or state law or by gift, grant, contract or agreement from any source, including grants, bequests, gifts, or contributions made by any individual, corporation, association, public authority, or department, agency or subdivision of the federal or state governments. The amount appropriated by the general court shall be charged as assessments on the various cities and towns comprising the district; provided, however, that any such assessment on such city or town shall not exceed a sum equivalent to five cents per capita of the population of such city or town, exclusive of the number of prisoners in any correctional institution of the commonwealth therein and of the patients in any institution under the jurisdiction of the department of mental health or public health. The state treasurer shall, subject to the aforesaid limitations, certify the amount to be assessed upon each city or town comprising the district, and said amount shall be paid by such city or town to the state treasurer as provided in section twenty of chapter fifty-nine.

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

Approved May 3, 1965.

Chap. 390. AN ACT AUTHORIZING THE MERGER OF BISHOP AND TRUSTEES OF THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF MASSACHUSETTS INTO TRUSTEES OF DONATIONS TO THE PROTESTANT EPISCOPAL CHURCH.

Be it enacted, etc., as follows:

SECTION 1. Bishop and Trustees of the Protestant Episcopal Church in the Diocese of Massachusetts, hereinafter called Bishop and Trustees, a charitable corporation organized under chapter two hundred and seven-

teen of the Special Acts of nineteen hundred and sixteen, is hereby authorized to merge into Trustees of Donations to the Protestant Episcopal Church, hereinafter called Trustees of Donations or the surviving corporation, a charitable corporation organized under chapter ninety of the acts of eighteen hundred and ten. Trustees of Donations shall be the surviving corporation in such merger. The surviving corporation shall have the purposes and powers of Bishop and Trustees as well as those of Trustees of Donations as they existed prior to such merger, and shall be subject to and liable for all the duties, liabilities and obligations of Bishop and Trustees as well as those of Trustees of Donations. By way of clarification and example and not by way of limitation of such purposes and powers it is intended that such purposes and powers heretofore and hereafter existing include within their general scope the specific power to exercise complete and uncontrolled discretion in the application of the income from or the principal of any property received by Trustees of Donations before or after such merger or by Bishop and Trustees by way of devise, bequest, gift or transfer, whether in trust or otherwise, where under the terms of such devise, bequest, gift or transfer either Trustees of Donations or Bishop and Trustees has or may have the power to exercise discretion in allocating or applying said income or principal among one or more specific objects or purposes or between one or more classifications thereof.

SECTION 2. In addition to the foregoing powers, the surviving corporation shall have the power, with the consent of the state secretary, by a vote or the written consent of not less than two-thirds of the then trustees, to change its name, any such change to be effective upon the filing with the state secretary of a certificate as to such change signed by the president thereof.

SECTION 3. When such merger shall become effective, all property, real, personal and mixed, and all rights and interests, legal and equitable, of Bishop and Trustees, including all devises, bequests, gifts and transfers heretofore and hereafter made to or for said corporation, shall vest in or for the benefit of the surviving corporation without further act or deed, and shall be held and administered by the surviving corporation upon and subject to the same terms, conditions, limitations and trusts as they are now held upon or would have been held upon had such merger not been effected; and without limiting the foregoing, each of the officers of Bishop and Trustees and the surviving corporation 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 merger authorized by this act and to confirm in the surviving corporation the record title to the property, rights and interests of Bishop and Trustees. To the extent required to carry out the provisions of this section the separate existence of Bishop and Trustees as constituted prior to such merger shall continue after such merger in and through the surviving corporation.

SECTION 4. When such merger shall become effective the members of Bishop and Trustees and the trustees of Trustees of Donations prior to such merger shall be the trustees of the surviving corporation; thereafter said trustees shall continue as such, and new trustees shall be chosen, pursuant to the by-laws of the surviving corporation. Said trustees shall elect from among their number a board of managers, which shall have full power and authority to conduct all of the business

of the surviving corporation, and which shall consist of a president, a treasurer, a secretary and such other managers as shall be specified in such by-laws. Except as herein provided, the method of election of new managers, their terms of office and the manner of the conduct of the business of the board of managers shall be determined by such by-laws.

SECTION 5. The merger shall not become effective unless and until

(*a*) each of said merging corporations shall have accepted this act and shall have approved by-laws for the surviving corporation, at meetings duly called for the purpose, by vote of two-thirds of the members of Bishop and Trustees and of two-thirds of the trustees of Trustees of Donations, and

(*b*) after the aforesaid meetings, the prospective trustees of the surviving corporation shall have elected its first board of managers 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 merging corporations at least seven days before the day appointed by them for the meeting.

SECTION 6. The merger shall be complete and effective upon the filing with the state secretary, within two years after the passage of this act, of a certificate signed by the presidents of Bishop and Trustees and Trustees of Donations to the effect that the conditions of section five have been satisfied.

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

SECTION 8. Any person may be indemnified by the surviving corporation against expenses actually and reasonably incurred by him in connection with the defense of any action, suit or proceeding to which he is made a party by reason of being or having been a manager of Trustees of Donations or a member of the Executive Committee of Bishop and Trustees, except that no such person shall be indemnified against any such expenses unless it shall have been adjudicated that he had not, with respect to the matter in connection with which such expenses had been incurred, been guilty of willful misfeasance, bad faith, gross negligence or reckless disregard of the duties involved in the conduct of his office or, in the absence of such adjudication, unless the board of managers of the surviving corporation shall have received a written opinion from independent counsel, approved by such board, to the effect that if the matter of willful misfeasance, bad faith, gross negligence or reckless disregard of the duties involved in the conduct of his office had been adjudicated, it would have been adjudicated in favor of such person.

SECTION 9. 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 10. For the purpose of its acceptance, this act shall take effect upon its passage. *Approved May 3, 1965.*

Chap. 391. AN ACT ESTABLISHING A YOUTH ACTIVITIES COMMISSION IN THE CITY OF BOSTON AND DEFINING ITS POWERS AND DUTIES.

Be it enacted, etc., as follows:

SECTION 1. There shall be in the parks and recreation department of the city of Boston, or in such other department of said city as the city council, with the approval of the mayor, shall from time to time determine, a board, to be known as the Youth Activities Commission, hereinafter called the commission, consisting of seven commissioners appointed as follows: — five by the mayor of said city, one by the superintendent of schools of said city, and one by the chairman of the youth service board of the commonwealth. The commissioners, initially appointed by the mayor, shall serve, according to the provisions of their respective appointments, for terms expiring one, two, three, four, and five years, respectively, from May first, nineteen hundred and sixty-five. As the term of any such commissioner, or of any subsequent commissioner appointed by the mayor, expires, his successor shall be appointed by the mayor for a term of five years. Any vacancy in the office of a commissioner appointed by the mayor shall be filled by the mayor for the unexpired term. The commissioners appointed by the superintendent of schools and the chairman of the youth service board shall serve at the discretion of said superintendent and said chairman, respectively.

The commission shall elect one of its members as chairman and another as vice chairman. The commission shall also elect a secretary, who need not be a member of the commission. The members of the commission shall serve without compensation, but shall be reimbursed for expenses necessarily incurred by them in the performance of their duties.

The commission shall not be subject to the supervision or control of the officer or board in charge of such department of the city as the commission shall from time to time be in; but unless otherwise ordered by the mayor, the commission shall not make any annual or other report except through such officer or the chairman of such board.

SECTION 2. The commission shall conduct research, and establish and carry on, and encourage others to establish and carry on, programs and activities designed to reduce or prevent delinquency and other problems among the youth of said city or to improve the health or welfare of juveniles in said city in need of guidance, recreation, counselling, assistance, referral, testing, care, education, training, placement, or cultural or social development. The commission shall cooperate with federal, state and municipal agencies concerned with any of the foregoing, and shall coordinate its functions with private agencies concerned therewith.

SECTION 3. The commission may employ an executive director and such other personnel as it deems expedient, and determine their qualifications and duties. Neither chapter thirty-one of the General Laws nor any rule made thereunder shall apply to such executive director or other personnel. The commission may delegate to the executive director or to any of its other personnel or to one or more of its members such powers and duties as it deems expedient to carry out any action determined upon by it. *Approved May 3, 1965.*

Chap. 392. AN ACT PROVIDING THAT CERTAIN FARM VEHICLES MAY HAVE A FLASHING RED LIGHT TO THE REAR IN LIEU OF A STOP LIGHT.

Be it enacted, etc., as follows:

Section 7 of chapter 90 of the General Laws is hereby amended by striking out the last paragraph, added by chapter 187 of the acts of 1964, and inserting in place thereof 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 or a flashing red light to the rear 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 or such flashing 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 May 3, 1965.*

Chap. 393. AN ACT PROVIDING FOR THE REMOVAL AND DISPOSAL OF CERTAIN ABANDONED MOTOR VEHICLES.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by inserting after section 22B, inserted by chapter 525 of the acts of 1963, the following section: —

Section 22C. If the superintendent of streets or other officer having charge of the public ways in a city or town reasonably deems that any motor vehicle apparently abandoned by its owner and standing for more than seventy-two hours upon a public or private way therein or on any property therein without the permission of the owner or lessee of said property is worth less than the cost of removal and storage and expenses incident to disposition pursuant to sections seven to eleven, inclusive, of chapter one hundred and thirty-five, he may, without incurring liability on his part or on the part of the city or town, take possession of such motor vehicle and dispose thereof as refuse. The officer or member of the police department designated by the rules thereof as custodian of lost property may, likewise without liability, take possession of any such motor vehicle deemed worth more than the cost and expense aforesaid and dispose thereof pursuant to said sections seven to eleven, inclusive. *Approved May 3, 1965.*

Chap. 394. AN ACT ESTABLISHING MINIMUM SAFETY STANDARDS FOR BRAKE LININGS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting after section 7G, inserted by chapter 299 of the acts of 1964, the following section: —

Section 7H. No person shall sell, offer for sale, distribute or install brake linings for use on motor vehicles unless they are of a type and specification approved by the registrar. Under authority granted by section seven, the registrar shall adopt such regulations governing types and specifications of brake linings as to comply with approved safety standards, and shall establish and maintain an approved list of brake linings which meet the specifications so established.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-seven. *Approved May 3, 1965.*

Chap. 395. AN ACT FURTHER REGULATING THE CONDUCT OF CERTAIN ELECTED MUNICIPAL EMPLOYEES.

Be it enacted, etc., as follows:

Section 19 of chapter 268A of the General Laws, as appearing in section 1 of chapter 779 of the acts of 1962, is hereby amended by striking out paragraph (*b*) and inserting in place thereof the following paragraph: —

(*b*) It shall not be a violation of this section (1) if the municipal employee first advises the official responsible for appointment to his position of the nature and circumstances of the particular matter and makes full disclosure of such financial interest, and receives in advance a written determination made by that official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee, or (2) if, in the case of an elected municipal official making demand bank deposits of municipal funds, said official first files, with the clerk of the city or town, a statement making full disclosure of such financial interest, or (3) if, by statute, the financial interest has been exempted from the requirements of clause (1) as being too remote or too inconsequential to affect the integrity of municipal employees' services. *Approved May 3, 1965.*

Chap. 396. AN ACT PROVIDING A CRIMINAL PENALTY FOR FAILURE TO APPEAR IN COURT AFTER RELEASE ON BAIL OR RECOGNIZANCE.

Be it enacted, etc., as follows:

Chapter 276 of the General Laws is hereby amended by inserting after section 82 the following section: —

Section 82A. A person who is released by court order or other lawful authority on bail or recognizance on condition that he will appear personally at a specified time and place and who fails without sufficient excuse to so appear shall be punished by a fine of not more than one

thousand dollars or by imprisonment in a house of correction for not more than one year, or both, but in no event shall the fine or imprisonment exceed the maximum sentence prescribed for any crime in connection with which his appearance is required. *Approved May 3, 1965.*

Chap. 397. AN ACT PROHIBITING DISCRIMINATION IN EMPLOYMENT BECAUSE OF SEX.

Be it enacted, etc., as follows:

SECTION 1. Subsection 6 of section 3 of chapter 151B of the General Laws, as most recently amended by section 1 of chapter 163 of the acts of 1960, is hereby further amended by inserting after the word "origin", in line 3 the word: — , sex.

SECTION 2. Subsection 8 of said section 3 of said chapter 151B is hereby amended by inserting after the word "origin", in line 7, as appearing in section 4 of chapter 368 of the acts of 1946, the word: —, sex.

SECTION 3. Subsection 9 of said section 3 of said chapter 151B is hereby amended by inserting after the word "origin", in line 4, as so appearing, the word: —, sex.

SECTION 4. Subsection 1 of said section 4 of said chapter 151B is hereby amended by inserting after the word "origin", in line 2, as so appearing, the word: — , sex.

SECTION 5. Subsection 2 of said section 4 of said chapter 151B is hereby amended by inserting after the word "origin", in line 2, as so appearing, the word: — , sex.

SECTION 6. Subsection 3 of said section 4 of said chapter 151B is hereby amended by inserting after the word "origin", in line 7 and in line 10, in each instance, as so appearing, the word: — , sex.

SECTION 7. Section 9 of said chapter 151B is hereby amended by striking out the first sentence, as appearing in section 9 of chapter 697 of the acts of 1950, and inserting in place thereof the following sentence: — The provisions of this chapter shall be construed liberally for the accomplishment of the purposes thereof, and any law inconsistent with any provision hereof shall not apply, but nothing contained in this chapter shall be deemed to repeal any provision of chapter one hundred and forty-nine which establishes standards, terms or conditions of employment which are applicable to females, section ninety-eight of chapter two hundred and seventy-two or any other law of this commonwealth relating to discrimination because of race, color, religious creed, national origin, or ancestry, and nothing contained in this chapter shall be deemed to repeal sections twenty-four A to twenty-four J, inclusive, of chapter one hundred and forty-nine or any other law of the commonwealth relating to discrimination because of age; but, as to acts declared unlawful by section four, the procedure provided in this chapter shall, while pending, be exclusive; and the final determination therein shall exclude any other action, civil or criminal, based on the same grievance of the individual concerned. *Approved May 3, 1965.*

Chap. 398. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAW EXEMPTING FROM TAXATION CERTAIN REAL ESTATE OF CERTAIN VETERANS WHO WERE DECORATED FOR HEROISM.

Be it enacted, etc., as follows:

Clause Twenty-second A of section 5 of chapter 59 of the General Laws, as most recently amended by section 2 of chapter 666 of the acts of 1962, is hereby further amended by striking out, in line 25, the words "flying cross" and inserting in place thereof the words: — air force cross.

Approved May 3, 1965.

Chap. 399. AN ACT RELATIVE TO THE PURPOSE OF ISSUING LICENSES AND PERMITS FOR THE SALE OF ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

The first paragraph of section 23 of chapter 138 of the General Laws, as appearing in section 12 of chapter 542 of the acts of 1943, is hereby amended by striking out, in lines 13 and 14, the words: — "meet the reasonable demand of the public for pure alcoholic beverages" and inserting in place thereof the words: — serve the public need and in such a manner as to protect the common good. *Approved May 3, 1965.*

Chap. 400. AN ACT REQUIRING PUBLIC HEARINGS ON APPLICATIONS FOR TRANSFER OF ALCOHOLIC BEVERAGE LICENSES AND FOR TRANSFER OF SUCH LICENSES FROM ONE LOCATION TO ANOTHER, SAID HEARING TO BE HELD AFTER TEN DAYS NOTICE BY PUBLICATION.

Be it enacted, etc., as follows:

Section 15A of chapter 138 of the General Laws, as most recently amended by section 5 of chapter 542 of the acts of 1943, is hereby further amended by striking out the fifth sentence and inserting in place thereof the following sentence: — No application shall be acted upon by the local licensing authorities except after a hearing thereon which shall be held not sooner than ten calendar days after the publication of such notice, and no application for a transfer of license shall be acted upon except after such hearing. *Approved May 3, 1965.*

Chap. 401. AN ACT REQUIRING LOCAL LICENSING AUTHORITIES TO NOTIFY THE ALCOHOLIC BEVERAGES CONTROL COMMISSION OF VIOLATIONS BY LICENSEES AND THE ACTIONS RELATIVE TO SAID VIOLATORS.

Be it enacted, etc., as follows:

Section 10A of chapter 138 of the General Laws, as amended by section 2 of chapter 542 of the acts of 1943, is hereby further amended by adding the following sentence: — Said report shall contain a list of all violations of law by licensees which came to their attention, and their actions and findings with reference thereto. *Approved May 3, 1965.*

Chap. 402. AN ACT PROVIDING THAT MEETINGS OF THE CITY COUNCIL AND OF ALL OTHER BOARDS AND COMMISSIONS IN THE CITY OF REVERE BE OPEN TO THE PUBLIC WITH THE PUBLIC HAVING AN OPPORTUNITY TO BE HEARD.

Be it enacted, etc., as follows:

SECTION 1. Except in the cases of executive sessions authorized by section twenty-three A of chapter thirty-nine of the General Laws, all meetings of the city council of the city of Revere and of other boards or commissions in said city shall be open to the press and to the public, and the rules of the city council and of such other boards and commissions in said city shall provide that citizens and employees of the city shall have a reasonable opportunity to be heard at any such meeting in regard to any matter considered thereat.

SECTION 2. This act shall take effect upon its acceptance by the city of Revere. *Approved May 3, 1965.*

Chap. 403. AN ACT PROVIDING THAT CERTAIN MINORS SHALL BE COMPETENT TO CONTRACT FOR MOTOR VEHICLE LIABILITY INSURANCE.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 113J the following section: —

Section 113K. Any minor sixteen years of age or over shall be deemed competent to contract for a motor vehicle liability policy or bond, both as defined in section thirty-four A of chapter ninety, or for a policy of motor vehicle liability insurance issued pursuant to the requirements of section one hundred and thirteen H, to the same extent and to the same effect as though he had attained the age of twenty-one years.

Approved May 3, 1965.

Chap. 404. AN ACT AUTHORIZING SCHOOL COMMITTEES TO DESIGNATE THE LOCATIONS OF HIGHWAY SAFETY STATIONS FOR CHILDREN AWAITING A SCHOOL BUS.

Be it enacted, etc., as follows:

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

Section 71A. A school committee may, subject, however, to all other provisions of law, designate the locations for the erection of highway safety stations for children awaiting a school bus; provided, that such locations have been approved by the school superintendent or, as his designee, the school transportation officer. A school committee may order the discontinuance of the use of any such station by the children if it is not constructed of durable material with a floor of concrete raised above ground level, or is not kept clean, well painted, free of snow, and suitably maintained at all times. *Approved May 3, 1965.*

Chap. 405. AN ACT AUTHORIZING CITIES AND CERTAIN TOWNS TO CHANGE THE TITLE OF THE POSITIONS OF SEALER AND DEPUTY SEALER OF WEIGHTS AND MEASURES TO INSPECTOR AND DEPUTY INSPECTOR OF WEIGHTS AND MEASURES.

Be it enacted, etc., as follows:

Any city or town subject to the provisions of section thirty-four of chapter ninety-eight of the General Laws may, by ordinance or by-law, change the title of the position of sealer of weights and measures to inspector of weights and measures and deputy sealer of weights and measures to deputy inspector of weights and measures; provided, however, that such change of title shall not in any way affect the method of appointment, the powers, rights or duties of sealers or deputy sealers appointed under said section thirty-four; and provided, further, that in the case of any such change of title any person thereafter appointed as an inspector or deputy inspector of weights and measures shall be appointed in the same manner as, and be subject to all provisions of law relative to, sealers and deputy sealers as set forth in said section thirty-four. *Approved May 3, 1965.*

Chap. 406. AN ACT REQUIRING THE DIRECTOR OF THE DIVISION OF STANDARDS AND NECESSARIES OF LIFE TO INSPECT ANNUALLY ALL WEIGHING AND MEASURING DEVICES IN TOWNS OF FIVE THOUSAND OR LESS INHABITANTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 98 of the General Laws is hereby amended by inserting after section 33 the following section: —

Section 33A. The director or his inspectors, under his direction, shall at least once in each year test all weighing and measuring devices which are used for the purpose of buying or selling goods, wares or merchandise, for public weighing or for hire or reward, in towns of five thousand or less inhabitants, and shall mark them in accordance with the results of such tests.

SECTION 2. Section 35 of said chapter 98, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The selectmen of towns of more than five thousand and less than ten thousand inhabitants shall annually appoint a sealer and may appoint one or more deputies to act under his direction. *Approved May 3, 1965.*

Chap. 407. AN ACT INCREASING THE PENALTY FOR FURNISHING ANY DRUG OR ANY OTHER ARTICLE TO A PRISONER WITHOUT PERMISSION.

Be it enacted, etc., as follows:

Chapter 268 of the General Laws is hereby amended by striking out section 28, as most recently amended by section 34 of chapter 777 of the acts of 1957, and inserting in place thereof the following section: —

Section 28. Whoever gives or delivers to a prisoner in any correctional

institution, or in any jail or house of correction, any drug or article whatever, or has in his possession within the precincts of any prison herein named with intent to give or deliver to any prisoner any such drug or article without the permission of the superintendent, master or keeper, shall be punished by imprisonment in the state prison for not more than five years, or in a jail or house of correction for not more than two years, or by a fine of not more than one thousand dollars.

Approved May 3, 1965.

Chap. 408. AN ACT PROVIDING THAT CERTAIN LABORERS WHO ARE NOT MEMBERS OF A CONTRIBUTORY RETIREMENT SYSTEM AND ARE EMPLOYED BY CERTAIN CITIES AND TOWNS MAY RETIRE AFTER THIRTY-FIVE YEARS OF SERVICE REGARDLESS OF AGE AND RECEIVE A PENSION.

Be it enacted, etc., as follows:

Paragraph (*a*) of section 77 of chapter 32 of the General Laws is hereby amended by striking out the first sentence, as amended by section 7 of chapter 728 of the acts of 1960, and inserting in place thereof the following sentence: — Any laborer in the employ of a city or town, except Boston, which accepted chapter five hundred and three of the acts of nineteen hundred and twelve, who has been in such employ for not less than thirty-five years or who has reached the age of sixty and has been in such employ for not less than twenty-five years and who, in either case has become physically or mentally incapacitated for labor, and any laborer in the employ of such city or town who has been in such employ for not less than fifteen years and has become physically or mentally incapacitated for labor by reason of any injury received in the performance of his duties for such city or town may, at his request be retired from service by the appropriate retirement board, established under section twenty, or, if there is no such board in the case of a town, the selectmen; and if so retired he shall receive from the city or town for the remainder of his life an annual pension equal to one half of his annual rate of regular compensation for full time service as a laborer at his retirement. *Approved May 3, 1965.*

Chap. 409. AN ACT DESIGNATING THE BRIDGE ON PILGRIMS HIGHWAY IN THE TOWN OF NORWELL AS THE PFC SAMUEL TURNER, JR. BRIDGE.

Be it enacted, etc., as follows:

The bridge on Pilgrims Highway over High street, in the town of Norwell, shall be known and designated as the PFC Samuel Turner, Jr. bridge, in memory of Samuel Turner, Jr. who was killed in action while a member of the armed forces in World War II. A suitable marker bearing said designation shall be attached thereto by the department of public works. *Approved May 3, 1965.*

Chap. 410. AN ACT INCREASING THE ALLOWANCE TO THE PREVAILING PARTY FOR EXPENSES INCURRED FOR CERTAIN PLANS, DRAWINGS, PHOTOGRAPHS, AND COPIES OF RECORDS.

Be it enacted, etc., as follows:

Section 25A of chapter 261 of the General Laws, as amended by chapter 497 of the acts of 1957, is hereby further amended by striking out, in line 3, the word "fifty" and inserting in place thereof the words: — one hundred.

Approved May 3, 1965.

Chap. 411. AN ACT ALLOWING CERTAIN MUNICIPAL POLICE OFFICERS TO LIVE OUTSIDE THE CITY OR TOWN IN WHICH THEY ARE EMPLOYED.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 99 the following section: —

Section 99A. In any city or town which accepts this section, the members of the regular police department of said city or town who have been members of said department for at least five years may reside outside said city or town; provided, they reside within the commonwealth and within ten miles of the limits of said city or town.

Approved May 3, 1965.

Chap. 412. AN ACT RELATIVE TO ENCLOSING, SEALING AND CERTIFYING ELECTION BALLOTS AND VOTING LISTS.

Be it enacted, etc., as follows:

SECTION 1. The third sentence of section 107 of chapter 54 of the General Laws, as amended by section 45 of chapter 437 of the acts of 1962, is hereby further amended by striking out, in line 1, the words "A majority of the election officers" and inserting in place thereof the words: — The warden and the clerk.

SECTION 2. The fifth sentence of said section 107 of said chapter 54, as appearing in chapter 93 of the acts of 1946, is hereby amended by striking out, in line 3, the words "a majority of the election officers" and inserting in place thereof the words: — the warden and the clerk.

Approved May 3, 1965.

Chap. 413. AN ACT AUTHORIZING THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY TO PROVIDE SUMMER SERVICE TO AND FROM THE PORT OF NEW BEDFORD TO AND FROM THE ISLANDS OF MARTHA'S VINEYARD AND NANTUCKET.

Be it enacted, etc., as follows:

Section 16 of chapter 701 of the acts of 1960 is hereby amended by adding the following paragraph: —

The Authority may, in its discretion, provide ferry runs or such transportation annually from May first to September thirtieth to and from the port of New Bedford, via the port of Woods Hole or otherwise, to and from said islands.

Approved May 3, 1965.

Chap. 414. AN ACT PROVIDING FOR THE APPOINTMENT OF AN INSPECTOR OF PLUMBING BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law or ordinance to the contrary, the mayor and city council of the city of Brockton shall, within sixty days after the acceptance of this act as hereinafter provided, appoint and may remove, subject to chapter thirty-one of the General Laws, an inspector of plumbing who shall be a practical plumber and shall have had practical experience either as a master plumber or a journeyman plumber, continuously, during the five years next preceding his appointment. The mayor and city council shall fix his compensation. He shall inspect all plumbing in process of construction, alteration or repair for which permits are granted within said city, report to the mayor and city council violations of any law, ordinance, rule or regulation relating to plumbing, and perform such other appropriate duties as may be required. The incumbent of the office of inspector of plumbing in said city on the effective date of this act shall continue to hold office without interruption of his civil service or other rights, but shall otherwise be subject to this act.

SECTION 2. This act shall take effect upon its acceptance by the city of Brockton. *Approved May 3, 1965.*

Chap. 415. AN ACT AUTHORIZING THE RETIREMENT BOARD OF THE CITY OF MEDFORD TO PAY SURVIVORS BENEFITS TO ANN AVELLINO.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the retirement board of the city of Medford is hereby authorized and directed to pay to Ann Avellino, widow of Albert V. Avellino, a deceased fire fighter in said city, such benefits as are provided for widows of deceased members of a retirement system under the provisions of section twelve B of chapter thirty-two of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by the city of Medford, but not otherwise. *Approved May 3, 1965.*

Chap. 416. AN ACT PROVIDING THAT THE LAW ESTABLISHING A MINIMUM RATE FOR HOURS WORKED IN EXCESS OF FORTY HOURS IN A WORK WEEK SHALL APPLY TO PARKING LOT ATTENDANTS.

Be it enacted, etc., as follows:

The second paragraph of section 1A of chapter 151 of the General Laws is hereby amended by striking out clause (15), as appearing in chapter 431 of the acts of 1961, and inserting in place thereof the following clause: —

(15) as a garageman, which term shall not include a parking lot attendant. *Approved May 3, 1965.*

Chap. 417. AN ACT REQUIRING CONTRACTORS ENGAGED IN THE CONSTRUCTION OF PUBLIC WORKS TO FILE STATEMENTS RELATIVE TO WAGES PAID CERTAIN EMPLOYEES AND TO PRESERVE THEIR PAYROLL RECORDS FOR THREE YEARS AFTER COMPLETION OF CONTRACTS.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 27B, as appearing in chapter 461 of the acts of 1935, and inserting in place thereof the following section: — *Section 27B.* Every contractor, subcontractor or public body engaged in said public works to which sections twenty-seven and twenty-seven A apply shall keep a true and accurate record of all mechanics, teamsters, chauffeurs and laborers employed thereon, showing the name, address and occupational classification of each such employee on said works, and the hours worked by, and the wages paid to, each such employee, and shall furnish to the commissioner, upon his request, a copy of said record, signed by the employer or his authorized agent under the penalties of perjury. Such records shall be open to inspection by any authorized representative of the department at any reasonable time, and as often as may be necessary.

Each such contractor, subcontractor or public body shall preserve its payroll records for a period of three years from the date of completion of the contract.

Each such contractor, subcontractor or public body shall furnish to the commissioner of labor and industries within fifteen days after completion of its portion of the work a statement, executed by the contractor, subcontractor or public body or by any authorized officer or employee of the contractor, subcontractor or public body who supervises the payment of wages, in the following form:

STATEMENT OF COMPLIANCE

....., 19.....

I, ..., ...
(Name of signatory party) (Title)

do hereby state:

That I pay or supervise the payment of the persons employed by

..... on the .....
(Contractor, subcontractor or public body) (Building or project)

and that all mechanics, teamsters, chauffeurs and laborers employed on said project have been paid in accordance with wages determined under the provisions of sections twenty-six and twenty-seven of chapter one hundred and forty-nine of the General Laws.

Signature .....

Title .....

The above-mentioned copies of payroll records and statements of compliance shall be available for inspection by any interested party filing a written request to the commissioner for such inspection.

Approved May 3, 1965.

Chap. 418. AN ACT PROVIDING LIFE TENURE FOR WILLIAM D. SULLIVAN, INCUMBENT OF THE OFFICE OF ELECTION COMMISSIONER OF THE CITY OF NEW BEDFORD.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of William D. Sullivan, incumbent of the office of election commissioner of the city of New Bedford, 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 New Bedford.

(The foregoing was laid before the governor on the twenty-seventh day of April, 1965, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 419. AN ACT AUTHORIZING THE TOWN OF NATICK TO CONSTRUCT A WATER STORAGE FACILITY AND LAY WATER MAINS ON LAND KNOWN AS THE HENRY S. HUNNEWELL MEMORIAL TOWN FOREST.

Be it enacted, etc., as follows:

SECTION 1. The selectmen of the town of Natick may take by eminent domain on behalf of the town the right to use a portion of the Henry S. Hunnewell Memorial Town Forest in the town for water supply purposes. The taking shall be made under chapter seventy-nine or eighty A of the General Laws. The particular portion to be included in the taking shall be designated by the selectmen in the order of taking under section one of chapter seventy-nine or in the order of intention to take under section two of chapter eighty A. After the taking, the town may construct and maintain a water storage facility and lay, maintain and relay water mains on the land included in the taking.

SECTION 2. Notice of the taking shall be given to the attorney general under section seven C of chapter seventy-nine of the General Laws or under section three of chapter eighty A. The attorney general shall represent the interests of the public in the taking and in that capacity he may petition for the assessment of damages pursuant to chapter seventy-nine if the taking is made under chapter seventy-nine or shall be made a party respondent to the petition for the taking of real estate under chapter eighty A if the taking is made under chapter eighty A.

SECTION 3. If it is determined in proceedings under chapter seventy-nine or eighty A of the General Laws that the use to be made of the land included in the taking is not consistent with the terms of any public trust in such land, the court shall award damages on account of the interest of the public in such public trust. Such damages, including any interest thereon, shall be set aside and held by the town in trust for the acquisition of real property to be added to the Henry S. Hunnewell Memorial Town Forest or, if such use is determined to be lawful by a court of competent jurisdiction, may be used by the town for the maintenance or improvement of the Henry S. Hunnewell Memorial Town Forest. Either

the superior court or the probate court in and for the county of Middlesex shall have jurisdiction for the purposes of the foregoing sentence.

SECTION 4. The selectmen and the attorney general are authorized to compromise any claim for damages on account of any public interest in any public trust in the land included in the taking and any damages agreed upon in any compromise shall be set aside and held in trust as provided in section three of this act.

SECTION 5. Any damages which may be paid on account of any public or private interest in the land included in the taking, including any interest and costs payable thereon, shall be deemed to be a part of the cost of constructing the water storage facility or of laying the water mains, as the case may be, for the purpose of appropriating or borrowing money therefor.

SECTION 6. Any proceedings heretofore taken by any town meeting in the town of Natick authorizing the planning or construction of the water storage facility or the planning or laying of the water mains or appropriating any money therefor and any such proceedings which are hereafter taken but which may have been initiated heretofore by the issue of a town meeting warrant or otherwise shall be deemed valid to the same extent as if this act had been in effect at the time such proceedings were taken or initiated.

SECTION 7. This act shall take effect upon its passage.

Approved May 5, 1965.

Chap. 420. AN ACT AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE TOWN OF MARBLEHEAD OF THE QUESTION OF APPROPRIATING MONEY FOR AN EXPERT APPRAISAL OF THE TAXABLE REAL ESTATE IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. There shall be submitted to the voters of the town of Marblehead at the annual town election to be held in the year nineteen hundred and sixty-six the question of having an expert appraisal of the taxable real estate in the town and appropriating therefor the sum of fifty thousand dollars, said question to be placed on the official ballot to be used in said election in substantially the following form: —

"Shall the town raise and appropriate the sum of fifty thousand dollars for the purpose of having an expert appraisal of its taxable real estate?

YES.	
NO.	

".

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

Approved May 5, 1965.

Chap. 421. AN ACT AUTHORIZING THE TOWN OF MIDDLETON TO BORROW MONEY FOR WATER PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Middleton, for the purpose of establishing a water supply and distributing system in accordance with the provisions of chapter forty of the General Laws, may borrow from time to time, within five years after the passage of this act, such sums as may be necessary not exceeding, in the aggregate, one million two hundred

thousand dollars, and may issue bonds or notes of said town therefor which shall bear on their face the words, Middleton Water Loan, Act of 1965. 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 under this act shall be in excess of the amount prescribed by the last paragraph of section eight of chapter forty-four of the General Laws but, 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 May 5, 1965.

Chap. 422. AN ACT RELATIVE TO THE SALARIES OF CERTAIN JUDGES OF PROBATE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section two of chapter seven hundred and fifty-six of the acts of nineteen hundred and sixty-three, any judge of probate who was appointed to said office between November fourteenth, nineteen hundred and sixty-three and January fifth, nineteen hundred and sixty-five, both dates inclusive, shall receive such salary as is provided by section thirty-four of chapter two hundred and seventeen 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 5, 1965.

Chap. 423. AN ACT RELATIVE TO THE SALARIES OF CERTAIN CLERKS OF THE DISTRICT COURTS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section six of chapter eight hundred and forty-one of the acts of nineteen hundred and sixty-three, any person appointed to the office of clerk of a district court between the first day of July, nineteen hundred and sixty-three and the fifth day of January, nineteen hundred and sixty-five, both dates inclusive, shall receive such salary as is provided by section seventy-nine of chapter two hundred and eighteen of the General Laws, said salary to be effective as of the date of his appointment. *Approved May 5, 1965.*

Chap. 424. AN ACT MAKING THE LAW PROVIDING FOR THE DECENNIAL DIVISION OF CITIES INTO WARDS MANDATORY AS TO CERTAIN CITIES.

Be it enacted, etc., as follows:

Chapter 54 of the General Laws is hereby amended by striking out section 1, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 1.* In nineteen hundred and seventy-four, and every tenth year thereafter, in March, a city, by vote of its city council, may, or, if the existing wards in such city do not contain, as nearly as can be ascertained, an equal number of

voters, shall, make a new division of its territory into such number of wards as may be fixed by law. The boundaries of such new wards shall be so arranged that the wards shall contain, as nearly as can be ascertained and as may be consistent with well defined limits to each ward, an equal number of voters. The city clerk shall forthwith give written notice to the state secretary of the number and designation of the wards so established, together with an official description of said wards.

If, in April in any such year, a complaint in writing is filed with the attorney general by ten or more voters of a city, alleging that such city was required to make a new division of the territory thereof into wards under the provisions of the preceding paragraph but has failed to do so within the time therein provided, the attorney general shall, if he is satisfied that the allegations of said complaint are true, not later than the end of the month of May in such year, bring a petition in the name of the commonwealth in the superior court to compel such city to comply with the provisions of this section. Upon such petition the superior court shall have jurisdiction in equity to enforce said provisions and may issue any appropriate orders or decrees it deems necessary to ensure such new division being made not later than December in such year.

Any such new division made under the provisions of this section shall, for the purposes of the special enumeration of the legal voters in each ward of such city required by the constitution, take effect on January first of the year following, but for all other purposes shall take effect only as provided in section four. *Approved May 5, 1965.*

Chap. 425. AN ACT RELATIVE TO ADMISSIBILITY IN EVIDENCE IN CASES OF CONTRACT OR TORT FOR MALPRACTICE, OF CERTAIN STATEMENTS OF FACT OR OPINION CONTAINED IN PUBLISHED TREATISES, PERIODICALS, BOOKS AND PAMPHLETS.

Be it enacted, etc., as follows:

Chapter 233 of the General Laws is hereby amended by striking out section 79C, inserted by section 1 of chapter 183 of the acts of 1949, and inserting in place thereof the following section: — *Section 79C.* Statements of facts or opinions on a subject of science or art contained in a published treatise, periodical, book or pamphlet shall, in so far as the court shall find that the said statements are relevant and that the writer of such statements is recognized in his profession or calling as an expert on the subject, be admissible in actions of contract or tort for malpractice, error or mistake against physicians, surgeons, dentists, optometrists, hospitals and sanitaria, as evidence tending to prove said facts or as opinion evidence; provided, however, that the party intending to offer as evidence any such statements shall, not less than thirty days before the trial of the action, give the adverse party or his attorney notice of such intention, stating the name of the writer of the statements, the title of the treatise, periodical, book or pamphlet in which they are contained, the date of publication of the same, the name of the publisher of the same, and wherever possible or practicable the page or pages of the same on which the said statements appear.

Approved May 5, 1965.

Chap. 426. AN ACT DEFINING THE TERM "MOTEL" AS USED IN CERTAIN STATUTES.

Be it enacted, etc., as follows:

Section 32A of chapter 140 of the General Laws, as most recently amended by section 3 of chapter 592 of the acts of 1964, is hereby further amended by adding the following sentence: — The term "motel", as used in section twenty-seven, in this section, and in sections thirty-two B to thirty-two E, inclusive, shall be construed to mean any building or group of buildings which provide sleeping accommodations for transient motorists and which is not licensed as an inn.

Approved May 5, 1965.

Chap. 427. AN ACT AUTHORIZING THE BOARD OF REGISTRATION IN MEDICINE TO REGISTER AS A QUALIFIED PHYSICIAN CAPTAIN STEPHEN J. RYAN, UNITED STATES MEDICAL CORPS, RETIRED.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section three of chapter one hundred and twelve of the General Laws, the board of registration in medicine may register as a physician, Captain Stephen J. Ryan, United States Medical Corps, Retired, provided that the said Stephen J. Ryan shall pass such qualifying examination as said board in its discretion deems proper, and that said Stephen J. Ryan shall meet all the requirements of section two of said chapter one hundred and twelve, and provided that said board shall determine, having in mind the service of said Stephen J. Ryan in the United States Medical Corps, that the said Stephen J. Ryan is qualified to practice medicine in the commonwealth.

Approved May 5, 1965.

Chap. 428. AN ACT FURTHER DEFINING THE PERSONS WHO MAY FILE SCHEDULES OF MINIMUM CONSUMER PRICES FOR ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

Section 25C of chapter 138 of the General Laws is hereby amended by striking out paragraph (*c*), as appearing in chapter 385 of the acts of 1952, and inserting in place thereof the following paragraph: —

(*c*) Such schedule may be filed by (1) the manufacturer, importer or wholesaler who owns such brand if licensed by the commission, or (2) any wholesaler, importer or manufacturer licensed by the commission, with the approval of the commission.

Approved May 5, 1965.

Chap. 429. AN ACT MAKING CERTAIN CHANGES IN THE LAW RELATIVE TO THE HISTORIC BEACON HILL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 616 of the acts of 1955 is hereby amended by striking out the first paragraph and inserting in place

thereof the following paragraph: — There shall be in the building department of the city a board, known as the Beacon Hill Architectural Commission, consisting of five commissioners, and five alternates, appointed by the mayor of the city as follows: — one commissioner from two candidates, and one alternate from two other candidates, nominated by the Beacon Hill Civic Association, Inc., one commissioner from two candidates, and one alternate from two other candidates, nominated by the Greater Boston Real Estate Board, one commissioner from two candidates, and one alternate from two other candidates, nominated by The Boston Society of Architects, one commissioner from two candidates, and one alternate from two other candidates, nominated by the Society for the Preservation of New England Antiquities, and one commissioner, and one alternate, selected at large by the mayor. As the term of any commissioner expires, his successor shall be appointed in like manner as such commissioner for a term of five years. Any vacancy in the office of a commissioner shall be filled in like manner for the unexpired term. As the term of any alternate expires, his successor shall be appointed in like manner as such alternate. Any vacancy in the office of an alternate shall be filled in like manner. Every person appointed an alternate shall be so appointed that his term will expire at the same time as the term of the incumbent commissioner appointed in the same manner as such alternate. Every commissioner and every alternate shall continue in office after the expiration of his term until his successor is duly appointed and qualified. Any commissioner or alternate may be removed by the mayor as provided in section fourteen of chapter four hundred and eighty-six of the acts of nineteen hundred and nine. Whenever there is a vacancy in the office of a commissioner, or whenever a commissioner is absent or unable for any cause to perform his duties, the alternate appointed in the same manner as such commissioner shall exercise the powers and perform the duties of such commissioner; but an alternate shall not otherwise be deemed to be, or act as, a member of the board.

SECTION 2. Said section 4 of said chapter 616 is hereby further amended by inserting after the second paragraph the following paragraph: —

The commission may adopt, amend and repeal rules for the regulation of its affairs and the conduct of its business, and shall be deemed to be a department of the City for the purposes of section fifty-three A of chapter forty-four of the General Laws.

SECTION 3. Said chapter 616 is hereby further amended by striking out section 6 and inserting in place thereof the following section: — *Section 6. Certificate of Non-applicability of Statute.* — Except in cases excluded by section nine of this act, every person about to apply to the building commissioner for a permit to construct any structure in the Historic Beacon Hill District or to reconstruct, alter or demolish any structure now or hereafter in said district shall deposit with the secretary of the commission his application for such permit together with such plans, specifications and other material as the commission may from time to time prescribe. Within eight days thereafter, Saturdays, Sundays and legal holidays excluded, the commission or such commissioner or commissioners as the commission may from time to time designate so to do shall consider such application, plans, specifications and other material and determine whether any exterior architectural feature is in-

volved. If it is so determined that no exterior architectural feature is involved, the secretary of the commission shall endorse on the application forthwith a certificate of such determination and return the application, plans, specifications and other material to the applicant.

SECTION 4. The second paragraph of section 7 of said chapter 616 is hereby amended by striking out, in line 1, the word "five" and inserting in place thereof the word: — eight —, and by inserting after the word "commission", in line 3, the words: — or such commissioner or commissioners as the commission may from time to time designate so to do.

SECTION 5. The third paragraph of said section 7, as amended by section 2 of chapter 314 of the acts of 1958, is hereby further amended by striking out, in line 2, the word "twenty" and inserting in place thereof the word: — thirty.

SECTION 6. The fourth paragraph of said section 7, as so amended, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — Thereupon the secretary of the commission shall forthwith by mail, postage prepaid, give notice of such determination to the applicant and to every person filing written request for such notice, transmitting therewith an attested copy of the reasons and recommendations, if any, spread upon the records of the commission.

SECTION 7. Section 10 of said chapter 616 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Any person aggrieved by a determination of the commission may, within thirty days after the making of such determination, appeal to the superior court sitting in equity for the county of Suffolk; provided that within eight days, exclusive of Saturdays, Sundays and legal holidays, after the secretary of the commission mails the notices provided for by the fourth paragraph of section seven, such person files with such secretary written notice of his intention to appeal.

SECTION 8. The first paragraph of section 11 of said chapter 616, as appearing in section 5 of chapter 314 of the acts of 1958, is hereby amended by adding at the end the following sentence: — Whoever, after notice from the secretary of the commission, maintains any exterior architectural feature now or hereafter in the Historic Beacon Hill District in violation of this act shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, and each day during any portion of which such violation is allowed to continue shall be considered a separate offense. *Approved May 5, 1965.*

Chap. 430. AN ACT RELATIVE TO THE CONVERSION OF CO-OPERATIVE BANKS INTO FEDERAL SAVINGS AND LOAN ASSOCIATIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 49 of chapter 170 of the General Laws is hereby amended by striking out the first three paragraphs and inserting in place thereof the following two subsections: —

(A) 1. Any such corporation may convert itself into a federal savings and loan association, subject to the conditions hereinafter set forth. Such corporation, hereinafter referred to as the applicant, shall file in triplicate with the board of bank incorporation, hereinafter referred to

as the board, an application in such form as the board shall prescribe, and the board forthwith shall cause a copy to be furnished to The Co-operative Central Bank. The application shall be signed and sworn to by the president, treasurer and at least two thirds of all the applicant's directors. The application shall contain the following: —

(*a*) A detailed statement of the reasons why the applicant wishes to convert. If the applicant alleges as a reason, in substance, that the charter of a federal savings and loan association or the powers granted thereby are broader than those of a co-operative bank, the application shall specifically set forth the differences claimed, and shall be accompanied by copies of the applicable federal laws and regulations and the laws and regulations of the commonwealth relied upon by the applicant in support of such allegation.

(*b*) A statement authorizing the commissioner of banks to furnish to the board copies of any criticism contained in reports of examination or audit of the applicant, together with any correspondence in reference thereto and such other information as the board may deem material.

(*c*) A statement giving specific reasons why and in what respects public convenience and advantage will be promoted by the conversion.

(*d*) A detailed statement as to the reasons why the conversion will result in no undue injury to any other banking institution chartered by the commonwealth and located in the city or town in which the applicant is situated, and will have no adverse effect upon the co-operative bank system or the savings bank system of the commonwealth, upon the banking system of the commonwealth, as a whole, or upon the public.

(*e*) A statement of the reasons why no consolidation is feasible between the applicant and another co-operative bank or banks situated in the same county as the applicant, and a summary of any negotiations for consolidation had with any other co-operative bank or banks and the names thereof and the results of such negotiations.

(*f*) A detailed statement setting forth a summary of any discussions or negotiations which at any time have occurred between the applicant and any federal savings and loan association for their merger or consolidation, including the name of such association and the results of such discussions or negotiations; and a statement as to whether the applicant contemplates merger or consolidation or sale of all or substantially all of its assets to any federal savings and loan association after the applicant's conversion, if consummated. Said application shall have attached thereto a copy of the charter or certificate of incorporation of the applicant, and a copy of the statement of assets and liabilities of the applicant as of its bank day next preceding the date of the application, to which statement shall be attached an exhibit setting forth the total number of all shareholders of the applicant as shown by its last preceding annual report to the commissioner.

2. The board, after receipt of such application in form and substance satisfactory to it, shall furnish the applicant with a form of notice specifying the name and location of the applicant and its proposed name after conversion, and assigning a date and place for a public hearing on the application. The applicant shall publish the notice at least once a week for three successive weeks, in one or more newspapers designated by said board and published in the town wherein the main office of the applicant is located or, if there is no newspaper in said town, in the

town nearest to the location of the applicant wherein a newspaper is published.

3. The hearing before the board shall be conducted in accordance with the provisions of chapter thirty A. The board shall receive evidence as to whether or not public convenience and advantage will be promoted by the proposed conversion, and such other evidence as the board may deem material; provided, however, that there shall not be admitted in evidence any letter or oral statement appearing in substance to favor or not object to the application, or appearing to be in opposition thereto, unless offered at the hearing as testimony by the person who shall have signed such letter or made such statement. The Co-operative Central Bank and the Massachusetts Co-operative Bank League, respectively, shall be admitted as parties upon request of their counsel or duly authorized officer. The division of banks and loan agencies shall be an adverse party and it shall be represented by its general counsel or, in his absence or disability, by counsel of such division designated by the commissioner of banks. Any such party shall be deemed to be an aggrieved party in the event a petition for review is filed pursuant to paragraph 7 of this subsection.

4. In determining whether or not public convenience and advantage will be promoted by the proposed conversion, the board shall give careful consideration to the following factors: —

(*a*) The convenience and advantage of the conversion to the applicant and its shareholders, and to the people in the immediate community who do business with the applicant.

(*b*) The effect of the conversion, if approved, upon the co-operative bank system and the savings bank system of the commonwealth, upon the banking system of the commonwealth, as a whole, and upon the public.

(*c*) That the conversion, if approved, will not be incompatible with legislative policies entrusted to the board for observance.

(*d*) That the necessity exists in the community in which the applicant is situated for a federal savings and loan association in lieu of a co-operative bank.

(*e*) That there is a reasonable probability that the applicant, if converted, will be more successful as a federal savings and loan association than it would be if it continued as a co-operative bank.

(*f*) That the applicant can be converted without undue injury to any other properly conducted banking institution chartered by the commonwealth and located in the same city or town as the applicant.

(*g*) That because changes in many of the charter provisions and powers of federal savings and loan associations may be accomplished at any time by federal regulation, whereas changes in charter provisions and powers of co-operative banks usually may be accomplished only by the general court, any advantage in charter provisions or powers appearing to be possessed at the time of the hearing by federal savings and loan associations over co-operative banks may be temporary, and properly may be the subject of a change in the state banking laws by the general court.

5. If in the judgment of the board, the applicant shall have affirmatively shown at the public hearing that the public interest will be better served by the conversion than without it, and if after considering the

evidence properly admitted at such hearing and the factors specified in paragraph 4, the board determines that public convenience and advantage will be promoted by the conversion, the board shall grant approval thereof which shall be deemed revoked if the applicant does not consummate such conversion within one year after the date of such approval.

6. If the board refuses to grant approval of the conversion, no further proceedings shall be had, but a new application may be filed after one year from the date of the refusal, and such application shall be subject to all of the requirements of this section.

7. Upon the grant of or refusal to grant such approval by the board, the supreme judicial court upon application of a person aggrieved thereby shall have jurisdiction to review and to confirm, modify or set aside the action of the board.

(B) 1. If the board shall grant its approval of the conversion, such conversion may be effected if authorized by an affirmative vote of a number of shareholders of such corporation entitled to vote, equal at least to a majority of the total number of all shareholders of such corporation as shown by its last preceding annual report to the commissioner; provided, that such vote shall be by shareholders voting in person or by proxy at a meeting especially called to consider the subject. Notice of such special meeting, containing a statement of the time, place and purpose of the meeting, and a form of proxy shall be sent by the clerk of the corporation to each shareholder at his last address appearing upon the records of such corporation, by mail, postage prepaid, at least thirty days before the date of the meeting.

2. There also shall be mailed with the notice of such special meeting such form of letter concerning the proposed conversion as the commissioner may approve; provided, that if the commissioner shall fail to approve the form of such letter within thirty days after receipt by him of a written request therefor, such corporation may mail with said notice such form of letter as the board of directors may approve. No additional letters shall be sent to the shareholders concerning the proposed conversion until approved by the commissioner.

3. A proxy used at such meeting shall not be valid unless it is in writing, signed by the shareholder, and is in such form as clearly will enable such shareholder to select and indicate his choice as to whether he favors or opposes the proposed conversion.

4. The commissioner, by his examiners or by a certified public accountant designated by him, may, at the expense of such corporation, supervise the preparation and mailing of such notice, statement, letters and form of proxy and may cause the proxies received by such corporation from shareholders to be examined and verified prior to, at or after such meeting.

SECTION 2. Said section 49 of said chapter 170 is hereby further amended by striking out the fourth paragraph, as appearing in section 1 of chapter 371 of the acts of 1950, and inserting in place thereof the following subsection: —

(C) After compliance with subsection (A) and approval of such conversion by the shareholders as required by subsection (B) and upon the approval of the conversion by the appropriate federal supervising authority to the extent required by applicable provisions of federal law

and regulations thereunder, and the issuance by such authority of a federal savings and loan association charter, such corporation shall cease to be a member bank of The Co-operative Central Bank, referred to in section one of chapter forty-five of the acts of nineteen hundred and thirty-two, as amended, and in section one of chapter seventy-three of the acts of nineteen hundred and thirty-four, as amended, hereinafter called the central bank, and shall cease to be a participating bank in the Co-operative Banks Employees Retirement Association referred to in sections fifty-one to fifty-three, inclusive, of this chapter.

SECTION 3. The fifth paragraph of said section 49 of said chapter 170, as so appearing, is hereby amended by striking out, in line 1, the word "After" and inserting in place thereof the following: — (D) After.

SECTION 4. Chapter three hundred and eighty-six of the acts of nineteen hundred and sixty-four is hereby repealed.

SECTION 5. This act shall take effect on January first, nineteen hundred and sixty-six. *Approved May 5, 1965.*

Chap. 431. AN ACT AUTHORIZING THE CITY OF FALL RIVER TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Fall River is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said city is hereby authorized to pay, such of the unpaid bills incurred by the Veterans' Benefits department of said city and totaling fourteen thousand and sixty dollars and eighty-four cents as set forth in a list on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city, by reason of their being incurred in excess of available appropriations, and as are certified for payment by said Veterans' Benefits department, wherein the bills were contracted; provided, that the money so appropriated to pay such bills shall be raised by taxation in said city.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its acceptance by the city of Fall River. *Approved May 5, 1965.*

Chap. 432. AN ACT AUTHORIZING THE CITY OF HOLYOKE TO PAY A CERTAIN SUM OF MONEY TO THE CHEMICAL CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. The city of Holyoke is hereby authorized to appropriate money for the payment of, and after such appropriation, the treasurer of said city is hereby authorized to pay to The Chemical Corporation the sum of twenty-five hundred and sixty-four dollars, for salt furnished to the department of public works of said city in the year nineteen hundred and sixty-three, payment for which is legally unenforceable against 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 a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the salt for which said bill has been submitted was ordered by an official or an employee of said city, and that such salt was 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 salt which was 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 Holyoke. *Approved May 5, 1965.*

Chap. 433. AN ACT PROVIDING FOR AN INCREASE IN THE AMOUNT OF THE ANNUITIES TO CERTAIN WIDOWS OF EMPLOYEES KILLED OR WHO DIED AS A RESULT OF INJURIES RECEIVED IN LINE OF DUTY.

Be it enacted, etc., as follows:

Chapter 32 of the General Laws is hereby amended by inserting after section 89C the following section: —

Section 89D. In any city or town which accepts the provisions of this section the widow of any employee who was killed, or who died from injuries received, or died as the natural and proximate result of undergoing a hazard peculiar to his employment, while in the performance of his duty, and whose death occurred prior to the effective date of any law providing benefits to his widow, shall be paid an annuity in the amount of two thousand dollars so long as she remains unmarried.

The provisions of section eighty-nine C shall not apply to any city or town which accepts this section. *Approved May 5, 1965.*

Chap. 434. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO CONVEY CERTAIN LAND IN THE CITY OF BOSTON TO THE UNIVERSITY HOSPITAL, INC. IN EXCHANGE FOR CERTAIN OTHER LAND IN SAID CITY.

Be it enacted, etc., as follows:

The department of mental health, in the name of and on behalf of the commonwealth, is hereby authorized to convey to the University

Hospital, Inc., a certain parcel of land at East Newton and Stoughton streets in the city of Boston, bounded and described as follows: — Northwesterly by the southeasterly boundary of a passageway called the Hospital driveway, 199.999 feet; northeasterly by East Newton street, 87.506 feet; southeasterly by a line parallel to the southeasterly boundary of the Hospital driveway, 199.999 feet; and southwesterly by Stoughton street, 87.506 feet. In consideration of such conveyance, University Hospital, Inc. shall convey to the commonwealth a certain parcel of land in said city, bounded and described as follows: — Southeasterly by Albany street, 200.144 feet; southwesterly by Stoughton street, 87.506 feet; northwesterly by a private way called Thorn street, 200.144 feet; and northeasterly by East Newton street, 87.506 feet.

Approved May 5, 1965.

Chap. 435. AN ACT AUTHORIZING THE COMMONWEALTH TO GRANT EASEMENTS OVER, ACROSS AND UPON CERTAIN LAND IN THE TOWNS OF GROVELAND AND GEORGETOWN, FOR THE TRANSMISSION OF ELECTRIC POWER, TO MASSACHUSETTS ELECTRIC COMPANY.

Be it enacted, etc., as follows:

Subject to the approval of the governor, the director of the division of fisheries and game, in the name and behalf of the commonwealth, in consideration of a sum of not less than three thousand dollars, may grant to Massachusetts Electric Company, an electric company organized and existing under the laws of the commonwealth, easements for the construction, maintenance and operation of towers, poles and wires for the transmission of electricity on, over and across certain portions of lands of the commonwealth in the towns of Groveland and Georgetown, which lands are under the control and custody of said division of fisheries and game. Said easements shall be in such form and at such locations as the said director may approve and deem proper.

Approved May 10, 1965.

Chap. 436. AN ACT AUTHORIZING THE COMMONWEALTH TO GRANT TO MONTAUP ELECTRIC COMPANY EASEMENTS OVER, UNDER, ACROSS AND UPON CERTAIN LAND IN THE TOWN OF BRIDGEWATER, FOR THE TRANSMISSION OF ELECTRIC POWER.

Be it enacted, etc., as follows:

Subject to the approval of the governor, the commissioner of correction, in the name and behalf of the commonwealth, in consideration of a sum to be determined by the commissioner of correction and by the commissioner of administration, may grant to Montaup Electric Company, an electric company organized and existing as a corporation under the laws of the commonwealth, its successors and assigns, a perpetual easement for the construction, maintenance and operation of towers, poles, wires and related apparatus for the transmission of electricity on, over, under and across certain portions of lands of the commonwealth in the town of Bridgewater, which lands are under the control and custody of the department of correction. The company shall pay all

appraisal costs involved in determining a fair price for said easement. The easement shall be three hundred feet wide and extend westerly from a point on Titicut street, opposite land of Stiles & Hart Brick Co., for a distance of approximately three thousand seven hundred and fifty feet across the said land of the commonwealth to a point on Bedford street located approximately one thousand three hundred feet northerly of the Taunton river, containing a total of twenty-five and eight tenths acres, more or less, to be shown on a map to be affixed to the right of way easement document, to be recorded in the Registry of Deeds for Plymouth County. Said easement shall be in such form as the commissioner of correction and the commissioner of administration may approve and deem proper. *Approved May 10, 1965.*

Chap. 437. AN ACT TO CLARIFY THE GENERAL GRANT OF POWERS OF THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY.

Be it enacted, etc., as follows:

Section 4 of chapter 701 of the acts of 1960 is hereby amended by striking out clause (*a*) and inserting in place thereof the following clause: —

(*a*) to acquire, maintain, repair and operate a boat line.

Approved May 10, 1965.

Chap. 438. AN ACT EXEMPTING FROM THE CIVIL SERVICE LAW AND RULES CERTAIN OFFICES OR POSITIONS IN THE SERVICE OF THE BOARD OR OFFICER HAVING THE CARE, CUSTODY OR CONTROL OF THE MUNICIPAL AUDITORIUM OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section 1 of chapter 164 of the acts of 1954 is hereby amended by adding at the end the following sentence: — Not exceeding five offices or positions in the service of the board or officer having the care, custody and control of said auditorium shall be exempt from the civil service law and rules. *Approved May 10, 1965.*

Chap. 439. AN ACT PROVIDING FOR THE APPOINTMENT OF A SHELLFISH CONSTABLE IN CERTAIN CITIES AND TOWNS AND DEFINING HIS POWERS AND DUTIES.

Be it enacted, etc., as follows:

Chapter 130 of the General Laws is hereby amended by striking out section 98, as appearing in section 1 of chapter 598 of the acts of 1941, and inserting in place thereof the following section: — *Section 98.* In each city and town bordering on coastal waters the mayor or the selectmen, as the case may be, shall appoint a person, qualified by training and experience in the field of shellfishery management, as shellfish constable. Said shellfish constable shall be appointed for a term of three years, and may be reappointed. He shall, subject to the appointing authority, initiate, promote and manage shellfisheries in such city or

town and shall make or cause to be made such studies as may be necessary to enhance the value of such shellfisheries. He shall enforce all statutes, ordinances, by-laws, rules and regulations relative to shellfish in such city or town. In the performance of his duties, the shellfish constable may request any person who he has cause to believe is engaged in unlawful shellfishing, is in unlawful possession of shellfish, or is in possession of shellfish unlawfully taken, to display forthwith for inspection all shellfish in his possession, and he may arrest without a warrant any person refusing or failing to comply with such request.

Upon the appointment of a shellfish constable under this section, the appointing authority shall forthwith notify the director of the division of marine fisheries and the director of the division of law enforcement.

Approved May 10, 1965.

Chap. 440. AN ACT TRANSFERRING JURISDICTION OF THE TOWN OF HAMPDEN FROM THE DISTRICT COURT OF SPRINGFIELD TO THE DISTRICT COURT OF EASTERN HAMPDEN.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 218 of the General Laws is hereby amended by striking out the first paragraph under the caption *Hampden*, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph: — The district court of eastern Hampden, held at Palmer; Palmer, Brimfield, Hampden, Monson, Holland, Wales and Wilbraham.

SECTION 2. Said section 1 of said chapter 218 is hereby further amended by striking out the last paragraph under the caption *Hampden*, as so appearing, and inserting in place thereof the following paragraph: —

The district court of Springfield, held at Springfield; Springfield, West Springfield, Agawam, Longmeadow, East Longmeadow and Ludlow.

Approved May 10, 1965.

Chap. 441. AN ACT PROVIDING FOR THE SPEEDY TRIAL OF A MISDEMEANOR BY A JURY OF SIX IN THE FOURTH DISTRICT COURT OF BRISTOL.

Be it enacted, etc., as follows:

Chapter 658 of the acts of 1964 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *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, third or fourth 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, third or fourth 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, third or fourth 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, third or fourth 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, third or fourth 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, third or fourth 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 or in the courthouse of the superior court in the city of Taunton in appeals referred to said fourth 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, third and fourth 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.

Approved May 10, 1965.

Chap. 442. AN ACT PROVIDING THAT NONPROFIT MEDICAL SERVICE PLANS MAY INCLUDE BENEFITS FOR VISUAL SERVICES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 176B of the General Laws, as appearing in chapter 306 of the acts of 1941, is hereby amended by inserting after the definition "Medical service" the following definition: —

"Visual service", the optometric services ordinarily provided by registered optometrists and physicians in accordance with accepted practices in the community where the services are rendered. — and by inserting after the definition "Participating physician" the following definition: —

"Participating optometrist", a registered optometrist who agrees in writing with a medical service corporation to perform visual service for subscribers and covered dependents and to abide by the by-laws, rules and regulation of such corporation.

SECTION 2. Section 4 of said chapter 176B, as most recently amended by section 1 of chapter 307 of the acts of 1960, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: — Any medical service corporation may enter into contracts with its subscribers and with participating physicians, dentists, chiropodists (podiatrists) and optometrists licensed under the laws of the commonwealth, for such medical, visual and surgical services as may lawfully be rendered by them to the subscribers and to their dependents, and may pay for such services. The form of agreement with participating physicians, dentists, chiropodists (podiatrists) and optometrists and the rates at which participating physicians, dentists, chiropodists (podiatrists) and optometrists are compensated for their services to the subscribers or to covered dependents, shall at all times be subject to the written approval of the commissioner.

Approved May 10, 1965.

Chap. 443. AN ACT PROVIDING FOR FOUR ADDITIONAL MEMBERS ON THE LEGISLATIVE RESEARCH COUNCIL.

Be it enacted, etc., as follows:

Section 56 of chapter 3 of the General Laws, as amended by chapter 118 of the acts of 1961, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — There is hereby established a legislative research council, hereinafter called the council, to consist of four members of the senate, to be designated annually by the president thereof, and eight members of the house of representatives, to be designated annually by the speaker thereof.

Approved May 10, 1965.

Chap. 444. AN ACT RELATING TO THE ESTABLISHMENT AND OPERATION OF OFF-STREET PARKING FACILITIES BY THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Be it enacted, etc., as follows:

Section 56 of chapter 148 of the General Laws is hereby amended by adding the following sentence: — The provisions of this section shall not

apply to any open-air parking space established under paragraph (*g*) of section three of chapter one hundred and sixty-one A and maintained or conducted by the Massachusetts Bay Transportation Authority or its lessee or licensee. *Approved May 10, 1965.*

Chap. 445. AN ACT EXPEDITING THE PREPARATION AND PUBLICATION OF CIVIL SERVICE LISTS.

Be it enacted, etc., as follows:

Section 12 of chapter 31 of the General Laws is hereby amended by inserting after the first sentence, as appearing in chapter 571 of the acts of 1955, the following two sentences: — An eligible list may be established prior to six months from the date of examination. Where an eligible list for any position is established within six months of the date of the written examination, a provisional appointment or a temporary transfer to fill such position, whether permanent or temporary, may be continued for the period for which such appointment or transfer was authorized, any provision of section fifteen or section sixteen A to the contrary notwithstanding, but not beyond six months and fourteen days from the date of the written examination. *Approved May 10, 1965.*

Chap. 446. AN ACT EXTENDING THE TIME WITHIN WHICH THE MASSACHUSETTS TURNPIKE AUTHORITY MAY LEASE AIR RIGHTS IN CONNECTION WITH THE EXTENSION INTO THE CITY OF BOSTON OF THE MASSACHUSETTS TURNPIKE.

Be it enacted, etc., as follows:

SECTION 1. Section 15A of chapter 354 of the acts of 1952, inserted by section 1 of chapter 505 of the acts of 1963, is hereby amended by striking out, in lines 14 and 15, the word "sixty-six", and inserting in place thereof the word: — sixty-nine.

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

Approved May 10, 1965.

Chap. 447. AN ACT AUTHORIZING THE MASONIC CASUALTY COMPANY TO SET UP AND PROVIDE UNDER ITS BY-LAWS A PLAN FOR THE PAYMENT OF HOSPITAL AND MEDICAL EXPENSES.

Be it enacted, etc., as follows:

SECTION 1. The Masonic Casualty Company, a corporation duly established under the laws of the commonwealth, hereinafter called the corporation, is hereby authorized through action to be taken by its board of directors to establish for its members, their wives and children a plan of insurance protection for hospital expenses and certain medical services in such amounts and for such periods of time as said board shall determine in connection with sickness, disease or accident by creating one independent income fund to be known as The Masonic Casualty Company Hospitalization Fund, hereinafter called the fund. The fund shall be subject to such conditions, limitations, orders, rules and regu-

lations as may be adopted by said board, not inconsistent with the General Laws nor with the provisions of the by-laws of the corporation. The fund shall be maintained, with the accretions thereto, separate and apart from other funds of the corporation. No benefits of any kind shall be paid until there has been accumulated in the fund an amount not less than that received from three monthly contributions or one quarterly contribution, and this amount shall be the minimum of surplus below which additional contributions from members shall be required. There shall be included in the liabilities of the fund reserves for unearned assessments and unpaid claims. No benefits shall be paid on any claim for a period exceeding one year. In the event of liquidation, dissolution or merger of the corporation, the fund shall be terminated and its assets shall be equitably distributed to the persons entitled thereto.

SECTION 2. It shall be a condition precedent to the payment of any claim made under a hospitalization certificate issued by the corporation that the member's certificate of membership in the corporation shall be in full force and effect at the time the claim for hospitalization benefits accrues either to the member or to any one of the member's family whose name is included in said hospitalization certificate.

Approved May 10, 1965.

Chap. 448. AN ACT AUTHORIZING FEMALES TO WORK IN FACTORIES ON NIGHT SHIFTS UNDER CERTAIN CONDITIONS.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 59, as most recently amended by section 1 of chapter 357 of the acts of 1947, and inserting in place thereof the following section: — *Section 59.* No person, and no agent or officer of a person, shall employ a female in any capacity in manufacturing or mechanical establishments before six o'clock in the morning or after eleven o'clock in the evening; provided, however, that a female twenty-one or over may be employed before six o'clock in the morning or after eleven o'clock in the evening in a manufacturing or mechanical establishment if: —

(*a*) the shift on which such female works does not commence or terminate between the hours of eleven o'clock in the evening and six o'clock in the morning;

(*b*) the manufacturing or mechanical establishment operates a first and second shift during which machinery and equipment and other facilities in particular departments, operation or occupations within such an establishment are in full operation during normally scheduled hours, which shall not be less than thirty-five hours for each shift respectively per week except under emergency circumstances, as determined by the commissioner. Within forty-eight hours of the termination of a work week in any shift which has operated at less than thirty-five hours due to emergency circumstances, a written report setting forth the nature of the emergency, the number of hours worked on each shift during such emergency and the expected duration of such emergency shall be sent to the department;

(*c*) convenient public or adequate private transportation is generally available for employees working on a third shift;

(*d*) such female is not the sole occupant of the manufacturing or mechanical establishment; and

(*e*) the employer, before establishing a third shift, notifies the commissioner of his intention to do so.

If the commissioner finds, after notice and opportunity to be heard in a manner prescribed by him and notwithstanding the provisions of chapter thirty A, that any person operating or managing such manufacturing or mechanical establishment has not complied with or is violating any provision of the first paragraph of this section, and notifies in writing such person of his finding, he may order such person, or an agent or officer of such person, to suspend the employment of any female in the operation of any such manufacturing or mechanical establishment before six o'clock in the morning or after eleven o'clock in the evening pending a final determination of such violation as hereinafter provided.

Upon a finding and notification of any such violation, the commissioner shall, at the request of the aggrieved person, forthwith hold a hearing, in accordance with the provisions of chapter thirty A, to make a final determination thereof; provided, however, that notwithstanding any provision of said chapter thirty A to the contrary, he shall hold such hearing not later than ten days after his original finding and notification, and shall render his final determination not later than five days after the termination of such hearing. If the commissioner's determination is that such person is not guilty of any such violation, he shall issue forthwith an order revoking his prior order; if he determines that such person is guilty of any such violation, such prior order shall remain in effect until such time as such person satisfies the commissioner that he has complied with the provisions of the first paragraph of this section. A petition for judicial review of his final determination may be filed in court within ten days of the receipt thereof.

Whoever violates any provision of this section or any order issued by the commissioner hereunder shall be punished by a fine of not less than two hundred and fifty nor more than five hundred dollars.

Nothing herein shall be construed to affect any other provision of this chapter or any regulation or rule published thereunder relative to the safety, health and employment of females. *Approved May 10, 1965.*

Chap. 449. AN ACT FURTHER REGULATING EMPLOYER MEMBERSHIP IN AND CONTRIBUTIONS TO THE CREDIT UNION EMPLOYEES RETIREMENT ASSOCIATION, AND INCREASING THE AMOUNTS OF PENSIONS PAYABLE THEREUNDER.

Be it enacted, etc., as follows:

Chapter 171 of the General Laws is hereby amended by striking out section 31, as most recently amended by section 4 of chapter 294 of the acts of 1961, and inserting in place thereof the following section: — *Section 31.* Fifteen or more credit unions, having assets of fifty thousand dollars or more each, may form the Credit Union Employees Retirement Association, in this section and in sections thirty-two and thirty-three called the association, for the purpose of providing pensions for eligible employees of the participating credit unions who retire on account of age or disability.

All credit unions established under the laws of the commonwealth, the Massachusetts CUNA Association, Inc., the Credit Union League of Massachusetts, Inc., the Central Credit Union Fund, Inc., the Massachusetts Credit Union Share Insurance Corporation, and such other Massachusetts credit union organizations as from time to time may be provided for in the by-laws of the association, and such of the respective employees of each of the foregoing as may be provided by such by-laws, shall be eligible for membership in the association. For the purpose of this section and sections thirty-two and thirty-three a reference to "credit union" or "credit unions" shall, unless the context otherwise requires, mean and include any or all of the organizations named in this paragraph, and reference to "directors" of a credit union shall also, unless the context otherwise requires, mean and include the governing body of each of such organizations.

Eligible employees may contribute a portion of their salaries or wages, to be deducted by the employing credit unions and paid to the association. A participating credit union may contribute to the funds of the association to the extent determined by its directors, but its contributions for future service, as defined in the by-laws, on account of any employee shall not exceed such employee's contribution or five per cent of his wages or salary, whichever is less, and an additional amount of not more than five per cent of that part of such employee's annual salary or wages which is not in excess of ten thousand dollars. A participating credit union may also contribute for past service, as defined in the by-laws, amounts necessary to provide eligible employees with an annuity or pension to begin at age sixty-five or later, such annuity or pension not to exceed two per cent of the average salary for the five years preceding the date such credit union joins the association for each year, but not exceeding twenty-five years, of continuous employment between age thirty and the date of such joining.

In the event that any employee who has been continuously in the employ of such a credit union for ten years or more becomes incapacitated for further service by reason of physical or mental disability before age sixty-five, the employing credit union may pay him a pension in an amount not to exceed two per cent of the average salary for the five years preceding the date of retirement for each year, not exceeding twenty-five years, of continuous service with any and all credit unions. Any pension paid on account of disability may be discontinued at any time by the directors of the employing credit union, and shall be discontinued when any such pensioner substantially recovers his earning capacity.

The funds contributed by participating credit unions and member employees shall be held or used by the trustees of the association for the purchase of annuities or payment of pensions to eligible employees upon their retirement from service, for the payments to beneficiaries or representatives of any member employee of the participating credit union dying before reaching the age of retirement, and for the payment to any such employee retiring from service before becoming entitled to a pension or annuity; or such funds may be invested with the CUNA retirement savings fund for any or all of the aforementioned purposes. Expenses necessary for the administration of the association shall be paid by participating credit unions, on a proportionate basis as provided in the by-laws.

No annuity or pension provided by contributions from any and all credit unions for the benefit of any employee of such a credit union on account of past and future service and on account of disability benefits hereinbefore provided in this section, shall exceed, in the aggregate, three fourths of the first five thousand dollars of his average salary for a five year period, as prescribed in the by-laws, within the ten years preceding the date of retirement, one half of the next ten thousand dollars of such average salary, and one fourth of any additional amount of such average salary.

Any credit union, by the affirmative vote of two thirds of its members present and voting at the annual meeting of the corporation or at a special meeting of the corporation called for such purpose, may affiliate itself directly with and become a participating member of the CUNA retirement savings fund, and may contribute to such fund for the purpose of providing pensions or other benefits to the eligible employees of such participating credit union to the extent determined by its directors, but its contribution for future service on account of any employee shall not exceed such employee's contributions or five per cent of his wages or salary, whichever is less. A participating credit union may also contribute for past service of participating employees, but such contribution shall not be made for more than ten years of such past service and shall not exceed five per cent of the total wages and salaries paid to such employees during such past service period. *Approved May 10, 1965.*

Chap. 450. AN ACT ESTABLISHING THE NORTHFIELD WATER DISTRICT IN THE TOWN OF NORTHFIELD.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Northfield, liable to taxation in said town and residing within the territory served by the Northfield Water Company, a corporation established by chapter three hundred and eighty-five of the acts of eighteen hundred and ninety-eight, bounded and described as follows: — Beginning at the intersection of the southerly bank of Mill Brook and the easterly bank of the Connecticut River and running southeasterly along Mill Brook to its intersection with the southerly bank of Minot Brook; thence easterly along Minot Brook to a point which is in said southerly bank of Minot Brook and is in the easterly line of land of the Northfield Water Company; thence along the easterly line of said Company to the southeasterly corner thereof; thence due south to the northerly bank of Millers Brook; thence westerly along Millers Brook to the Westerly line of the Central Vermont Railroad; thence northerly along the westerly line of the Central Vermont Railroad to the West Northfield Cemetery; thence westerly, northerly and easterly along the West Northfield Cemetery to the westerly line of the Central Vermont Railroad; thence northerly along said westerly line of said railroad to the easterly bank of the Connecticut River; thence northerly along the Connecticut River to the point of beginning, shall constitute a water district and are hereby made a body corporate by the name of the Northfield Water District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and dis-

continue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of the district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. For the purposes aforesaid, the district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, and may take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or acquire by lease, purchase or 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 Northfield 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, processing, purifying and preserving the purity of the water and for conveying the same to any part of the district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the department of public health, and that the location and arrangement of all dams, reservoirs, springs, wells, pumping, purification and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The district may construct and maintain on the lands acquired and held under this act proper dams, wells, springs, reservoirs, standpipes, tanks, pumping plants, buildings, processing plants, fixtures and other structures, including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct pipe lines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroad, railways and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that the manner in which all things are done upon any such way shall be subject to the direction of the selectmen of the town of Northfield. The district shall not enter upon, or construct or lay any conduit, pipe or other works within, the location of any railroad corporation except at such time and in such manner as it may agree

upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. The district may enter upon any lands for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from the district under said chapter seventy-nine or said chapter eighty A; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Northfield Water District Loan, Act of 1965. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 5. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four; and, when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under this act, shall without further vote be assessed upon the district by the assessors of the town of Northfield annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 6. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to section nine.

SECTION 7. Whenever a tax is duly voted by the district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same on property within the district in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act if, in the judgment of the board of water commissioners hereinafter provided for, after a hearing, due notice whereof shall have been given, such estate is so situated that it will receive no aid in the extinguishment of fire from the said system of water supply, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be supplied with water from said system in any ordinary or reasonable manner; but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of

this section shall annually be sent by said board of water commissioners to said assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 8. Any meeting of the voters of the territory included within the territory set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the district to be held prior to the qualification of a majority of the water commissioners, shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the water commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the district.

SECTION 9. The district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in the district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board of water commissioners, but in no event shall it be later than fifteen months subsequent to the date on which the water commissioners were first elected. All the authority granted to the district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district. The treasurer shall not be a water commissioner, and shall give bond to the district in such an amount as may be approved by said water commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said water commissioners shall con-

stitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by the district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its water works except upon a written order of said water commissioners or a majority of them.

SECTION 10. Said board of water commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. If in any year there should be a deficit of revenue, the water commissioners shall in the following year fix the rate so as to meet such deficit together with the estimated operating costs including interest and debt. Said water commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

SECTION 11. The district may adopt by-laws, prescribing by whom and how meetings of the district may be called, notified, and conducted; and, upon the application of ten or more legal voters in the district, meetings may also be called by warrant as provided in section eight. The district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with any other provision of law, and may choose such other officers not provided for in this act as it may deem necessary or proper.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, well, standpipe, aqueduct, pipe or other property owned or used by the district for any of the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year, or both.

SECTION 13. Upon a petition in writing addressed to said board of water commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on the district and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said water commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of

the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 14. Nothing in this act shall authorize the district to supply water for the extinguishment of fires or for domestic or other purposes to the inhabitants of the territory served on the effective date of this act by the Northfield Water Company without its first having acquired by purchase or by eminent domain under chapter seventy-nine of the General Laws, as the occasion may arise, all of the properties of said corporation on said date appurtenant to the business of water supply and located within the territory served by said corporation. In case of dispute as to the territory served by said corporation on said date, the department of public utilities, upon application of the district or of said corporation, shall determine such area and such determination shall be final.

SECTION 15. This act shall take full effect upon its acceptance by a majority vote of the voters of the territory included within the district established by section one present and voting thereon, by the use of a check list, at a district meeting called, in accordance with section eight, within four years after its passage. *Approved May 10, 1965.*

Chap. 451. AN ACT PROVIDING FOR A ONE CENT INCREASE IN THE GASOLINE TAX.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available immediately revenue for the Highway 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:

SECTION 1. The first paragraph of section 4 of chapter 64A of the General Laws, as most recently amended by section 1 of chapter 411 of the acts of 1960, is hereby further amended by striking out the second and third sentences and inserting in place thereof the following two sentences: — At the time of filing such return, every distributor shall pay for the account of the purchaser an excise of six and one half cents on each gallon of fuel sold by him in the commonwealth during the calendar month covered by the return. Every distributor, provided he has complied with all the requirements of this chapter and all pertinent rules and regulations of the state tax commission promulgated hereunder, may withhold and retain from each payment, required to be made by him under the foregoing provisions of this section, an amount equal to eleven thirteenths of one per cent thereof, excluding, however, that portion of payment based on the number of gallons of fuel consumed or used by him, as compensation for services rendered in compliance with this chapter.

SECTION 2. The second paragraph of said section 4 of said chapter 64A, added by section 6 of chapter 617 of the acts of 1957, is hereby amended by striking out, in line 9, the word "five" and inserting in place thereof the word: — six, — so as to read as follows: — Every unclassified importer shall, on or before the last day of each month, file with the commissioner a return under oath, on a form to be furnished by the commissioner, stating the number of gallons of fuel imported or caused to be imported into the commonwealth, during the preceding calendar month,

and shall contain such other information as the commissioner shall require, and shall at the time of filing such return pay to the commissioner for the account of the ultimate purchaser an excise of six and one half cents on each gallon of fuel imported or caused to be imported during the calendar month covered by the return.

SECTION 3. The first paragraph of section 4 of chapter 64E of the General Laws is hereby amended by striking out the second sentence, as amended by section 12A of chapter 718 of the acts of 1956, and inserting in place thereof the following sentence: — At the time of filing such return, every licensee shall pay to the commissioner for the account of the purchaser an excise of six and one half cents on each gallon of special fuels sold or used by him in the commonwealth during the preceding calendar month covered by the return.

SECTION 4. Section 4 of said chapter 64E, as so amended, is hereby further amended by striking out the second paragraph, as appearing in section 2 of chapter 411 of the acts of 1960, and inserting in place thereof the following paragraph: —

Every supplier, provided he has complied with all the requirements of this chapter and all pertinent rules and regulations of the state tax commission promulgated hereunder, may withhold and retain from each payment, required to be made by him under the foregoing provisions of this section, an amount equal to eleven thirteenths of one per cent thereof, excluding, however, that portion of payment based on the number of gallons of special fuels consumed or used by him, as compensation for services rendered in compliance with this chapter.

SECTION 5. The first sentence of section 3 of chapter 64F of the General Laws, as appearing in section 12B of chapter 718 of the acts of 1956, is hereby amended by striking out, in line 10, the word "five" and inserting in place thereof the word: — six, — so as to read as follows: — Any person who, having acquired fuel or special fuels outside the commonwealth, shall use the same for the propulsion of motor vehicles upon or over the highways of the commonwealth, or who has in his possession fuel or special fuels so acquired for such use, including persons who although not residents of the commonwealth shall regularly or habitually use and operate motor vehicles over the highways of the commonwealth, shall be subject to an excise for the privilege of using said highways at the rate of six and one half cents per gallon.

SECTION 6. Section 6 of said chapter 64F, as most recently amended by section 1 of chapter 375 of the acts of 1960, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — At the time of filing such return every licensee shall pay to the commissioner the excise due at the rate of six and one half cents on each gallon of fuel and special fuels used by him in the commonwealth during the calendar quarter covered by the return.

SECTION 7. Every person other than a licensed distributor, as defined in section one of chapter sixty-four A of the General Laws, who, at the commencement of business on the thirteenth day of May, nineteen hundred and sixty-five, has on hand for sale or use fuel, as defined in section one of said chapter sixty-four A, other than such fuel as is wholly contained within the fuel supply tank of a motor vehicle, 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 fuel, and shall, at the time he is required to file such return, pay an additional tax on such fuel at the rate of one cent per gallon. All provisions of chapter sixty-four A of the General Laws relative to the collection, payment, abatement, verification and administration, including penalties and disposition of collections, shall be applicable to the tax imposed by this section.

SECTION 8. Every person other than a licensed supplier, as defined in section one of chapter sixty-four E of the General Laws, who, at the commencement of business on the thirteenth day of May, nineteen hundred and sixty-five, has on hand for sale or use special fuels, as defined in section one of said chapter sixty-four E, other than such special fuels as is wholly contained within the fuel supply tank of a motor vehicle, shall make and file with the commissioner of corporations and taxation within twenty days thereafter a return subscribed under the penalties of perjury showing a complete inventory of such special fuels, and shall, at the time he is required to file such return, pay an additional tax on such special fuels at the rate of one cent per gallon. All provisions of chapter sixty-four E of the General Laws relative to the collection, payment, abatement, verification and administration, including penalties and disposition of collections, shall be applicable to the tax imposed by this section.

SECTION 9. Notwithstanding the provisions of section nine of chapter seven hundred and eighty-two of the acts of nineteen hundred and sixty-two, one half of the proceeds collected on and after the first day of June, nineteen hundred and sixty-five, of the excise imposed by chapter sixty-four A of the General Laws and credited to the Highway Fund and one half of the proceeds collected on and after the first day of June, nineteen hundred and sixty-five, of the excise imposed by chapters sixty-four E and sixty-four F of the General Laws shall be reserved in the highway debt service account within the Highway Fund, to be used for the purposes set forth in said section nine.

SECTION 9A. Notwithstanding the provisions of the first paragraph of section four of chapter sixty-four A of the General Laws, as amended by section one of this act, the second paragraph of said section four of said chapter sixty-four A, as amended by section two of this act, the first paragraph of section four of chapter sixty-four E of the General Laws, as amended by section three of this act, and section six of chapter sixty-four F of the General Laws, as amended by section six of this act, the amount to be paid for the month of May, nineteen hundred and sixty-five by every distributor, unclassified importer and licensee, under said chapters sixty-four A, sixty-four E and sixty-four F, for fuels and special fuels sold or used in the commonwealth or imported or caused to be imported into the commonwealth shall be five and one half cents on each gallon for the period from May first to May twelfth, nineteen hundred and sixty-five, both dates inclusive, and six and one half cents on each gallon for the period from May thirteenth to May thirty-first, nineteen hundred and sixty-five, both dates inclusive.

SECTION 10. This act shall take effect on the thirteenth day of May, nineteen hundred and sixty-five and shall apply to all fuel and special fuels on hand, sold or used in the commonwealth or imported or caused to be imported into the commonwealth on and after said date.

Approved May 11, 1965.

Chap. 452. AN ACT PROVIDING FOR A FORTY-TWO HOUR WORK WEEK FOR FIRE FIGHTERS.

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by inserting after section 58C, the following section: —

Section 58D. The hours of duty of the permanent members of the uniformed fire fighting force in every city and town in which this section is accepted as hereinafter provided shall be so established by the fire commissioner, board of fire commissioners, chief engineer, board of engineers, or other officers having charge of fire fighting that the average weekly hours of duty in any year, other than hours during which such members may be summoned and kept on duty because of conflagrations, shall not exceed forty-two in number; 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-two. Sections fifty-six, fifty-seven, fifty-eight A, fifty-eight B and fifty-nine shall not apply to the permanent members of the uniformed fire fighting force in any such city or town.

This section shall become effective in a city having a Plan D or Plan E charter when accepted by a majority of the members of the city council, and in the case of other cities, by vote of the city council and the approval of the mayor, and in a town by a majority vote at the annual town meeting. *Approved May 11, 1965.*

Chap. 453. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF BARNSTABLE TO ESTABLISH THE CAPE COD PLANNING AND ECONOMIC DEVELOPMENT COMMISSION FOR THE PROTECTION AND DEVELOPMENT OF THE RESOURCES OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of improving, developing and protecting the resources of the county of Barnstable, the county commissioners of said county are hereby authorized to establish a commission, to be known as the Cape Cod planning and economic development commission consisting of the county commissioners of said county and one member, and an alternate to act only in the absence of such member, both to be appointed for a term of three years by the selectmen in each town in said county. Said commission's functions shall include but not be limited to the conduct of research into industrial, business, economic, land and water use, conservation, and recreational conditions, shall seek to coordinate the activities of official and unofficial bodies organized for said purposes, and may prepare, print and distribute reports, books, maps, charts and pamphlets and take any other action which in its judgment will further the purposes for which it is created. Said commission may designate an agent or agents to act administratively for it, may rent office space, and may appoint such experts, clerks and employees as it may require. Members of said commission or its authorized agents may travel within the commonwealth for the purpose of carrying out the provisions of this act.

SECTION 2. Beginning with the fiscal year commencing on January first, nineteen hundred and sixty-five, to meet the expenses incurred under this act there may annually be expended from the treasury of

Barnstable county, subject to appropriation, sums not exceeding sixteen thousand dollars for the first fiscal year and not exceeding fifty thousand dollars annually thereafter. Voluntary contributions, either public or private, for such purposes may be deposited in said treasury. All bills, incurred in carrying out the provisions of this act, shall be accompanied by proper vouchers and shall be paid by the county treasurer only on warrants approved by said commission or a committee appointed by it. No appointments shall be made and no money shall be expended hereunder except by the affirmative vote of a majority of the members of said commission.

SECTION 3. Said commission shall elect its own chairman and such other officers as it may by rule provide, and may make such other rules and regulations not inconsistent with the provisions of this act as it may by majority vote provide. Members of said commission shall serve without compensation, but the county shall pay expenses reasonably incurred by said commission and its members in carrying out its responsibilities.

SECTION 4. No monies expended under this act shall be used for recreational advertising or promotion.

SECTION 5. This act shall take effect upon its passage.

Approved May 12, 1965.

Chap. 454. AN ACT RELATIVE TO VENUE OF CERTAIN TRANSITORY ACTIONS IN THE DISTRICT COURTS.

Be it enacted, etc., as follows:

Section 2 of chapter 223 of the General Laws, as most recently amended by chapter 210 of the acts of 1960, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: — Except as provided in section twenty-one of chapter two hundred and eighteen, a transitory action in a district court shall be brought in the county where one of the defendants lives or has his usual place of business, or, if commenced by trustee process, in the county where any person named in the writ as trustee lives or has a usual place of business, and, in either case, in a court within whose judicial district one of the parties or one of the trustees lives or has a usual place of business or in any district court the judicial district of which adjoins and is in the same county as a judicial district in which the defendant lives or has his usual place of business except that an action may be brought in the municipal court of the city of Boston as provided in section fifty-four of chapter two hundred and eighteen.

Approved May 12, 1965.

Chap. 455. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR WALTER E. MONT, INCUMBENT OF THE OFFICE OF INSPECTOR OF WIRES, SUPERINTENDENT OF STREET LIGHTS, AND SUPERINTENDENT OF POLICE SIGNAL SYSTEM OF THE CITY OF NEW BEDFORD.

Be it enacted, etc., as follows:

SECTION 1. Walter E. Mont, incumbent of the office of inspector of wires, superintendent of street lights, and superintendent of police sig-

nal system of the city of New Bedford, 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 take effect upon its acceptance by the city of New Bedford. *Approved May 12, 1965.*

Chap. 456. AN ACT AUTHORIZING THE CITY OF LYNN TO ESTABLISH A DEPARTMENT OF PUBLIC WORKS AND CONSOLIDATE CERTAIN DEPARTMENTS THEREIN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law or any ordinance, there shall be established in the city of Lynn a department of public works, hereinafter called the department, which shall be under the direction and control of the commissioner of public works, hereinafter called the commissioner.

SECTION 2. On the fifteenth day of January following acceptance of this act the department shall have all the duties, responsibilities, powers and functions now or from time to time vested by general or special law or any ordinance in the following departments which shall be and are hereby abolished, to wit: Sanitary department, sewer department, water department, street department and engineering department. No contracts, obligations or liabilities in force on the date when this act becomes fully effective shall be affected hereby, but the department shall in all respects be the lawful successor of the departments so abolished.

SECTION 3. The commissioner, with the approval of the mayor and city council, sitting as a body, may from time to time establish such divisions within the department as he shall deem necessary. Each such division shall assume such management and control as shall be determined by the commissioner. He shall fix all the salaries of the personnel under his jurisdiction within the wage scales established by the city council. He shall appoint all employees of the department in accordance with the civil service law and rules excepting the associate commissioners who shall not be subject to the provisions of chapter thirty-one of the General Laws and who, notwithstanding any general or special law to the contrary, shall be appointed for a term of three years by the mayor subject to the approval of the city council.

SECTION 4. The commissioner shall be appointed for a term of three years by the mayor, subject to the approval of the city council. He shall be a person especially fitted by education, training and experience, to perform the duties of his office. He need not be a resident of the city of Lynn when appointed but he shall be a resident therein during his term of office. He shall not be subject to the civil service law and rules and, during his tenure, he shall hold no elective office nor shall he engage in any other business or occupation. Before entering upon his duties the commissioner shall be sworn to the faithful and impartial performance thereof by the city clerk. He shall execute a bond in favor of said city for the faithful performance of his duties in such sum and with such surety as may be fixed or approved by the city council.

SECTION 5. All persons employed by or under the supervision of the departments abolished by section two shall, upon the effective date of this act, be transferred to the department without loss of pay and without change of rating, seniority, retirement or pension rights, or any other privileges under any provision of law or ordinance, notwithstanding that job titles may be changed in the department, subject, however, to the approval of the director of civil service. The incumbent superintendents of the aforesaid departments affected by this act, when transferred to the department as hereinbefore provided, shall become the associate commissioners of the corresponding divisions of the department for the remainder of their terms of office, if any, and may be appointed for successive terms of office thereafter.

SECTION 6. In order to carry out the provisions of this act the city council is hereby authorized to enact such ordinances as may be necessary.

SECTION 7. The mayor with the approval of the city council, or the city council, by a two-thirds vote of all of its members may remove the commissioner or the associate commissioners before their terms of office expire. At least fifteen days before such proposed removal shall become effective there shall be filed with the city clerk a preliminary written resolution setting forth in detail the reason for the proposed removal and a copy of said resolution shall be served upon the person to be removed.

SECTION 8. The commissioner may by letter filed with the city clerk designate a qualified member of the department or other city official to perform his duties during his temporary absence or disability. In the event of the failure of the commissioner to make such designation the mayor with the approval of the city council may so designate such person to perform the duties of the commissioner until his return or his disability shall cease.

SECTION 9. This act shall be submitted for acceptance to the registered voters of the city of Lynn at its next municipal election to be held in the current year in the form of the following question, which shall be placed upon the official ballot to be used at said election: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-five, entitled 'An Act authorizing the city of Lynn to establish a department of public works and consolidate certain departments therein', be accepted?" If a majority of the votes in answer to said question is in the affirmative then this act shall thereupon take full effect, but not otherwise. *Approved May 12, 1965.*

Chap. 457. AN ACT REQUIRING CERTAIN PUBLIC SERVICE CORPORATIONS WHICH PETITION THE DEPARTMENT OF PUBLIC UTILITIES FOR TRANSMISSION RIGHTS IN AN AREA TO FORWARD A COPY OF SAID PETITION TO EACH CITY AND TOWN IN SAID AREA.

Be it enacted, etc., as follows:

Section 72 of chapter 164 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the first sentence the following sentence: — The company shall forward at the time of filing such petition a copy thereof to each city and town within such area. *Approved May 12, 1965.*

Chap. 458. AN ACT PROVIDING FOR THE CONTROL OF NUISANCE INSECT, VEGETABLE AND ANIMAL LIFE AT MUSQUASHIAT POND IN THE TOWN OF SCITUATE.

Be it enacted, etc., as follows:

Chapter 423 of the acts of 1955 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The state reclamation board is hereby directed to annually advise the board of selectmen of the town of Scituate as to the approximate cost of controlling nuisance insect, vegetable and animal life in and about Musquashiat pond in the said town. *Approved May 12, 1965.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 17, 1965.

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

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 458 of the Acts of 1965 entitled "An Act Providing for the Control of Nuisance Insect, Vegetable and Animal Life at Musquashiat Pond in the Town of Scituate." and the enactment of which received my approval on May 12, 1965, 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 pond is surrounded by residents and the health problem is intensified during the summer season. There have been many complaints from the people living there and any delay in the enforcement of this bill would tend to increase the known health hazard and unsanitary condition.

Sincerely,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 18, 1965.

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

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 459. AN ACT VALIDATING THE PROCEEDINGS OF THE TOWN OF WINCHESTER AT ITS ANNUAL TOWN MEETING IN THE YEAR NINETEEN HUNDRED AND SIXTY-FIVE.

Be it enacted, etc., as follows:

SECTION 1. No proceedings otherwise validly taken by the town of Winchester at the annual town meeting and adjourned sessions thereof

held in the current year shall be deemed invalid by reason of the failure to comply fully with the town by-laws relative to the giving of notice of said meeting.

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

Approved May 17, 1965.

Chap. 460. AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO CONVEY THE SITE OF FORT WASHINGTON IN SAID CITY TO THE UNITED STATES OF AMERICA FOR PRESERVATION AND MAINTENANCE AS A NATIONAL HISTORIC MONUMENT.

Be it enacted, etc., as follows:

The city of Cambridge is hereby authorized to convey, without monetary consideration, to the United States of America the site of Fort Washington, located on Waverley street in said city, comprising approximately forty-two thousand one hundred and twenty-three square feet, as shown on a map made by the city of Cambridge and dated December, 1964 and filed in the assessor's office as No. 66 and called "Washington Square", on condition that the United States of America shall preserve and maintain said site as a national historic monument for the inspiration and benefit of the people of the United States, under authority of an act of Congress (74th Session) approved August twenty-first, nineteen hundred and thirty-five. *Approved May 17, 1965.*

Chap. 461. AN ACT PROVIDING FOR THE GRANTING OF AN EASEMENT IN CERTAIN LAND OF THE COMMONWEALTH AT THE STATE COLLEGE AT BRIDGEWATER FOR SEWER CONNECTION PURPOSES.

Be it enacted, etc., as follows:

The board of trustees of the state colleges, in the name of and in behalf of the commonwealth and subject to the approval of the governor, is hereby authorized to grant to the Roman Catholic Archbishop of Boston, a corporation sole, a right of way for a sewer and connection over and under certain land of the commonwealth located at the state college at Bridgewater. Said easement shall consist of a strip of land twenty feet wide and one hundred and sixty feet long extending from the existing sewer manhole east of the state college gymnasium in a southeasterly direction adjacent to the property line of Armstrong to the property of said Roman Catholic Archbishop of Boston. The grantee shall pay all costs of construction and shall assume all responsibility for protection of persons and property on the land of the commonwealth during the construction operations.

Upon completion of the installation of said sewer and connection thereof or of any repair of the same, the grantee shall restore the surface of said land to its appearance and condition as existing immediately prior to such installation or repair. *Approved May 17, 1965.*

Chap. 462. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC HEALTH TO CLEAR THE WEEDS AND OTHER GROWTH FROM QUABOAG POND IN THE TOWNS OF BROOKFIELD AND EAST BROOKFIELD.

Be it enacted, etc., as follows:

The department of public health is hereby authorized and directed to clear the weeds and other growth from Quaboag Pond in the towns of Brookfield and East Brookfield. Said department may employ such experts in the use of herbicides as it deems necessary. Said department may expend for said purpose such sums as may be appropriated therefor. *Approved May 17, 1965.*

Chap. 463. AN ACT PROVIDING FOR THE TESTING AND SEALING OF METERS FOR MEASURING LIQUEFIED PETROLEUM GAS IN LIQUID STATE BY THE DIRECTOR OF STANDARDS AND NECESSARIES OF LIFE.

Be it enacted, etc., as follows:

Section 28A of chapter 98 of the General Laws, as amended by chapter 544 of the acts of 1963, is hereby further amended by inserting after the third sentence the following sentence: — The director or his inspectors under his direction shall test and seal or condemn, according to the results of such test, all meters for measuring liquefied petroleum gas sold in the liquid state. *Approved May 17, 1965.*

Chap. 464. AN ACT REQUIRING THAT THE MAIN DOORS OF CERTAIN APARTMENT HOUSES BE DESIGNED OR EQUIPPED TO CLOSE AND LOCK AUTOMATICALLY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 143 of the General Laws is hereby amended by inserting after section 3Q, inserted by section 1 of chapter 630 of the acts of 1962, the following section: —

Section 3R. At least one of the doors of the main common entry way into every apartment house having more than three apartments shall be so designed or equipped as to close and lock automatically with a lock of a type approved by the board of standards in the department. Whoever, being in control of such premises, wilfully and knowingly violates the provisions of this section shall be punished by a fine of not more than five hundred dollars.

This section shall not apply to lodging houses as defined in section twenty-two of chapter one hundred and forty nor to dormitories of charitable, educational or philanthropic institutions.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-six. *Approved May 17, 1965.*

Chap. 465. AN ACT TO AUTHORIZE THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF WOBURN, MASS. TO MERGE WITH BOSTON YOUNG MEN'S CHRISTIAN ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. The Young Men's Christian Association of Woburn, Mass., a corporation established under the laws of the commonwealth, is hereby authorized to merge with Boston Young Men's Christian Association, a corporation established by virtue of chapter seventy-three of the acts of eighteen hundred and fifty-two.

SECTION 2. Upon the effective date of said merger, The Young Men's Christian Association of Woburn, Mass. shall no longer continue as a separate corporation and Boston Young Men's Christian Association under its existing corporate powers may carry on the activities heretofore carried on by said The Young Men's Christian Association of Woburn, Mass. as part of the activities of said Boston Young Men's Christian Association.

SECTION 3. Upon such merger becoming effective, all property of The Young Men's Christian Association of Woburn, Mass., including all bequests, devises, gifts and transfers of every kind heretofore and hereafter made to it or for its benefit, shall be transferred to and vested in Boston Young Men's Christian Association without further act or deed. Boston Young Men's Christian Association shall have the same powers, rights and privileges with respect to the property of The Young Men's Christian Association of Woburn, Mass. and with respect to such bequests, devises, gifts and transfers as would have been possessed by Boston Young Men's Christian Association had such property been owned by it, and 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 said Boston Young Men's Christian Association otherwise shall have, with respect to such property, bequests, devises, gifts and transfers, the same powers, rights and privileges as would have been possessed by The Young Men's Christian Association of Woburn, Mass. had such merger not been effected.

SECTION 4. Boston Young Men's Christian Association shall be deemed to have assumed, and shall be liable for, all the liabilities and obligations of The Young Men's Christian Association of Woburn, Mass.

SECTION 5. The merger shall not be completed: —

(*a*) unless at a meeting called for the purpose The Young Men's Christian Association of Woburn, Mass. shall, by a majority vote of its incorporators present and voting, have accepted this act; and

(*b*) unless after acceptance as aforesaid by The Young Men's Christian Association of Woburn, Mass., the general board of directors of Boston Young Men's Christian Association shall, at a regular or special meeting called for the purpose, by a majority vote of said directors present and voting, have accepted this act.

SECTION 6. The merger shall be complete and effective upon the filing with the secretary of the commonwealth of certificates signed by the Recording Secretary, or some other officer thereunto duly authorized, of The Young Men's Christian Association of Woburn, Mass. and

by the General Secretary, or some other officer thereunto duly authorized, of Boston Young Men's Christian Association, each of whom shall make affidavit setting forth detailed compliance with the provisions of section five. Said certificates shall be filed not later than ninety days after the said meetings at which this act is accepted.

SECTION 7. Any questions arising as to the powers, rights, privileges and responsibilities of Boston Young Men's Christian Association with respect to the property of The Young Men's Christian Association of Woburn, Mass., including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made to, and for the benefit of, The Young Men's Christian Association of Woburn, Mass., and also any other questions arising as to the legal effect of this act or any of the provisions thereof, may, notwithstanding any general or specific law to the contrary, be initially and finally determined by the supreme judicial court upon the application of any person interested or of the attorney general. *Approved May 17, 1965.*

Chap. 466. AN ACT PROVIDING THAT PERMITS FOR COMMERCIAL SHOOTING PRESERVES MAY BE ISSUED IN ALL COUNTIES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

The first sentence of section 112B of chapter 131 of the General Laws, as appearing in chapter 620 of the acts of 1962, is hereby amended by striking out, in line 3, the words "in the counties of Norfolk, Middlesex and Plymouth". *Approved May 17, 1965.*

Chap. 467. AN ACT INCREASING THE AMOUNT THAT MAY BE EXPENDED BY THE COUNTY COMMISSIONERS OF ESSEX COUNTY FOR ADVERTISING RECREATIONAL, INDUSTRIAL AND AGRICULTURAL ADVANTAGES OF SAID COUNTY, AND FOR MAINTAINING CERTAIN BOOTHS IN CONNECTION THEREWITH.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 53 of the acts of 1963 is hereby amended by striking out, in line 4, the word "fifteen" and inserting in place thereof the word: — twenty-five.

SECTION 2. This act shall take effect upon its acceptance during the current year by the county commissioners of Essex county, but not otherwise. *Approved May 17, 1965.*

Chap. 468. AN ACT PROVIDING THAT CERTAIN TENANTS OF PROPERTY TAKEN BY EMINENT DOMAIN, WHO ARE NOT ENTITLED TO DAMAGES THEREFOR, SHALL BE GIVEN FOUR MONTHS' NOTICE BEFORE BEING REQUIRED TO VACATE THE PREMISES.

Be it enacted, etc., as follows:

Section 8B of chapter 79 of the General Laws, inserted by section 1 of chapter 633 of the acts of 1964, is hereby amended by adding the following paragraph: —

No tenant or lessee in possession of property which has been taken under the provisions of this chapter, but who is not entitled to notice of such taking under the provisions of section seven C, 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 him in writing by certified mail, by personal service, or by leaving an attested copy thereof at his last and usual place of abode, if he is a resident of the commonwealth, or at the portion of the property taken which is so used by him. *Approved May 17, 1965.*

Chap. 469. AN ACT REDEFINING THE TERM "REST HOME" AS USED IN THE LAW REGULATING THE LICENSING OF SUCH HOMES.

Be it enacted, etc., as follows:

Section 71 of chapter 111 of the General Laws is hereby amended by striking out the seventeenth sentence, as amended by chapter 285 of the acts of 1963, and inserting in place thereof the following sentence: — A rest home is defined as any institution, however named, which is advertised, announced or maintained for the express or implied purpose of providing care incident to old age to three or more persons who are ambulatory and who need supervision. *Approved May 17, 1965.*

Chap. 470. AN ACT PROVIDING FOR A FIFTH AND SIXTH ASSISTANT CLERK FOR THE CENTRAL DISTRICT COURT OF WORCESTER.

Be it enacted, etc., as follows:

The third paragraph of section 10 of chapter 218 of the General Laws, inserted by chapter 778 of the acts of 1963, is hereby amended by inserting after the word "fourth", in line 1, the words: — , fifth and sixth, — and by striking out, in line 1, the word "salary" and inserting in place thereof the word: — salaries, — so as to read as follows: — A fourth, fifth and sixth assistant clerk with salaries payable by the county may be appointed, subject to the approval of the county commissioners, in the central district court of Worcester. *Approved May 17, 1965.*

Chap. 471. AN ACT PROVIDING THAT CERTAIN PROFESSIONAL LIBRARIANS, SUBPROFESSIONAL LIBRARIANS AND PAGES SHALL BE EXEMPT FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 31 of the General Laws is hereby amended by inserting after the word "supervisors", as appearing in section 2 of chapter 365 of the acts of 1965, the words: — ; professional librarians and subprofessional librarians who hold certificates issued by the board of library commissioners and pages who are employed in libraries on a part time or intermittent basis and are full time day high school students between the ages of fourteen and eighteen or full time day college students between the ages of seventeen and twenty-three.

SECTION 2. The tenure of office of any person employed on the effective date of this act in any position, other than professional librarian, subprofessional librarian or page, as described in section five of chapter thirty-one of the General Laws, as amended by section one, in any library in any city or town which has accepted the provisions of the civil service law, shall be unlimited, subject, however, to the provisions of the civil service law and rules, provided such incumbent passes a qualifying examination to be given by the division of civil service. If such incumbent passes the examination, he shall be deemed to be permanently appointed thereto without being required to serve a probationary period. If he does not pass the qualifying examination, he may continue to serve for the remainder of the term, if any, for which he was appointed. *Approved May 17, 1965.*

Chap. 472. AN ACT PROVIDING PENALTIES FOR KNOWINGLY VIOLATING CERTAIN RULES AND REGULATIONS OF THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO AIR POLLUTION CONTROL IN THE METROPOLITAN AIR POLLUTION DISTRICT.

Be it enacted, etc., as follows:

The second paragraph of section 142B of chapter 111 of the General Laws, as appearing in section 1 of chapter 676 of the acts of 1960, is hereby amended by adding the following sentence: — Whoever knowingly violates any such rule or regulation shall be punished by a fine of not less than ten nor more than fifty dollars for each offense.

Approved May 17, 1965.

Chap. 473. AN ACT GRANTING CERTAIN POWERS TO THE COMMISSIONER OF PUBLIC HEALTH UPON THE DECLARATION OF AN EMERGENCY.

Be it enacted, etc., as follows:

Chapter 17 of the General Laws is hereby amended by inserting after section 2 the following section: —

Section 2A. Upon declaration by the governor that an emergency exists which is detrimental to the public health, the commissioner may, with the approval of the governor and the public health council, during such period of emergency, take such action and incur such liabilities as he may deem necessary to assure the maintenance of public health and the prevention of disease.

The commissioner, with the approval of the public health council, may establish procedures to be followed during such emergency to insure the continuation of essential public health services and the enforcement of the same.

Upon declaration by the governor that such emergency has terminated, all powers granted to and exercised by the commissioner under this section shall terminate. *Approved May 17, 1965.*

Chap. 474. AN ACT RELATIVE TO PRIMA FACIE SPEED LIMITS.

Be it enacted, etc., as follows:

Section 17 of chapter 90 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by chapter 185 of the acts of 1964, and inserting in place thereof the following sentence: — Unless a way is otherwise posted in accordance with the provisions of section eighteen, it shall be prima facie evidence of a rate of speed greater than is reasonable and proper as aforesaid (1) if a motor vehicle is operated on a divided highway outside a thickly settled or business district at a rate of speed exceeding fifty miles per hour for a distance of a quarter of a mile, or (2) on any other way outside a thickly settled or business district at a rate of speed exceeding forty miles per hour for a distance of a quarter of a mile, or (3) inside a thickly settled or business district at a rate of speed exceeding thirty miles per hour for a distance of one eighth of a mile, or (4) 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 May 17, 1965.

Chap. 475. AN ACT EXTENDING THE TIME FOR SUBMITTING TO THE VOTERS OF THE TOWN OF NORTH READING THE QUESTION OF REMOVING THE OFFICE OF SUPERINTENDENT OF PUBLIC WORKS OF SAID TOWN FROM THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

Section 2 of chapter 107 of the acts of 1965 is hereby amended by striking out, in lines 2 and 3, the words "in the current year" and inserting in place thereof the words: — to be held in the year nineteen hundred and sixty-six.

Approved May 17, 1965.

Chap. 476. AN ACT PROVIDING THAT CERTAIN LICENSES FOR PLACING AND MAINTAINING FILL OVER CERTAIN TIDEWATERS IN THE CITY OF MEDFORD SHALL BE IRREVOCABLE.

Be it enacted, etc., as follows:

Any provision of general or special law to the contrary notwithstanding, license No. 3806 granted by the department of public works to Suburban Drive-In Theatre, Inc. on December twenty-eighth, nineteen hundred and fifty-five, to place solid fill with riprap slopes in the Malden river in conformity with the plan accompanying said license, license No. 3884 granted by said department to the executors under the will of Clarence W. Hall on October first, nineteen hundred and fifty-six, to maintain existing solid fill in said river, and license No. 4904 granted by said department to Suburban Drive-In Theatre, Inc. on February twenty-fourth, nineteen hundred and sixty-five to maintain existing fill in said river, shall be irrevocable upon compliance with the following conditions:

1. Application therefor, pursuant to the provisions of section fourteen of chapter ninety-one of the General Laws;

2. Recording thereof with accompanying plan within one year after the date thereof in the registry of deeds for the southern district registry district of Middlesex county, pursuant to the provisions of section eighteen of said chapter;

3. Payment to the commonwealth of such compensation, if any, as may properly be assessed by said department for tidewater displacement, pursuant to the provisions of section twenty-one of said chapter;

4. Payment to the commonwealth of such compensation, if any, as may be determined by the governor and council for rights granted in any land the title to which is in the commonwealth, pursuant to the provisions of section twenty-two of said chapter;

5. Performance of any work authorized by any such license in accordance with plans submitted to and approved by said department, pursuant to the provisions of section twenty of said chapter;

6. Completion of said authorized work within five years after the date of any such license, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter; and

7. The actual building or making in good faith of valuable structures, fillings, or enclosures under the authority of any such license and during the term thereof, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter.

8. 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.

9. Payment to the commonwealth of such compensation as may be determined by the governor and council for making irrevocable the rights granted in any land the title to which is in the commonwealth.

Approved May 17, 1965.

Chap. 477. AN ACT REQUIRING THAT PERSONS BEING REGISTERED AS VOTERS BE INFORMED THAT THEY MAY, AT THE SAME TIME AND PLACE, ESTABLISH THEIR ENROLLMENT IN A POLITICAL PARTY.

Be it enacted, etc., as follows:

Section 42 of chapter 51 of the General Laws, as most recently amended by section 18 of chapter 437 of the acts of 1962, is hereby further amended by adding the following paragraph: —

Registrars, assistant registrars and absent registration officers shall verbally inform each person being registered as a voter that he may, at the same time and place, establish his enrollment in a political party by signing an appropriate form provided by the registrars of voters. A printed notice containing said information shall also be prominently displayed at the registration place. A registrar, assistant registrar or absent registration officer shall, while registering a voter, have full power and authority to accept such request and establish such enrollment.

Approved May 17, 1965.

Chap. 478. AN ACT PROVIDING LIFE TENURE FOR PATRICK HARRIGAN, INCUMBENT OF THE OFFICE OF EXECUTIVE DIRECTOR AND SECRETARY OF THE SPRINGFIELD HOUSING AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Patrick Harrigan, incumbent of the office of executive director and secretary of the Springfield housing authority, shall be unlimited, but he may be removed for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

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

(*This Bill, returned by the governor, to the Senate, the branch in which it originated, with his objections thereto, was passed by the Senate, May 11, 1965, and, in concurrence, by the House of Representatives, May 17, 1965, the objections of the governor, notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".*)

Chap. 479. AN ACT PROVIDING LIFE TENURE FOR LOUIS FALCETTI, INCUMBENT OF THE OFFICE OF EXECUTIVE DIRECTOR OF THE HOLYOKE HOUSING AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Louis Falcetti, incumbent of the office of executive director of the Holyoke housing authority, shall be unlimited, but he may be removed for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

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

(*This Bill, returned by the governor, to the Senate, the branch in which it originated, with his objections thereto, was passed by the Senate, May 11, 1965, and, in concurrence, by the House of Representatives, May 17, 1965, the objections of the governor, notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".*)

Chap. 480. AN ACT VALIDATING CERTAIN CONTRACTS OF THE TOWN OF WARREN.

Be it enacted, etc., as follows:

SECTION 1. The action of the town of Warren in awarding through its board of selectmen on September thirtieth, nineteen hundred and sixty-three a contract for planning and engineering services for a system or systems of common sewers with such connections and other works as may be required for a system of sewage disposal, and contracts on November twenty-fifth, nineteen hundred and sixty-three, December twenty-seven, nineteen hundred and sixty-three, April first, nineteen hundred and sixty-four, May first, nineteen hundred and sixty-four, September eighth, nineteen hundred and sixty-four and November second, nineteen hundred and sixty-four for the construction of such facilities, together with any additions to or deletions from said contracts, is hereby

validated and confirmed, notwithstanding the failure of the board of selectmen to have appointed a board of sewer commissioners as instructed by a vote of the town meeting under Article 30 at the annual town meeting in nineteen hundred and fifty-five, in accordance with the provisions of section three of chapter two hundred and seventy-five of the acts of nineteen hundred and fifty-one, and any action taken by the town or its officers in connection with such contracts shall be valid and effective for all purposes as though this act were in full effect at the time of the awarding of said contracts.

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

Approved May 20, 1965.

Chap. 481. AN ACT EXTENDING THE TIME WITHIN WHICH THE TOWN OF WESTWOOD MAY BORROW MONEY FOR CERTAIN SEWER PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 380 of the acts of 1955, as amended by section 1 of chapter 358 of the acts of 1960, is hereby further amended by striking out, in line 3, the word "ten" and inserting in place thereof the word: — fifteen, — so as to read as follows: — *Section 8.* For the purpose of paying the necessary expense and liabilities incurred under this act, the town may from time to time, within fifteen years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, three million seven hundred and ninety thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Westwood Sewerage and Drainage Loan, Act of 1955. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

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

Approved May 20, 1965.

Chap. 482. AN ACT RELATIVE TO DEFACING PUBLIC OR PRIVATE PROPERTY.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by striking out section 126, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 126.* Whoever paints, or puts upon, or in any manner affixes to, any fence, structure, pole, rock or other object which is public property or the property of another, whether within or without the limits of the highway, any words, device, trade mark, advertisement or notice which is not required by law to be posted thereon, without first obtaining the written consent of the municipal or public officer in charge thereof or the owner or tenant of such property, shall, upon complaint of such municipal or public officer, or of such owner or tenant, be punished by a fine of not less than ten nor more than one hundred dollars, and in addition shall forfeit to the use of the public

or private owner of such property or the tenant thereof the cost of removing or obliterating such defacement to be recovered in an action of tort. Any word, device, trade mark, advertisement or notice which has been painted, put up or affixed within the limits of a highway in violation of this section shall be considered a public nuisance, and may be forthwith removed or obliterated and abated by any person.

Approved May 20, 1965.

Chap. 483. AN ACT PROVIDING FINANCIAL AID TO CERTAIN NEEDY DEPENDENTS OF CERTAIN PERSONS IN THE SERVICE OF THE ARMED FORCES OF THE UNITED STATES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediate financial assistance to the dependents of certain persons in the armed forces of the United States, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Any city or town, acting by its veterans' agent, may provide an allowance for the needy dependents resident therein of any person in the active service of the armed forces of the United States during the period of such service and for sixty days following his release or discharge from such service or other termination thereof; provided, that said person, at the time of his entry into said service, or his recall thereto, or his continuance therein at the expiration of a prior enlistment to the credit of the commonwealth, was a resident of the commonwealth, and had been a resident thereof for not less than one year. The amount of such allowance shall be determined by the commissioner of veterans' services in accordance with budget schedules which he will furnish to each local veterans' agent.

The dependents of such person who are eligible to receive such aid shall be the wife, children under eighteen years of age, or any child dependent by reason of physical or mental incapacity, or a brother or sister under eighteen years of age, or a dependent parent, or anyone who stood in the relationship of a parent to such person, for five years next preceding the commencement of his service.

SECTION 2. Applicants for allowance hereunder shall, as a basis for the first payment thereof, state in writing the name, age and residence of the person for whom the same is sought, the relationship of such person to the serviceman, the branch of the service in which he is serving, the date and place of his enlistment, induction or recall, if known, the amount of United States pay, allotment and federal family allowance, if any, the average weekly amount contributed by the serviceman during the year previous to service, and the reason for the application, and shall furnish such official certificates or records, and such other information, as may be required.

SECTION 3. The commissioner of veterans' services shall, from time to time, furnish each city and town with a sufficient number of blank forms for the use of applicants; shall decide all questions in dispute between applicants and the municipal authorities; shall investigate all payments of allowance; shall have power to determine all incidental

questions arising in connection therewith; and shall have the custody of the original papers relating to each application.

SECTION 4. The amounts expended by any city or town for dependency allowances, the names of recipients thereof, the amounts paid to or for each applicant, the reason for granting such allowance, the names of the servicemen on account of whose services the allowances were granted and the relationship of each dependent to the serviceman on account of whose service the allowances were granted, and such other details as the commissioner may require, shall, within the first ten days of the month following the month in which such expenditures were made, be certified to said commissioner on blank forms provided by him, in the manner approved by him, and under the penalties of perjury, by the veterans' agent and treasurer of such city or town. The commissioner shall examine such certificates, shall allow and endorse thereon such amounts as he finds have been paid and reported in accordance with the provisions of this act, and shall transmit the certificates to the state comptroller. The commissioner may decide upon the necessity of the amount paid in each case, and may allow any part thereof which he deems proper and lawful. Subject to such decision and allowance, the first seventy-five dollars paid to applicants residing in cities and towns making such payments, and one-half of all amounts in excess of seventy-five dollars, but none of the expenses attending the payment of such allowances shall be paid by the commonwealth to the several cities and towns on or before November tenth in the year after such expenditures.

SECTION 5. Whoever knowingly makes a false statement, oral or written, relating to a material fact in supporting a claim to an allowance, under any provision of this act, shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year. Whoever, being entitled to any of the benefits of this act, fraudulently claims or receives pay for a period of time following the termination of his right to receive the same, shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

SECTION 6. Cities and towns are hereby authorized to raise by taxation such sums as may be necessary to meet expenses incurred under this act and to borrow money therefor. Loans issued under authority of this act shall be outside the debt limit and shall be paid in not more than one year from their dates but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 7. This act shall take effect as of January first, nineteen hundred and sixty-five and shall cease to be effective on December thirty-first, nineteen hundred and sixty-eight. *Approved May 22, 1965.*

Chap. 484. AN ACT ESTABLISHING AN ADVISORY COUNCIL ON RADIATION PROTECTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 4E, inserted by chapter 706 of the acts of 1962, the following section: —

Section 4F. There shall be an advisory council on radiation protection consisting of the commissioners of public health, labor and industries, public safety, and administration, the director of civil service, and six persons to be appointed by the governor, of whom two shall hold the degree of doctor in medicine or dental medicine and shall be specialists in the field of ionizing radiation injuries, one shall have training or experience in radiology, one in radiation or health physics, one in radiation law, and one in nuclear engineering or in the industrial application of ionizing radiation. Upon the expiration of the term of office of an appointive member, his successor shall be appointed in like manner for a term of six years. One of the appointive members shall be designated chairman of the council by the governor. The members of the council shall serve without compensation and shall not be reimbursed for any expenses incurred by them in the performance of their duties.

The advisory council shall meet at least twice a year at the call of the chairman or by vote of a majority of the members of the council. It may hold public hearings but shall not have the power to summon witnesses nor to require the production of books, records and papers. It shall consider and make recommendations to the governor, the general court, and the various departments of the executive branch as to the development, growth, and status of all substances, things, and apparatus within the commonwealth capable of emitting ionizing radiation.

SECTION 2. The persons initially appointed by the governor to the advisory council on radiation protection, established by section four F of chapter one hundred and eleven of the General Laws, inserted by section one of this act, shall serve for terms of one, two, three, four, five and six years, respectively, as designated by the governor. Upon the completion of any such term, his successor shall be appointed in the manner provided by said section four F. *Approved May 22, 1965.*

Chap. 485. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO CONVEY CERTAIN LAND OF THE COMMONWEALTH TO CERTAIN TOWNS.

Be it enacted, etc., as follows:

SECTION 1. The department of public works is hereby authorized, in the name of and in behalf of the commonwealth, to transfer and convey, without consideration, to the following towns, the following parcels of land which are under the supervision and control of the division of waterways and are no longer needed by said department: —

To Eastham, a parcel of land known as the site of the first encounter, acquired by the Provincetown Tercentenary Commission on January thirtieth, nineteen hundred and twenty-two, and memorial marker thereon, bounded on the southerly and southeasterly sides by Samoset Road where said road ends at the shore of Cape Cod Bay, containing 2.46 acres more or less.

To Wellfleet and Eastham, so much of the island in Cape Cod Bay known as Billingsgate Island as lies within the said respective towns.

To Provincetown, a parcel of land acquired by the Provincetown Tercentenary Commission from Howard Wentzell and from Joshua T. Small, and memorial marker thereon, located on Bradford Street near

the Town Hall and at the foot of Town Hill, running along said street 169.52 feet, more or less, and containing 18,891 square feet, more or less.

To Provincetown, a parcel of land acquired by the Provincetown Tercentenary Commission on February ninth, nineteen hundred and twenty-two, from B. R. Chapman et al, and any marker thereon, less a portion of said parcel conveyed to the Town of Provincetown by deed dated March eleventh, nineteen hundred and thirty, as parcel D, located on Bradford Street southwesterly of the east approach to the Pilgrim Monument, containing 2,153 square feet, more or less.

To Truro, a parcel of land acquired by the Provincetown Tercentenary Commission from L. D. Baker, and memorial marker thereon, located at Corn Hill and being 16 feet square, containing 256 square feet.

To Truro, a parcel of land near North Truro at Pond Village, so called, acquired by the Provincetown Tercentenary Commission, and memorial marker thereon, located on the southerly side of Depot Road and running along said road 204.5 feet, more or less, with a depth of 35 feet, more or less, containing about 7,150 square feet.

To Gay Head and Chilmark, so much of the land at Menemsha located along the southwesterly side of Menemsha Basin and running along the northwesterly side of Menemsha Creek, as lies within the said respective towns, being the land excepted from the original petition under Land Court Case No. 7706 because of its status as land of the commonwealth.

SECTION 2. The aforesaid parcels of land acquired by the Provincetown Tercentenary Commission, which are hereby authorized to be conveyed to the Towns of Eastham, Provincetown and Truro shall be preserved and maintained as historic sites by said respective towns and shall in no event be sold or conveyed. The aforesaid land at Menemsha authorized to be conveyed to the towns of Gay Head and Chilmark shall be reserved for and made available to commercial fishermen and shall in no event be sold or conveyed. *Approved May 22, 1965.*

Chap. 486. AN ACT AUTHORIZING THE TOWN OF BARNSTABLE TO TRANSFER THE MANAGEMENT AND CONTROL OF CERTAIN LAND OWNED BY IT, INCLUDING PARK LAND, TO THE JOINT CONTROL OF THE CONSERVATION COMMISSION AND THE BOARD OF SELECTMEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of section fifteen A of chapter forty of the General Laws, the town of Barnstable is hereby authorized to transfer the care, custody, management and control of all land owned by said town at Sandy Neck which lies easterly of the town beach and parking area, part of said land having been acquired for and being devoted to park uses and part having been acquired for playground and recreation purposes, to the joint care and custody of the board of selectmen and the town conservation commission. All of said land shall hereafter be maintained in its natural state, and shall be for the benefit and enjoyment of the public.

SECTION 2. This act shall take effect upon its acceptance by the town of Barnstable. *Approved May 22, 1965.*

Chap. 487. AN ACT EXTENDING THE TIME FOR MAKING CLAIM FOR COMPENSATION FOR AN INJURY SUBJECT TO THE WORKMEN'S COMPENSATION LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 152 of the General Laws is hereby amended by striking out section 41, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 41.* No proceedings for compensation for an injury shall be maintained unless a notice thereof shall have been given to the insurer or insured as soon as practicable after the happening thereof, and unless the claim for compensation with respect to such injury has been made within one year after its occurrence, or, in case of the death of the employee, or in the event of his physical or mental incapacity, within one year after death or the removal of such incapacity, or, in case an action against a third person is discontinued as provided in section fifteen, within thirty days after such discontinuance.

SECTION 1A. The second sentence of section 15 of said chapter 152, as appearing in chapter 432 of the acts of 1943, is hereby amended by striking out, in line 5, the words "six months" and inserting in place thereof the words: — one year, — and by striking out, in line 7, the word "nine" and inserting in place thereof the word: — fifteen.

SECTION 2. This act shall apply only to injuries occurring after its effective date. *Approved May 22, 1965.*

Chap. 488. AN ACT PERMITTING TRANSPORT OR PROCESSING OF IRISH MOSS ON SUNDAY.

Be it enacted, etc., as follows:

Clause (34) 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 3, the words "or ice or bees" and inserting in place thereof the words: — ice, bees, or Irish moss.

Approved May 22, 1965.

Chap. 489. AN ACT DESIGNATING A CERTAIN OVERPASS ON INTERSTATE HIGHWAY ROUTE 495 IN THE TOWN OF ANDOVER AS THE REVEREND HENRY B. SMITH OVERPASS.

Be it enacted, etc., as follows:

The overpass on interstate highway route 495 at North Main and Union streets in the town of Andover shall be designated and known as the Reverend Henry B. Smith overpass, 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 as authorized by the federal bureau of public roads.

Approved May 22, 1965.

Chap. 490. AN ACT PROVIDING A PENALTY FOR FRAUDULENTLY PROCURING FOOD, ENTERTAINMENT OR ACCOMMODATION FROM A MOTEL.

Be it enacted, etc., as follows:

Section 12 of chapter 140 of the General Laws, as most recently amended by chapter 31 of the acts of 1943, is hereby further amended by inserting after the word "hotel", in lines 2, 6, and 11, in each instance, the word: —, motel. *Approved May 22, 1965.*

Chap. 491. AN ACT RELATIVE TO CERTAIN SUITS IN EQUITY AND TO CERTAIN PETITIONS FOR DECLARATORY JUDGMENT, IN WHICH THERE IS NO DISPUTE OF FACT.

Be it enacted, etc., as follows:

SECTION 1. Section 59 of chapter 231 of the General Laws is hereby amended by adding the following paragraph: —

If admissions in the pleadings, interrogatories or admissions under section sixty-nine, stipulations or affidavits hereunder, show affirmatively, in any suit in equity or petition for declaratory judgment which suit or petition involves rights under a written contract, that no genuine issue of material facts exists and there is nothing to be decided except questions of law, or the form of the decree, or the nature of the relief to be granted, the court, after hearing, on motion for final decree, may enter forthwith such decree or judgment as may be appropriate.

SECTION 2. Section 146 of said chapter 231, as appearing in the Tercentenary Edition, is hereby amended by adding the following paragraph: —

Section fifty-nine shall apply to suits in equity or to petitions for declaratory judgment when the suit or petition involves rights under a written contract. *Approved May 22, 1965.*

Chap. 492. AN ACT ESTABLISHING THE BRIDGEWATER DEVELOPMENT AND INDUSTRIAL CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. In this act, unless the context otherwise requires, the following words shall have the following meanings: —

"Corporation", the Bridgewater Development and Industrial Corporation, created by section two.

"Financial institution", any banking corporation or institution, trust company, savings bank, co-operative bank, savings and loan association, insurance company, or related corporation, partnership, foundation or other institution engaged primarily in lending or investing funds.

"Members", the persons named in section two, their associates, successors and assigns.

SECTION 2. John Ahearn, Donald C. Buron, William Chestna, Ralph Lehtola, Robert Lyons, Joseph Mello, Barry Moriarity, Joseph O'Brien, Richard B. Pickett, William Prophett, William Rosa, Albert P. Seprinsky, Wesley Shaw, Newton Tolivasia, Walter J. Zaverucha, their associates, successors and assigns are hereby constituted a body cor-

porate under the name of Bridgewater Development and Industrial Corporation.

SECTION 3. The corporation shall be a membership corporation, with its membership limited to fifteen members. Any vacancy which occurs in the membership of said corporation shall be filled by appointment or election in accordance with the by-laws of the corporation. The principal office of the corporation shall be located in the town of Bridgewater.

SECTION 4. The purposes of the corporation shall be to promote, stimulate, develop and advance the business prosperity and economic welfare of the town of Bridgewater, and the citizens thereof; to encourage and assist, through loans, investments or other business transactions, the location of new business and industry in the town of Bridgewater, to rehabilitate and assist existing business and industry; and to stimulate and assist in the expansion of all kinds of business activity which will tend to promote the business development and maintain the economic stability of the town of Bridgewater, 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 the corporation shall be subject to and have the powers and privileges conferred by the provisions of chapters one hundred and fifty-five and one hundred and eighty of the General Laws, and shall, subject to the restrictions and limitations of this act, 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 and to give clear title thereto.

(*b*) To loan money on bonds secured by mortgage on real or personal property.

(*c*) To erect, construct, alter, maintain and improve commercial, industrial or civic buildings or buildings used for civic or charitable purposes of every description on any lands of the corporation or upon other lands, and to rebuild, alter and improve industrial, civic or charitable buildings or buildings used for civic or charitable purposes thereon.

(*d*) To purchase, subscribe to, acquire, hold and to sell, assign, mortgage, hypothecate or otherwise dispose of the shares of the capital stock or preferred stock, bonds and other evidences of indebtedness of any corporation, domestic or foreign; and while owners or holders thereof to exercise all the rights of powers of ownership including the right to vote thereon for any purpose; and to issue in exchange for such stock, bonds and other evidences of indebtedness, its own bonds and other obligations.

(*e*) To buy, acquire, hold, use, employ, develop, mortgage, convey, lease and dispose of patent rights, letters patent, copyrights, trade names, labels, processes, devices, inventions, trademarks, formulae, goodwill and other rights, and to pay therefor in cash or property or to issue in exchange therefor bonds and other obligations.

(*f*) To enter into any arrangement for union of interest, co-operation, joint venture, reciprocal concession, or otherwise, with any person engaged in or about to engage in any business or transaction in the town of Bridgewater, which the corporation is authorized to engage in and

to lend money with security to guarantee the contracts or otherwise assist any person, persons or company or corporation when necessary for the accomplishment of the purposes herein provided for.

(*g*) To receive stocks, bonds, donations, gifts and to otherwise raise money for the above outlined purposes.

(*h*) To elect, appoint and employ officers, agents and employees; to make contracts and incur liabilities for any of the purposes of the corporation.

(*i*) To borrow money from any financial institution, and to issue therefor its bonds, debentures, notes or other evidences of indebtedness, whether secured or unsecured, and to secure the same by mortgage, pledge, deed of trust or other lien on its property, franchises, rights and privileges of every kind and nature or any part thereof or interest therein.

(*j*) To co-operate with and avail itself of the facilities of the department of commerce and any similar governmental agencies; and to co-operate with and assist, and otherwise encourage any industrial organization in the town of Bridgewater in the promotion, assistance and development of the business prosperity and economic welfare of such area.

(*k*) To do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

SECTION 5. Notwithstanding any rule at common law or any such other provision of any general or special law, or any provision in their respective charters, agreements of association, articles of organization, or trust indentures, all domestic corporations organized for the purpose of carrying on business within the commonwealth, including without implied limitation electric or gas companies as defined in section one of chapter one hundred and sixty-four of the General Laws, railroad corporations as defined in section one of chapter one hundred and sixty of the General Laws, financial institutions and, subject to approval, if necessary, by a court of competent jurisdiction, trustees, are hereby authorized to acquire, purchase, hold, sell, assign, transfer, or otherwise dispose of any bonds, securities, or other evidences of indebtedness of the corporation and to make contributions to the corporation. In making contributions thereto, no financial institution shall expend, in the aggregate, in any one year an amount greater than one half of one per cent of its total or gross earnings or income for the next preceding fiscal year; and provided, further, that such contributions may be made over a period not to exceed five years.

Any contribution made under this section to the corporation shall be in addition to any contributions authorized by section sixty-eight of chapter one hundred and sixty-eight of the General Laws, section thirty-five of chapter one hundred and seventy of the General Laws, and by other provisions of general or special law.

SECTION 6. The corporation shall not be subject to the provisions of chapter sixty-three of the General Laws, nor to any taxes based upon or measured by income. The securities and evidences of indebtedness issued by the corporation, and income therefrom, shall at all times be free from taxation by the commonwealth. Real property owned by the corporation shall not be subject to taxation by the city or town in which it is located until ten years from the date of its acquisition or until such property is leased, rented or otherwise disposed of, whichever is first.

SECTION 7. The provisions of chapter one hundred and ten A of the General Laws shall not apply to the bonds, debentures, notes, evidences of indebtedness, or any other securities of the corporation.

SECTION 8. The period of duration of the corporation shall be seventy-five years, subject, however, to the right of the members to dissolve the corporation prior to the expiration of said period. Upon the dissolution of the corporation all assets shall be paid over to a non-sectarian charitable organization selected by the attorney general.

SECTION 9. The corporation shall be subject to the examination of the commissioner of commerce and development, 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 and development.

SECTION 10. Under no circumstances is the credit of the commonwealth or any political subdivision thereof pledged herein.

Approved May 22, 1965.

Chap. 493. AN ACT REPEALING THE LAW PROVIDING FOR THE TRIAL OF MISDEMEANORS BY JURIES OF SIX IN THE SECOND DISTRICT COURT OF BRISTOL.

Be it enacted, etc., as follows:

Section 1 of chapter 658 of the acts of 1964 is hereby amended by striking out the first five paragraphs, as appearing in chapter 441 of the acts of 1965, and inserting in place thereof the following five paragraphs: —

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 third or fourth 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 third or fourth 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 third or fourth 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 third or fourth 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 third or fourth 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 third or fourth district court of Bristol shall be held in the courthouse of such court, or if not practicable there, then in the courthouse of the superior court in the city of New Bedford in appeals referred to said third district court or in the courthouse of the superior court in the city of Taunton in appeals referred to said fourth 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 session 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 third and fourth 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.

Approved May 22, 1965.

Chap. 494. AN ACT AUTHORIZING THE TOWN OF NORTH READING TO PAY A CERTAIN SUM OF MONEY TO SHAHMOON INDUSTRIES, INC.

Be it enacted, etc., as follows:

SECTION 1. The town of North Reading is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said town is hereby authorized to pay an unpaid bill in the amount of two thousand four hundred and sixty dollars to Shahmoon Industries, Inc., a corporation organized under the laws of the state of Delaware, for cast iron pipe supplied to said town, said bill being legally unenforceable against said town by reason of its having been incurred in violation of the provisions of law relative to competitive bidding.

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

Approved May 22, 1965.

Chap. 495. AN ACT RELATIVE TO THE PENALTY FOR VIOLATING RULES AND REGULATIONS OF THE DEPARTMENT OF PUBLIC HEALTH TO PROTECT THE PUBLIC AGAINST THE HAZARDS OF IONIZING RADIATION.

Be it enacted, etc., as follows:

The first paragraph of section 5B of chapter 111 of the General Laws, as appearing in chapter 633 of the acts of 1960, is hereby amended by

striking out the fourth and fifth sentences and inserting in place thereof the following three sentences: — Whoever violates any such rule or regulation shall be punished by a fine of not less than ten nor more than fifty dollars. Whoever, after due notice, continues to violate any such rule or regulation shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars to the use of the commonwealth for each offense. Each day of such violation after such notice shall constitute a separate offense. *Approved May 22, 1965.*

Chap. 496. AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE CITY COUNCIL OF THE CITY OF SPRINGFIELD.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, if at any time a vacancy occurs in the city council of the city of Springfield 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 city councillor at the regular municipal election at which city councillors were elected for the term in which the vacancy occurs, 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 city councillor. If at a regular municipal election there is a failure to elect a city councillor or if a person elected city councillor at such an election resigns or dies before taking office, the city clerk shall, as soon as conveniently may be after the remaining city councillors-elect take office, notify the city council of such failure to elect, resignation or death; and within fifteen days after such notification, the members thereof shall choose, as city councillor for the unexpired term, whichever of the defeated candidates for the office of city councillor at such election, who are eligible and willing to serve, received the highest number of votes at such election, 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 city councillor. If in any of the aforesaid events a choice is not made as hereinbefore provided within fifteen days after the 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 there be more than one such, by the city councillor senior both in age and length of service.

Approved May 24, 1965.

Chap. 497. AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE TOWN OF BROOKLINE AT ITS ANNUAL TOWN MEETING HELD IN THE YEAR NINETEEN HUNDRED AND SIXTY-FIVE RELATIVE TO THE COMPENSATION OF THE PERMANENT UNIFORMED MEMBERS OF THE FIRE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

The action taken by the town of Brookline at its annual town meeting held in the year nineteen hundred and sixty-five in voting to amend

Article 6 of the warrant for said meeting and in voting to adopt said article, as amended, relative to the compensation of the permanent uniformed members of the fire department of said town, is hereby validated and confirmed. *Approved May 24, 1965.*

Chap. 498. AN ACT FURTHER DEFINING THE RETIREMENT RIGHTS OF CERTAIN VETERANS EMPLOYED BY HOUSING AUTHORITIES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 56 of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 668 of the acts of 1950, is hereby further amended by inserting after the word "district", in line 3, the words: — or any housing authority.

SECTION 2. Section 57 of said chapter 32 is hereby amended by inserting after the word "district", in line 3, as appearing in section 2 of said chapter 668, the words: — or any housing authority.

SECTION 3. Section 58 of said chapter 32, as most recently amended by section 3 of said chapter 668, is hereby further amended by inserting after the word "district", in line 3, the words: — or any housing authority.

SECTION 4. The first paragraph of section 58A of said chapter 32, as appearing in section 3 of chapter 580 of the acts of 1964, is hereby amended by inserting after the word "district", in line 3, the words: — or any housing authority.

SECTION 5. Notwithstanding the limitation contained in the first paragraph of section sixty of chapter thirty-two of the General Laws, sections fifty-six to fifty-nine, inclusive, of said chapter thirty-two, in so far as they relate to employees of housing authorities, shall be in effect in any city or town which accepts said sections prior to January first, nineteen hundred and sixty-seven.

SECTION 6. The second paragraph of said section 60 of said chapter 32, as appearing in section 3 of chapter 688 of the acts of 1954, is hereby amended by striking out, in lines 8 and 9, and in line 10, the words "or district" and inserting in place thereof, in each instance, the words: — , district or housing authority. *Approved May 24, 1965.*

Chap. 499. AN ACT TO PERMIT DOMESTIC INSURANCE COMPANIES TO WITHDRAW FROM THE BUSINESS OF INSURANCE AND CONTINUE AS BUSINESS CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 44 of chapter 175 of the General Laws is hereby amended by adding the following three paragraphs: —

Nothing in this section shall prevent a domestic stock company, after giving sixty days' notice to the commissioner of its intent and satisfying him that its insurance contract obligations will be fully assumed by a solvent company, from reinsuring all its outstanding risks and claims under policies issued by it with another such company authorized to issue policies in the commonwealth covering risks of the same kinds as those reinsured or with a company incorporated or formed to reinsure and authorized to reinsure in the commonwealth risks of the same kinds as those reinsured, and any such domestic stock company which is not

insolvent, the commissioner having approved the assumption of its insurance contract obligations, may then elect to continue as a corporation subject to the business corporation laws by filing with the state secretary articles of amendment, as provided in section seventy-two of chapter one hundred and fifty-six B, stating the purposes for which the corporation will continue and the nature of the business to be transacted and any other changes in its articles of organization. If the state secretary finds that the change is made in conformity to law, he shall endorse his approval thereon, and thereafter the corporation shall be authorized to continue and to carry on business under its amended powers, and its corporate powers under this chapter shall thereupon expire. Thereafter the name of said corporation shall not contain the word "insurance" or "assurance."

Any such corporation reinsuring its insurance contract and claim obligations as provided in this section shall establish, if so requested by the commissioner of insurance, a contingency fund in trust of sufficient amount as may be deemed necessary by said commissioner to assure a full discharge of all such obligations, and the funds in such trust shall be increased or decreased by such corporation in accordance with the experience as determined by the commissioner on such reinsured obligations, and any such funds not needed for the purposes of the trust, as determined by the commissioner, shall revert to such corporation. If the funds deemed necessary by the commissioner are not forthcoming from such corporation, then the assuming corporation shall transfer to the trust fund any such required funds, and any of such funds not needed for the purposes of the trust, as determined by the commissioner, shall revert to such assuming corporation. Any such trust fund shall be subject to examination by the commissioner and shall be invested in accordance with the investment requirements of section sixty-three as if it were capital of any domestic company other than life, or as if it were the reserve of a domestic stock life company, depending on the kind of such corporation which assumes the risk as provided in the second paragraph of this section.

A corporation shall continue to be liable on all of its obligations including those subject to reinsurance as provided in this section, and shall have the right to prosecute and defend suits by or against it, and to hold and to dispose of and convey its property without in any way being limited by the change in the purposes for which such corporation was formed and the nature of the business to be transacted by it.

SECTION 2. This act shall take effect on October first, nineteen hundred and sixty-five. *Approved May 24, 1965.*

Chap. 500. AN ACT AUTHORIZING THE TOWN OF KINGSTON TO PAY A SUM OF MONEY TO BARTHOLOMEW AND MARIO VERNAZZARO.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Kingston may appropriate and pay to Bartholomew Vernazzaro and Mario Vernazzaro a sum not exceeding two thousand five hundred and seventy-four dollars and sixty cents for the expense incurred by them in developing a sewage disposal area in said town.

SECTION 2. This act shall take effect upon its acceptance by the town of Kingston. *Approved May 24, 1965.*

Chap. 501. AN ACT CLARIFYING CERTAIN PROVISIONS OF LAW RELATIVE TO THE ENDORSEMENT OF CITATIONS FOR AUTOMOBILE VIOLATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to clarify certain provisions of law relative to the endorsement of citations for automobile violations, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

The third paragraph of section 2 of chapter 90C of the General Laws, as appearing in section 2 of chapter 637 of the acts of 1963, is hereby amended by inserting after the word "thereafter", in line 1, the words: — , the registrar of motor vehicles or any person to whom he may delegate his duties under section twenty-nine of chapter ninety.

Approved May 25, 1965.

Chap. 502. AN ACT PROVIDING FOR A PLAQUE CONTAINING THE WORDS "FOR GOD AND COUNTRY" TO BE PLACED IN A CONSPICUOUS LOCATION IN EVERY PUBLIC SCHOOL BUILDING WITHIN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 69 the following section: —

Section 69A. On every public school building within the commonwealth there may be placed in a conspicuous location a suitable plaque which shall contain the words "For God and Country". Such plaques may be donated by veterans or civic organizations or individuals.

Approved May 25, 1965.

Chap. 503. AN ACT RELATIVE TO THE BASIS FOR THE ANNUAL ASSESSMENT FOR THE NORFOLK COUNTY MOSQUITO CONTROL PROJECT.

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 Norfolk County Mosquito Control Project, to meet the expenses incurred under said chapter three hundred and forty-one, beginning with the fiscal year commencing July first, nineteen hundred and sixty-five, there shall annually 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-quarter in proportion to their said valuation, and three-quarters 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 May 26, 1965.*

Chap. 504. AN ACT INCREASING THE TERMS FOR WHICH CERTAIN PERSONS SHALL BE ELECTED BY THE DENNIS WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 277 of the acts of 1945 is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — The district shall, at the annual district meeting held in the year nineteen hundred and sixty-six and at every third annual district meeting held thereafter, elect by ballot, each for a term of three years, a clerk and a treasurer of the district.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the Dennis Water District present and voting thereon at a district meeting called for the purpose in the current year, but not otherwise. *Approved May 26, 1965.*

Chap. 505. AN ACT ALLOWING THE SALE OF ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES UNTIL TWO O'CLOCK ANTE MERIDIAN WHENEVER NEW YEARS DAY FALLS ON A SECULAR DAY.

Be it enacted, etc., as follows:

Section 12 of chapter 138 of the General Laws is hereby amended by striking out the paragraph appearing in chapter 336 of the acts of 1955 and inserting in place thereof the following paragraph: —

The hours during which sales of such alcoholic beverages may be made by any licensee as aforesaid shall be fixed by the local licensing authorities either generally or specially for each licensee; provided, that no such sale shall be made on any secular day between the hours of one and eight o'clock ante meridian except that when January first falls on a secular day, no such sale shall be made on said day between the hours of two and eight o'clock ante meridian, and that, except as provided in section thirty-three, no such licensee shall be barred from making such sales on any such day after eleven o'clock ante meridian and before eleven o'clock post meridian, and that no tavern shall be kept open on any such day after twelve o'clock post meridian.

Approved May 26, 1965.

Chap. 506. AN ACT DESIGNATING THE PLEASANT STREET BRIDGE OVER PILGRIMS HIGHWAY IN THE TOWN OF NORWELL AS THE SECOND LIEUTENANT HOWARD CHUBBUCK MAYBURY, JR. BRIDGE.

Be it enacted, etc., as follows:

The Pleasant street bridge over Pilgrims Highway in the town of Norwell shall be known and designated as the Second Lieutenant Howard

Chubbuck Maybury, Jr. bridge, in memory of Howard Chubbuck Maybury, Jr., who was killed while a member of the armed forces of the United States. A suitable marker bearing said designation shall be attached thereto by the department of public works.

Approved May 26, 1965.

Chap. 507. AN ACT AUTHORIZING THE TOWN OF WINCHESTER TO SELL CERTAIN PARK LAND.

Be it enacted, etc., as follows:

SECTION 1. The town of Winchester may sell and convey, upon such terms and conditions as may be determined by vote of the town meeting members of said town, a certain parcel of park land in said town, bounded and described as follows:

NORTHWESTERLY by Shore Road, one hundred seven and 24/100 (107.24) feet;

NORTHEASTERLY by other land of Town of Winchester Park Department, thirteen and 03/100 (13.03) feet;

SOUTHEASTERLY by land of Elizabeth F. Fitzgerald, ninety-four and 15/100 (94.15) feet; and

SOUTHWESTERLY by land of Andrew and Thelma Titilah, thirty-seven and 60/100 (37.60) feet; containing 2520 square feet, more or less.

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

Approved May 26, 1965.

Chap. 508. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-FIVE, TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain appropriations previously made, the sums set forth in this act are hereby made available from the fund 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 three hundred and thirty-seven of the acts of nineteen hundred and sixty-four.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Treasurer and Receiver-General.

State Board of Retirement.

Item		
0604–04	Item 0604–04 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four is hereby amended by striking out, in line thirteen, the words "eight hundred and twenty-five thousand" and inserting in place thereof the following: — nine hundred and thirty-one thousand seven hundred . . .	$485,000

Item		
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	$3,322
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	75,000
0604–11	Item 0604–11 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four is hereby amended by striking out, in line five, the words "twenty thousand" and inserting in place thereof the words: — twenty-two thousand four hundred .	3,000

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

Approved May 27, 1965.

Chap. 509. AN ACT RELATIVE TO EXPENSES OF THE ADVISORY BOARD OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 161A of the General Laws, as appearing in section 18 of chapter 563 of the acts of 1964, is hereby amended by adding the following paragraph: —

The advisory board may incur expenses, not to exceed ten thousand dollars annually, for stenographic and clerical work, and such expenses, incurred after July third, nineteen hundred and sixty-four, shall be paid by the authority.

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

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

Approved June 1, 1965.

Chap. 510. AN ACT EXTENDING CERTAIN PROVISIONAL APPOINTMENTS AND TEMPORARY TRANSFERS FOR A LIMITED PERIOD.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that certain provisions of law shall continue in effect for a certain period of time without interruption, 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 743 of the acts of 1962 is hereby amended by striking out section 7 and inserting in place thereof the following section: — *Section 7.* Sections four, five and six of this act shall cease to be effective on June thirtieth, nineteen hundred and sixty-six, 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, the examination shall be held within a year from the date of the approval of any provisional authorization or temporary transfer. *Approved June 1, 1965.*

Chap. 511. AN ACT AUTHORIZING THE CONSOLIDATION OF THE FIRST CHURCH, OLD SOUTH, IN WORCESTER AND THE TATNUCK CONGREGATIONAL CHURCH.

Be it enacted, etc., as follows:

SECTION 1. The First Church, Old South, in Worcester, incorporated in the year nineteen hundred and eight, and the Tatnuck Congregational Church, incorporated in the year nineteen hundred and eleven, hereinafter referred to as said existing corporations, are hereby authorized to consolidate into one corporation to be known as The First Congregational Church in Worcester, 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 become members of said consolidated corporation on the effective date of this act. New members may be admitted to said consolidated corporation

thereafter in accordance with the provisions of the constitution and by-laws of said consolidated corporation.

SECTION 6. The proceedings and votes of said existing corporations, relative to their consolidation 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 existing 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 and this act shall take full effect.

SECTION 8. For purposes of acceptance only, this act shall take effect upon its passage. *Approved June 1, 1965.*

Chap. 512. AN ACT AUTHORIZING THE TOWN OF WILMINGTON TO TAKE BY EMINENT DOMAIN FOR THE USE OF ITS WATER DEPARTMENT A CERTAIN PARCEL OF LAND LOCATED IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. In accordance with the provisions of section five A of chapter seventy-nine of the General Laws, the town of Wilmington acting through its board of water and sewer commissioners is hereby authorized to take by eminent domain, for the use of its water department as a site for a well field and water department purposes, so much of the parcel of land conveyed by George M. A. M. Webber to the Wilmington Historical Society, Inc. by deed dated and recorded March 12, 1965, in Book 1688, Page 118, Middlesex County North District Deeds, as is included within the bounds of the parcel authorized to be taken for said purposes by vote of said town at its annual meeting on March thirteenth, nineteen hundred and sixty-five under Article 21 of the warrant for said meeting.

Said taking may be in fee, or of such lesser rights in said land as may be acceptable to said commissioners, and as may be approved by the state department of public health, and in either event shall not require validation by any further vote of the town.

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

Approved June 1, 1965.

Chap. 513. AN ACT PROHIBITING THE USE OF DEFENDANTS' CAGES IN COURTROOMS OF THE SUPERIOR COURT.

Be it enacted, etc., as follows:

Section 3 of chapter 34 of the General Laws is hereby amended by striking out the last sentence, added by chapter 665 of the acts of 1963, and inserting in place thereof the following sentence: — No courtroom of the superior court shall contain a cage for defendants.

Approved June 1, 1965.

Chap. 514. AN ACT PROVIDING THAT CERTAIN LAWS APPLICABLE TO THE MANUFACTURE AND SALE OF BEDDING AND UPHOLSTERED FURNITURE SHALL APPLY TO STUFFED TOYS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 94 of the General Laws is hereby amended by striking out the caption preceding section 270, inserted by section 2 of chapter 611 of the acts of 1959, and inserting in place thereof the following caption: — UPHOLSTERED FURNITURE, BEDDING AND STUFFED TOYS.

SECTION 2. The definition of "Filling material" in section 270 of said chapter 94, as appearing in said section 2 of said chapter 611, is hereby amended by striking out, in lines 5 and 6, the words "or upholstered furniture", and inserting in place thereof the words: —, upholstered furniture or in stuffed toys.

SECTION 3. The definition of "Retailer" in said section 270 of said chapter 94, as so appearing, is hereby amended by striking out, in line 3, the words "or upholstered furniture" and inserting in place thereof the words: —, upholstered furniture or stuffed toys.

SECTION 4. The definition of "Secondhand", "used" or "used material", in said section 270 of said chapter 94, as so appearing, is hereby amended by inserting after the word "bedding", in line 8, the words: — or any stuffed toy.

SECTION 5. The definition of "Sterilizer" in said section 270 of said chapter 94, as so appearing, is hereby amended by striking out, in line 2, the words "or bedding", and inserting in place thereof the words: —, bedding or stuffed toys.

SECTION 6. The definition of "Supply dealer" in said section 270 of said chapter 94, as so appearing, is hereby amended by inserting after the word "furniture", in line 5, the words: — or in stuffed toys.

SECTION 7. Said section 270 of said chapter 94 is hereby further amended by inserting after the definition of "Sterilizer", as so appearing the following definition: —

"Stuffed toy", any article intended for use by infants or children as a toy and which is filled with or contains any cotton, wool or kapok fibers, garnetted clippings, hair, feathers or down or any other material or chemicals. All materials used in stuffed toys shall be new and free from dangerous or harmful chemicals or other substances. Manufacturers using material in stuffed toys containing products of animal origin shall have said material sterilized in accordance with section two hundred and seventy-three.

SECTION 8. The first paragraph of section 271 of said chapter 94, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words "or bedding" and inserting in place thereof the words: —, bedding or stuffed toys.

SECTION 9. The second paragraph of said section 271 of said chapter 94, as so appearing, is hereby amended by striking out, in line 1, the words "or bedding", and inserting in place thereof the words: —, bedding or stuffed toys.

SECTION 10. The fourth paragraph of said section 271 of said chapter 94, as so appearing, is hereby amended by striking out, in line 3, the words "or upholstered furniture", and inserting in place thereof the words: —, upholstered furniture or stuffed toys.

SECTION 11. The tenth paragraph of said section 271 of said chapter 94, as so appearing, is hereby amended by inserting after the word "furniture", in line 6, the words: — or a stuffed toy.

SECTION 12. The eleventh paragraph of said section 271 of said chapter 94, as so appearing, is hereby amended by striking out, in lines 1 and 2, the words "or articles of bedding" and inserting in place thereof the words: — , articles of bedding or stuffed toys.

SECTION 13. The first paragraph of section 272 of said chapter 94, as so appearing, is hereby amended by inserting after the word "any", in line 4, the words: — stuffed toy or.

SECTION 14. The second paragraph of said section 272 of said chapter 94, as so appearing, is hereby amended by striking out, in line 4, the words "or bedding" and inserting in place thereof the words: — , bedding or stuffed toys.

SECTION 15. The third paragraph of said section 272 of said chapter 94, as so appearing, is hereby amended by inserting after the word "bedding", in line 2, the words: — or any stuffed toy, — and by striking out, in line 4, the words "or bedding" and inserting in place thereof the words — , bedding or stuffed toys.

SECTION 16. The third sentence of clause (*b*) of the sixth paragraph of said section 272 of said chapter 94, as so appearing, is hereby amended by striking out, in line 2, the words "or upholstered furniture" and inserting in place thereof the words: — , upholstered furniture or stuffed toys.

SECTION 17. Said chapter 94 is hereby further amended by striking out section 275, as so appearing, and inserting in place thereof the following section: — *Section 275.* The application for each license, except a license relative to stuffed toys, and annual license renewal shall be accompanied by a fee of fifty dollars payable to the commonwealth, which fee shall be returned to the applicant if the license is not granted. The application for a license relative to stuffed toys shall be accompanied by a fee of one hundred dollars and the annual license renewal fee shall be twenty-five dollars.

SECTION 18. Section 276 of said chapter 94, as so appearing, is hereby amended by inserting after the word "furniture", in line 2, the words: — , stuffed toy, — by striking out, in lines 13 and 21, the words "or upholstered furniture" and inserting in place thereof, in each instance, the words: — , upholstered furniture or stuffed toy, — by striking out, in line 45, in lines 51 and 52, and in line 61, the words "or bedding" and inserting in place thereof, in each instance, the words: — , bedding or stuffed toy. *Approved June 1, 1965.*

Chap. 515. AN ACT RELATIVE TO THE LICENSING OF MANUFACTURERS AND DISTRIBUTORS OF HARMFUL DRUGS AND PROVIDING PENALTIES FOR VIOLATION OF PROVISIONS OF LAW IN RESPECT THERETO.

Be it enacted, etc., as follows:

SECTION 1. Chapter 94 of the General Laws is hereby amended by striking out section 187E, inserted by chapter 509 of the acts of 1961, and inserting in place thereof the following section: — *Section 187E.* No person located within the commonwealth shall manufacture, sell, or

possess with intent to sell any harmful drug, as defined in section one hundred and eighty-seven A, without first obtaining a license to do so from the department of public health.

A person with more than one place of business must obtain a separate license for each such place of business; which license shall expire one year from the date of issue. The fee for each such license issued and for each renewal thereof shall be twenty-five dollars annually.

The commissioner of public health may, after having given reasonable notice and an opportunity to be heard, revoke or suspend any license issued under this section or section one hundred and eighty-seven F for cause deemed by him to be sufficient.

The provisions of this section shall not apply to wholesale druggists and retail pharmacists who are licensed by the board of pharmacy.

Whoever violates this section shall be punished by a fine of not more than two thousand dollars or by imprisonment in a jail or house of correction for not more than six months, or by both such fine and imprisonment.

SECTION 2. Chapter 94 of the General Laws is hereby further amended by striking out section 187F, inserted by chapter 603 of the acts of 1961, and inserting in place thereof the following section: — *Section 187F.* A manufacturer, wholesaler, jobber, dealer or compounder in drugs or druggist located outside the commonwealth who ships any harmful drugs, as defined in section one hundred and eighty-seven A, into the commonwealth shall first obtain a license from the department; provided, however, that nothing in this section shall apply to a manufacturer who is registered with the Secretary of the Department of Health, Education and Welfare under the Federal Food, Drug and Cosmetic Act, as amended, and who shall send a copy of such registration to the director of the division of food and drugs. Such license shall apply only to one place of business of each such person outside the commonwealth, and shall expire one year from the date of issue. The fee for each such license and for each renewal thereof shall be twenty-five dollars. The department may revoke, suspend or refuse to renew the license of any such person for violation of any provision of this section or of any rule or regulation made by the department in connection herewith. No person within the commonwealth shall receive any such harmful drugs from a manufacturer, wholesaler, jobber, dealer or compounder in drugs or druggist located outside the commonwealth who is not licensed under the provisions of this section, or from a manufacturer not registered under the Federal Food, Drug and Cosmetic Act, as amended. Any person within the commonwealth who violates any provision of this section shall be punished by a fine of not more than two thousand dollars or by imprisonment in a house of correction for not more than six months, or both. *Approved June 1, 1965.*

Chap. 516. AN ACT AUTHORIZING THE NEW BEDFORD POLICE ASSOCIATION TO PAY CERTAIN SUMS OF MONEY TO MEMBERS UPON THEIR RETIREMENT.

Be it enacted, etc., as follows:

SECTION 1. The New Bedford Police Association, a corporation duly established under the laws of the commonwealth, is hereby authorized,

upon the retirement of any member in good standing, to pay such member such sum, not exceeding one thousand dollars, as may be determined by vote of the directors of said corporation. Any amount so paid shall reduce the death benefit otherwise payable upon the death of any such member.

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

Approved June 1, 1965.

Chap. 517. AN ACT PLACING THE OFFICE OF VETERANS' AGENT AND DIRECTOR OF VETERANS' SERVICES OF FALL RIVER UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The office of veterans' agent and director of veterans' services of the city of Fall River shall, upon the effective date of this act, be subject to the civil service law and rules, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said law and rules.

SECTION 2. This act shall take effect upon its acceptance by the city of Fall River. *Approved June 1, 1965.*

Chap. 518. AN ACT REQUIRING THE PLACING OF A SUITABLE COVER OVER SAND AND GRAVEL CARRIED IN ANY TRUCK ON THE PUBLIC WAY.

Be it enacted, etc., as follows:

Section 36 of chapter 85 of the General Laws, as most recently amended by chapter 160 of the acts of 1962, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences: — No person shall drive or move a vehicle on any way, as defined in section one of chapter ninety, nor shall the owner or bailee of any vehicle require or permit the same to be driven or moved on any such way, unless such vehicle is constructed or loaded so as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, and, if it is loaded with sand or gravel, unless its load is fully and adequately covered. This section shall not prohibit the dropping of sand for the purpose of securing traction, or the sprinkling of water or other substance on such a way in cleaning or maintaining the same. *Approved June 1, 1965.*

Chap. 519. AN ACT EXTENDING THE BOUNDARIES OF THE BOURNE WATER DISTRICT IN THE TOWN OF BOURNE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 441 of the acts of 1938 is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 497 of the acts of 1953, and inserting in place thereof the following section: — *Section 1.* The inhabitants of the town of Bourne, liable to taxation in said town, and residing within the territory comprised within

the following boundary lines, to wit: — Beginning at the Cape Cod canal at a point three thousand feet west of the center line of the Sagamore bridge and running southerly from the mean high water line of the canal on its southerly bank along the westerly boundary line of the South Sagamore water district, as described in section one of chapter two hundred and sixty-two of the acts of nineteen hundred and forty-five, thence continuing in a straight line to a point on the northerly boundary of the Military Reservation, as shown on the Reservation Map — Camp Edwards, Scale 1:10,000, dated May 15, 1941, Plan #6863-578, thence turning and running westerly along the northerly line of said Reservation to the westerly line of said Reservation; thence turning and running southerly by the westerly line of said Reservation, as shown on said map, to its point of intersection with the Falmouth Town Line; thence westerly by the Falmouth Town Line to Buzzards Bay; thence northerly by the shore line of Buzzards Bay, including all adjacent islands, as appearing on the plan hereinafter referred to, to the Cape Cod canal; thence easterly along the south bank of the Cape Cod canal to the point of beginning, said territory being shown on the map of the Bourne Water District dated January, nineteen hundred and forty, by Whitman & Howard, as revised by Newell Snow in September, nineteen hundred and fifty-two, — shall constitute a water district and are hereby made a body corporate by the name of the Bourne Water District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of 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. This act shall take effect upon its acceptance by the voters of the territory included within the Bourne Water District by section one of this act at a special meeting called for the purpose.

Approved June 2, 1965.

Chap. 520. AN ACT EXTENDING THE TIME DURING WHICH A STAY OR SUCCESSIVE STAYS OF EXECUTION TOTALLING NINE MONTHS MAY BE GRANTED IN AN ACTION OF SUMMARY PROCESS BROUGHT TO RECOVER POSSESSION OF PREMISES USED FOR DWELLING PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 43 of the acts of 1946 is hereby amended by striking out section 2, as most recently amended by chapter 171 of the acts of 1963, and inserting in place thereof the following section: — *Section 2.* This act shall become inoperative on June thirtieth, nineteen hundred and sixty-seven.

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

Approved June 3, 1965.

Chap. 521. AN ACT RELATIVE TO THE CRIMINAL OFFENSE OF USING THE TELEPHONE TO MAKE ANNOYING CALLS.

Be it enacted, etc., as follows:

Chapter 269 of the General Laws is hereby amended by striking out section 14A, added by chapter 668 of the acts of 1964, and inserting in place thereof the following section: — *Section 14A.* Whoever 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 a person of the female sex, or repeatedly telephones a person of the male sex, and uses indecent or obscene language to such person, 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 June 3, 1965.

Chap. 522. AN ACT RELATIVE TO THE EXEMPTION OF EARNED INCOME BY RECIPIENTS OF OLD AGE ASSISTANCE.

Be it enacted, etc., as follows:

The first paragraph of section 1 of chapter 118A of the General Laws is amended by striking out the last sentence, as appearing in chapter 799 of the acts of 1950, and inserting in place thereof the following sentence: — In computing the aforesaid minima the local board of public welfare, or the department acting on cases appealed, as the case may be, shall, in accordance with rules and regulations made by the department, deduct therefrom the amount of income the person assisted or to be assisted may be receiving from any source whatsoever, and may so deduct therefrom such reasonable amount as may be deemed to represent the financial value of board, lodging or other assistance which is being furnished to such person from any source whatever, except where income is received from children living with the aged parent or parents, in payment of board and lodging to the amount set forth in clause 2 of section two A; provided, however, that any exemption now or hereinafter permissible under the Federal Social Security Act relative to earned income may be allowed.

Approved June 3, 1965.

Chap. 523. AN ACT REPEALING CERTAIN PROVISIONS OF LAW RELATIVE TO GENERAL RELIEF.

Be it enacted, etc., as follows:

SECTION 1. Chapter 117 of the General Laws is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* No board of welfare, veterans' agent, board of health, or other public authority shall place or cause to be placed a person dependent on public support in any hospital, nursing home, infirmary or institution not operated by the commonwealth which is not licensed as required by chapter one hundred and eleven. Any person violating the provisions of this section shall be punished by a fine of not less than twenty-five nor more than one hundred dollars.

SECTION 2. Section two A of said chapter one hundred and seventeen is hereby repealed.

SECTION 3. Said chapter 117 is hereby further amended by striking out section 3A, inserted by chapter 277 of the acts of 1937, and inserting in place thereof the following section: — *Section 3A.* Each applicant for relief and support shall be interviewed privately in a room or compartment from which shall be excluded all persons other than such applicant, such persons as shall accompany him at his request, and members and employees of the board of public welfare.

SECTION 4. Sections twenty, twenty-one and twenty-two of said chapter one hundred and seventeen are hereby repealed.

Approved June 3, 1965.

Chap. 524. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION PARK PRESENTLY KNOWN AS WILLOW POND PARK ON THE JAMAICAWAY IN THE CITY OF BOSTON AS THE SERGEANT PETER JOSEPH KELLY PARK.

Be it enacted, etc., as follows:

The park on the Jamaicaway in the city of Boston under the control of the metropolitan district commission, presently known as Willow Pond park, shall be known and designated as the Sergeant Peter Joseph Kelly park, in memory of Peter Joseph Kelly, who was killed in action while a member of the armed forces of the United States in World War II. A suitable marker bearing said designation shall be erected and maintained at said park by said commission.

Approved June 3, 1965.

Chap. 525. AN ACT RELATIVE TO THE DISPOSITION OF RECEIPTS PAID INTO THE TREASURY OF THE COMMONWEALTH BY LICENSEES CONDUCTING RACING MEETINGS IN CONNECTION WITH A STATE OR COUNTY FAIR.

Be it enacted, etc., as follows:

Chapter 128A of the General Laws is hereby amended by striking out section 15, as most recently amended by section 2 of chapter 540 of the acts of 1955, and inserting in place thereof the following section: — *Section 15.* The receipts paid into the state treasury under this chapter shall be credited to the General Fund except that so much of such payments as are made under section five by licensees conducting racing meetings in connection with a state or county fair shall be held as a separate fund for use in carrying out the provisions of paragraphs (*b*) and (*f*) of section two of chapter one hundred and twenty-eight.

Approved June 3, 1965.

Chap. 526. AN ACT ESTABLISHING AN ADVISORY COUNCIL TO CONSULT WITH THE DEPARTMENT OF MENTAL HEALTH RELATIVE TO THE CONSTRUCTION OF COMMUNITY MENTAL HEALTH CENTERS AND AN ADVISORY COUNCIL TO CONSULT WITH SAID DEPARTMENT RELATIVE TO THE CONSTRUCTION OF FACILITIES FOR THE MENTALLY RETARDED.

Be it enacted, etc., as follows:

SECTION 1. Chapter 19 of the General Laws is hereby amended by adding the following three sections: —

Section 8. There shall be an advisory council for the planning, construction, operation or utilization of community mental health centers, consisting of the commissioners of mental health, public health and public welfare, ex officiis, and twelve persons to be appointed by the governor, who shall include representatives of nongovernmental organizations or groups, of agencies of the commonwealth concerned with planning, construction, operation or utilization of community mental health centers or other mental health facilities, including representatives of consumers of the services provided by such centers and facilities who are familiar with the need for such services. Upon the expiration of the term of office of an appointive member, his successor shall be appointed for a term of four years. No member shall be reappointed for more than two terms. The commissioner of mental health shall be the chairman of the council. Members of said council shall serve without compensation but each member shall be reimbursed by the commonwealth for all expenses incurred in the performance of his official duties.

Section 9. There shall be an advisory council for the planning, construction, operation or utilization of facilities for the mentally retarded, consisting of the commissioners of mental health, public health and public welfare, ex officiis, and twelve persons to be appointed by the governor, who shall include representatives of agencies of the commonwealth concerned with planning, construction, operation or utilization of facilities for the mentally retarded and of nongovernmental organizations or groups concerned with education, employment, rehabilitation, welfare, and health, and including representatives of consumers of the services provided by such facilities. Upon the expiration of the term of office of an appointive member, his successor shall be appointed for a term of four years. No member shall be reappointed for more than two terms. The commissioner of mental health shall be the chairman of the council. Members of said council shall serve without compensation but each member shall be reimbursed by the commonwealth for all expenses incurred in the performance of his official duties.

Section 10. Each of the advisory councils established under sections eight and nine, respectively, shall, in order to carry out the purposes of the federal Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (Public Law 88-164), as amended, consult with and advise the department in any matter relative to surveying the need for community mental health centers or for facilities for the mentally retarded, as the case may be, and in developing programs for constructing such centers or facilities.

SECTION 2. The governor in making his initial appointments to each of the advisory councils established under sections eight and nine of chapter nineteen of the General Laws, inserted by section one of this act, shall appoint three members for terms of four years, three members for terms of three years, three members for terms of two years and three members for terms of one year. *Approved June 3, 1965.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 7, 1965.

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

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution the

Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 526 of the Acts of 1965 entitled "An Act Establishing An Advisory Council to Consult with the Department of Mental Health Relative to the Construction of Community Mental Health Centers and An Advisory Council to Consult with Said Department Relative to the Construction of Facilities for the Mentally Retarded." and the enactment of which received my approval on June 3, 1965, 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 Councils are required to be convened before June 30th in order to qualify for any grant for the 1965 fiscal year.

Sincerely,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 8, 1965.

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

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 527. AN ACT RELATIVE TO THE REGISTRATION OF CERTAIN PERSONS AS OPERATORS AND AUTHORIZING THEM TO PRACTICE HAIRDRESSING.

Be it enacted, etc., as follows:

Section 3 of chapter 503 of the acts of 1957, as amended by section 2 of chapter 388 of the acts of 1959, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Notwithstanding the provisions of sections eighty-seven V and eighty-seven W of chapter one hundred and twelve of the General Laws, any person who was never registered as a hairdresser, operator or manicurist within the commonwealth but who, prior to January first, nineteen hundred and thirty-six, practiced hairdressing or manicuring within the commonwealth and who submits notarized affidavits satisfactory to the board that he so practiced may file an application for examination accompanied by the appropriate fee as provided in section eighty-seven CC of said chapter one hundred and twelve for registration as an operator or manicurist as the case may be, and upon completion of a refresher course of at least five hundred hours, in the case of an operator, or fifty hours in the case of a manicurist, in a school approved by the board, and upon passing an examination satisfactory to the board, may be registered by the board as an operator or manicurist as requested in his application and may thereafter practice as such within the commonwealth for the period of original registration and thereafter upon payment annually of a renewal fee as provided in section eighty-seven CC.

Approved June 3, 1965.

Chap. 528. AN ACT FURTHER DEFINING THE TERM "FARMING" AS USED IN THE LAWS RELATING TO THE OPERATION AND REGISTRATION OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 90 of the General Laws is hereby amended by striking out the definition of "Farming", as amended by chapter 539 of the acts of 1956, and inserting in place thereof the following definition: —

"Farming", the tillage or use of the soil to raise food for man or beast, the raising of tobacco, or the propagation and growing of trees, shrubs, vines and plants for transplanting and sale.

SECTION 2. The second sentence of section 5 of said chapter 90, as appearing in section 1 of chapter 483 of the acts of 1955, is hereby amended by inserting after the word "products", in line 4, the words: — or the delivery of flowers. *Approved June 7, 1964.*

Chap. 529. AN ACT REPEALING THE RESTRICTIONS ON THE AMOUNT OF ANNUAL INCOME WHICH MAY BE DERIVED FROM FUNDS HELD BY THE TRUSTEES OF THE MINISTERIAL FUND OF THE BAPTIST RELIGIOUS SOCIETY IN HAVERHILL.

Be it enacted, etc., as follows:

Section 4 of chapter 10 of the acts of 1823, as amended by chapter 75 of the acts of 1929, is hereby further amended by striking out, in lines 8, 9 and 10, the words ": *Provided*, that the annual income of their funds shall never exceed the sum of eight thousand dollars".

Approved June 7, 1965.

Chap. 530. AN ACT AUTHORIZING CITY AND TOWN CLERKS TO MAKE REGULATIONS RELATIVE TO THE CONDUCT OF ELECTIONS AND THE HANDLING OF VOTES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 50 of the General Laws is hereby amended by striking out section 7 and the caption immediately preceding, as appearing in the Tercentenary Edition, and inserting in place thereof under the caption POWER OF CITY OR TOWN CLERKS TO MAKE REGULATIONS the following section: — *Section 7.* A city or town clerk may make regulations consistent with law relative to the use of ballot boxes and seals, counting and other apparatus, the receiving of ballots and the counting and returning of votes.

SECTION 2. Section twenty of chapter fifty-six of the General Laws is hereby repealed. *Approved June 7, 1965.*

Chap. 531. AN ACT RELATIVE TO THE REGISTRATION OF OPERATORS AS HAIRDRESSERS AND PROVIDING SHOPS EMPLOYING SUCH HAIRDRESSERS SHALL EMPLOY ONE HAIRDRESSER FOR EVERY THREE OPERATORS EMPLOYED THEREIN.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 87W of chapter 112 of the General Laws, as most recently amended by chapter 343 of the acts of

1959, is hereby further amended by striking out, in lines 1 and 2, the words "one year's" and inserting in place thereof the words: — two years of.

SECTION 2. Section 87AA of said chapter 112 is hereby amended by adding the following paragraph: —

Each registered beauty shop qualified under this section, or under any other previous provision of law, and which employs operators, shall employ one hairdresser to supervise no more than each three operators employed therein.

SECTION 3. Chapter three hundred and seven of the acts of nineteen hundred and fifty-three is hereby repealed.

SECTION 4. Notwithstanding the provisions of sections eighty-seven V and eighty-seven W of chapter one hundred and twelve of the General Laws, any person registered as an operator by the board of registration of hairdressers prior to the thirteenth day of September, nineteen hundred and fifty-three, and having not less than two years practical experience as such, may file with said board an application, accompanied by a fee of twenty dollars, for registration as a hairdresser and, upon passing a practical examination satisfactory to the board, may be registered as a hairdresser. *Approved June 7, 1965.*

Chap. 532. AN ACT DESIGNATING THE BRIDGE OVER THE MASSACHUSETTS TURNPIKE AT WASHINGTON AND WALNUT STREETS IN THE CITY OF NEWTON AS THE PAUL V. FOLEY BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The bridge over the Massachusetts turnpike at Washington and Walnut streets in the Newtonville district of the city of Newton shall be known and designated as the Paul V. Foley 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 the family of said Paul V. Foley.

SECTION 2. This act shall take effect upon its acceptance by the Massachusetts Turnpike Authority. *Approved June 7, 1965.*

Chap. 533. AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF IPSWICH TO ACT AS A WATER AND SEWER BOARD.

Be it enacted, etc., as follows:

SECTION 1. The selectmen of the town of Ipswich shall act as a water and sewer board. Upon the effective date of this act all the powers, rights, duties and liabilities relating to water, presently exercised by the board of water and municipal light commissioners of said town, shall vest in said water and sewer board.

The selectmen of said town shall appoint and fix the compensation of a superintendent of its water and sewer department who, subject to the control of the selectmen, shall exercise and perform such powers, rights and duties as the selectmen may from time to time designate. Said superintendent shall be subject to the provisions of chapter thirty-one of the General Laws.

SECTION 2. The board of water and municipal light commissioners, established by section one of chapter one hundred and six of the acts

of nineteen hundred and four, shall be known as the municipal light board. Said board of municipal light commissioners shall have all the powers and be subject to all the duties, liabilities and penalties which are or hereafter may be conferred or imposed by general laws upon municipal light boards.

SECTION 3. This act shall take effect upon its acceptance by the town of Ipswich. *Approved June 7, 1965.*

Chap. 534. AN ACT EXEMPTING ENROLLEES IN THE ANTI-POVERTY PROGRAMS FROM THE OPERATION OF THE CIVIL SERVICE LAW AND RULES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide economic opportunities for participants in anti-poverty programs, 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:

Enrollees in programs under Title IB, IC and V as set forth under Public Law 88–452, cited as the Economic Opportunity Act of 1964, shall be exempt from the provisions of chapter thirty-one of the General Laws, as amended. Such enrollees shall not displace employees in existing positions, nor shall they fill positions for which civil service employees are actively being sought or for which there are budgetary appropriations. Administrative, supervisory, clerical and other employees used in connection with the administration of these titles shall be selected in accordance with the civil service law and rules of the commonwealth, wherever applicable.

Enrollees under Title IB shall be young men and women who are permanent residents of the United States and who have attained age sixteen but have not attained age twenty-two, and whose participation in such programs will be consistent with the purposes of the Economic Opportunity Act of 1964. Enrollees under Title IC shall be students in institutions of higher education who are from low income families. Enrollees under Title V shall be persons who are unable to support or care for themselves or their families.

No exemption granted hereunder shall continue if in the opinion of the director of civil service there is any violation of chapter thirty-one of the General Laws, and in such cases section thirty-eight of chapter thirty-one shall apply. *Approved June 8, 1965.*

Chap. 535. AN ACT RELATIVE TO APPOINTMENT OF ADDITIONAL ASSISTANT CLERKS OF COURTS IN CERTAIN COUNTIES.

Be it enacted, etc., as follows:

Chapter 221 of the General Laws is hereby amended by striking out section 5, as most recently amended by section 1 of chapter 746 of the acts of 1963, and inserting in place thereof the following section: — *Section 5.* In addition to the assistant clerks provided for in section four, the clerks of the courts for the following counties may appoint assistant clerks, with the same powers and duties, as follows: —

Bristol, a third assistant, a fourth assistant and a fifth assistant, subject to removal by the court or by the clerk.

Norfolk, a second assistant and a third assistant, subject to removal by the court or by the clerk.

Middlesex, not more than eight assistant clerks, subject to approval of a justice of the supreme judicial or superior court.

Plymouth, a second assistant and a third assistant, subject to approval of a justice of the supreme judicial or superior court.

Suffolk, (*a*) superior court, by the clerk of the superior court for criminal business, assistant clerks who shall hold office during good behavior, subject to applicable retirement laws, and who may be removed by the court or for cause by the clerk; such removal, however, if by the clerk, shall, on petition of an assistant clerk so removed, be subject to a review by the justice of the district court within the territorial jurisdiction of which such assistant clerk lives; such petition shall be filed by such assistant clerk in said district court within thirty days from the date of his removal by the clerk; after such notice as the court deems necessary, it shall review such action of the clerk and determine, after a hearing, whether such action was justified; if the court finds that such action was justified such removal shall be affirmed, otherwise it shall be reversed and of no effect; if the court finds that such removal was unjustified such assistant clerk shall be reinstated to his former position without loss of compensation. The decision of the court shall be final. (*b*) supreme judicial court, by the clerk of the supreme judicial court for said county a second assistant clerk, designated from his office force, and said second assistant clerk appointed under the authority of this paragraph shall hold such office during good behavior, but subject to applicable retirement laws, and may be removed by the clerk for cause shown, subject to a review by a petition in the district court within the territorial jurisdiction in which he resides praying that such action of the clerk and his decision be reviewed by the court. After such notice as the court deems necessary, it shall review such action and decision, hear any and all evidence and determine whether such action was justified. If the court finds that such action was justified, the decision of the clerk shall be affirmed; otherwise, it shall be reversed and of no effect. If the court finds that he was unjustifiably retired, removed or discharged from his office or position, he shall be reinstated thereto without loss of compensation. The decision of the court shall be final.

All other counties having no permanent second assistant clerks, assistant clerks pro tempore or for a term of one year, subject to removal by the court or by the clerk.

Assistants pro tempore or for the term of one year appointed under this section shall be paid by the county monthly.

Approved June 8, 1965.

Chap. 536. AN ACT AUTHORIZING CERTAIN PERSONS TO VOTE FOR ELECTORS OF PRESIDENT AND VICE-PRESIDENT.

Be it enacted, etc., as follows:

Section 1A of chapter 51 of the General Laws, as inserted by section 3 of chapter 437 of the acts of 1962, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

A person who has resided in the commonwealth less than one year, but who will have resided therein and in the city or town where he claims the right to vote not less than thirty-two days next preceding an election at which electors of president and vice-president are to be chosen, or a person not in active military service who lives on land within the commonwealth purchased by or ceded to the United States government and who will have resided thereon not less than thirty-two days next preceding such election, may be qualified for voting only for such electors at such election; provided, he makes application therefor as hereinafter required and otherwise complies with the requirements of this chapter.

Approved June 8, 1965.

Chap. 537. AN ACT FURTHER REGULATING THE ISSUANCE OF SPECIAL SERVICE OR SCHOOL SERVICE BUS PERMITS.

Be it enacted, etc., as follows:

Chapter 159A of the General Laws is hereby amended by striking out section 11A, as most recently amended by chapter 41 of the acts of 1964, and inserting in place thereof the following section: — *Section 11A.* No person shall operate or offer to provide service by means of any motor vehicle carrying ten or more persons, including the driver, upon any public way in charter service, as hereinafter defined, unless he shall have obtained from the department a license to engage in the business of rendering such service and certifying that the rendering of such service is consistent with the public interest, that public convenience and necessity require it and that the applicant is fit, willing and able properly to perform such service. "Charter service" is hereby defined as the transportation of groups of persons who, pursuant to a common purpose and under a single contract, and at a fixed charge for the vehicle have acquired the exclusive use of the vehicle for the duration of a particular trip or tour and in such a manner as not to be subject to section one. The department may, after public hearing, grant or refuse to grant a license to engage in the business of rendering charter service, and may, after notice and hearing, suspend or revoke such a license for cause. Any such license shall remain in force except while so suspended, until so revoked.

No person shall operate any motor vehicle upon any public way in special service, or school service, as hereinafter defined, unless he shall have obtained from the department a permit to render such special service, or school service, certifying that the rendering of such special service or school service is consistent with the public interest, and public convenience requires it. "Special service" is hereby defined as the transportation, by motor vehicle over a route other than one certified to the applicant under section seven, for any special purpose, event or occasion or series of events or occasions, of a number of passengers to whom the carrier itself, or some person in its behalf, has sold or intends to sell tickets for transportation service, whether such tickets are for transportation alone or are in the form of combination tickets. "School service" is hereby defined as the transportation, by motor vehicle over a route other than one certified to the applicant under section seven, of children to and from school and summer day camp. No special service or school service permit shall be issued in any city or town as the point

of origin other than to the holder of a certificate under section seven who has a certificated route in said city or town, unless there is no such certificate holder in such city or town, or unless the holder of said certificate is not fit, willing and able properly to perform the special service or school service applied for, and no such permit shall be issued to operate over a route over which or approximately over which a carrier has a certificate to operate under section seven, if said carrier is fit, willing and able properly to perform the special service or school service applied for. The department may grant or refuse to grant a permit for such special service, or school service, upon application, after not less than seven days' notice by mail directed to such holders of certificates issued under section seven and of permits issued under this section serving the cities or towns of origin and destination named in such application as might, in the judgment of the department, be interested in such operations. In the event that the department considers that any objection filed with it before the return date warrants further consideration, it shall hold such hearing on such notice as it may require, and shall thereupon grant or refuse to grant such permit. Special service permits shall be granted only to the holder of a license issued under this section authorizing him to engage in the business of rendering charter service and the department may, after notice and hearing, revoke such permit for cause. Such special service or school service shall not be subject to section one.

The department may make suitable and reasonable rules, orders and regulations covering the operation of motor vehicles both under section one and in such charter service, special service, or school service, and may revise, alter, amend or annul the same. The department shall also establish minimum mileage rates for any such charter service, special service or school service operated in intrastate commerce within the commonwealth, and may revise, alter, amend or annul such rates, and in determining such rates the department shall consider as part of the rate base the elements of waiting service and type of equipment employed. The terms "charter service", "special service" or "school 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 or 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.

Sections six, eight, nine, eleven, thirteen, fourteen and fifteen shall apply to the operation of charter service under a license granted under this section and to special service or school service under a permit issued under this section, but vehicles for which vehicle permits have been issued under section eight and drivers who hold drivers' licenses under section nine shall not be required to have additional vehicle permits and drivers' licenses for operation in charter service or special service.

No licensee under this section shall change his address, place of business, the place where his buses or any of them are usually garaged, or

his base of operations from one city or town to another, unless such change shall be approved by the department after a public hearing and notice to the holders of other licenses under this section in the city or town into which said change is sought to be made, and in the adjacent cities and towns thereto, and to holders of certificates issued under section seven, who are doing business in such city or town, and unless a finding is made by said department that such change is consistent with the public interest and that public convenience and necessity require such change.

This section shall not be so construed as to prohibit the use of school buses under contract to a school system in transporting pupils to and from school-sponsored extra-curricular activities; provided, that payment for such transportation is made from school appropriations.

Approved June 8, 1965.

Chap. 538. AN ACT ABOLISHING THE HIGHWAY AND WATER DEPARTMENTS OF THE TOWN OF TEMPLETON AND ESTABLISHING A DEPARTMENT OF HIGHWAYS AND WATER UNDER THE JURISDICTION OF THE SELECTMEN OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, there shall be established in the town of Templeton, a department of highways and water, under the jurisdiction of the selectmen. Upon the effective date of this act the selectmen shall have all the powers and duties now and from time to time vested by general or special law or by by-law in the highway and the water departments of said town, and said highway department and water department shall be abolished.

SECTION 2. The selectmen shall appoint and fix the compensation of a superintendent of highways and water who shall exercise and perform, under their supervision and direction, such of the powers, rights and duties transferred to them under section one as they may from time to time designate. He shall be specially fitted by education, training and experience to perform the duties of his office and need not be a resident of the town during his tenure of office. He shall be responsible for the efficient exercise and performance of such powers, rights and duties. He may be removed for just cause only and by a vote of at least two members of the board. He shall be given a written notice at least fourteen days prior to the date of removal, which shall specify the reasons for such removal. At his request a public hearing shall be held on the charges brought against him.

During his tenure he shall hold no other elective or appointive office nor shall he engage in any other business or occupation. He shall, subject to the approval of the selectmen, appoint such assistants, agents and employees as the exercise and performance of his powers, rights and duties may require. He shall render to the selectmen, as often as they may require, a full report of all operations under his control during the period reported upon, and annually, and from time to time as required by the selectmen, shall make a synopsis of such reports for publication and shall keep the selectmen fully advised as to the needs of the town within the scope of his duties, and shall annually, not less than sixty days prior to the expiration of the fiscal year of said town, furnish to the selectmen a carefully prepared and detailed estimate in writing of the

appropriations required during the next succeeding fiscal year for the proper exercise and performance of all said rights and duties. The permanent employees of the departments abolished by this act shall be transferred to and become employees of the department of highways and water and every employee so transferred who immediately prior to such transfer was subject to section nine A of chapter thirty or to chapter thirty-one of the General Laws under a permanent appointment and who has served a probationary period shall continue to serve subject to the provisions of said section nine A of chapter thirty or said chapter thirty-one as the case may be, whether or not thereafter reclassified, and shall retain all rights to holidays, sick leave and vacations in effect on the effective date of this act.

SECTION 3. This act shall be submitted to the voters of the town of Templeton for acceptance at the annual town election in the year nineteen hundred and sixty-six, in the form of the following question, which shall be placed on the official ballot to be used for the election of town officers at said election: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-five, entitled 'An Act abolishing the highway and water departments of the town of Templeton and establishing a department of highways and water under the jurisdiction of the selectmen of said town', be accepted?" If a majority of the votes cast in answer to this question is in the affirmative, this act shall take effect on the first day of September following. If this act is not accepted as provided in this section, it shall thereupon become null and void.

Approved June 8, 1965.

Chap. 539. AN ACT PROTECTING THE PENSION RIGHTS OF LABORERS IN CERTAIN CITIES AND TOWNS.

Be it enacted, etc., as follows:

Chapter 32 of the General Laws is hereby amended by inserting after section 77B the following section: —

Section 77C. In any city or town to which section seventy-seven applies and which accepts this section, in the manner hereinafter provided, a laborer who was in the employ of any department of such city or town prior to July first, nineteen hundred and thirty-seven, and on or after said date was promoted to a supervisory position in the same department, shall not by reason of the acceptance of such promotion be deemed to have forfeited his right, if any, to a noncontributory pension under the provisions of said section seventy-seven.

This section shall take effect in a city having a plan D or plan E charter by the affirmative vote of two thirds of all the members of the city council, and in the case of any other city by vote of the city council subject to the provisions of its charter, and in a town by a majority vote at an annual town meeting. *Approved June 8, 1965.*

Chap. 540. AN ACT AUTHORIZING THE ANDOVER FIREMEN'S RELIEF ASSOCIATION TO PAY CERTAIN SUMS OF MONEY TO MEMBERS UPON THEIR RETIREMENT.

Be it enacted, etc., as follows:

Andover Firemen's Relief Association, a corporation duly established by law, is hereby authorized, upon the retirement from the fire depart-

ment of the town of Andover of any member in good standing, to pay to such member such sum, not exceeding fifteen hundred dollars, as may be determined by vote of said corporation. Any amount so paid shall reduce the death benefit otherwise payable upon the death of any such member. *Approved June 8, 1965.*

Chap. 541. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-FIVE, 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 three hundred and thirty-seven of the acts of nineteen hundred and sixty-four.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Legislature.

House of Representatives.

Item		
0102-06	For personal services of the counsel to the house of representatives and assistants, including not more than seven permanent positions	$7,500
0102-09	For clerical and other office expenses for the members of the house of representatives	132

Sergeant-at-Arms.

0103-04	For the salaries of assistant doorkeepers of the senate and house of representatives and of general court officers, with the approval of the sergeant-at-arms, including not more than fifty-four permanent positions	$1,130
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	322

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	$100,000
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, for the year nineteen hundred and sixty-five and the previous year	28,800
0110-05	For telephone service, prior appropriation continued	16,284

Special Investigations.

0263-01	For an investigation and study relative to improving and extending educational facilities in the commonwealth, as authorized by chapter one hundred and eight of the resolves of nineteen hundred and sixty-two	$8,000

Item

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 $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 nineteen hundred and sixty-four 3,758

Judiciary.

Supreme Judicial Court.

0301-06 For office supplies, services and equipment $1,200

0301-12 For the service of the executive secretary 1,500

Superior Court.

0305-03 Item 0305-03 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding any provisions of law to the contrary, the amount of one thousand dollars shall be allowed and paid from this item for the salary of the assistant clerk for Suffolk county, earned but not paid, for the period of July first, nineteen hundred and sixty-three, to June thirtieth, nineteen hundred and sixty-four $2,000

0305-04 For expenses authorized by section twenty-eight of chapter two hundred and twelve of the General Laws 9,050

Administration of Probate and Insolvency Courts.

0320-01 For the compensation of judges of probate when acting for other judges of probate $5,000

Land Court.

0340-02 For the service of the land court, including not more than forty-five permanent positions $12,739

Executive.

Governor.

0401-31 For the purchase of a portrait of a former governor of the commonwealth, as authorized by section nineteen of chapter eight of the General Laws $7,000

0401-35 For the preparation and publication of the official papers of a former governor 12,000

Civil Defense Agency.

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, additions to 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,

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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; and, further provided, that a sum not exceeding thirty thousand dollars may be expended for the purchase and installation of the necessary equipping and shielding of existing buildings for the purpose and use as national air warning points, said expenditures to be contingent upon the prior approval by the proper federal authorities of full reimbursement for these expenditures from federal funds available for this purpose, and also provided that when said federal funds are received they may be expended for the purposes of this item without specific appropriation.

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 **$3,000**

Militia:

0421–21 For the service of the air national guard, including not more than one permanent position **271**

Armory Commission.

0428–01 For compensation of one member and for expenses of the commission **$7,000**

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.

0441–12 Item 0441–12 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four is hereby amended by striking out, in line three, the words "fifty thousand" and inserting in place thereof the following: — sixty-eight thousand five hundred and sixty-five **$22,065**

Central Services Division.

0441–31 For purchasing and erecting a plaque, as authorized by chapter four hundred and eighty-four of the acts of nineteen hundred and sixty-one, appropriation expires June thirtieth, nineteen hundred and sixty-six **$3,500**

0441–33 For the purchase of microfilm supplies **5,800**

8356–25, 8157–71, 8258–84, 8359–05, 8260–68 Item 8260–68 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine is hereby reappropriated; and the unexpended balances remaining in items 8356–25 of section two of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-five, 8157–71 of section two of chapter seven hundred and eleven of the acts of nineteen hundred and fifty-six, 8258–84 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven, and item 8359–05 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight are hereby transferred and made available for the purposes of said item 8260–68; appropriation expires June thirtieth, nineteen hundred and sixty-six.

The Group Insurance Commission.

Item

0448-02 For the commonwealth's share of the group insurance premium; provided, that the group insurance commission shall charge the division of employment security and other departments, authorities and divisions which have federal or other funds allocated to them for this purpose for that portion of the cost of the program as it determines should be borne by such funds, and shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds, and amounts received in payment of all such charges or such transfers shall be credited to the General Fund; 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 **$770,000**

George Fingold Library.

0459-01 For the service of the library, including not more than thirty-one permanent positions **$9,000**

Ballot Law Commission.

0461-01 For compensation and expenses of the commissioners, including not more than three permanent positions **$500**

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 **$750**

Mount Greylock Reservation Commission.

0466-01 For the maintenance of the Mount Greylock war memorial . **$1,467**

Soldiers' Home in Massachusetts.

0481-01 For the maintenance of the Soldiers' Home in Massachusetts, including not more than five hundred and ninety-four permanent positions **$48,487**

Commissioner of Veterans' Service.

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 **$800**

Massachusetts Rehabilitation Commission.

0497-01 For the service of the commission, including not more than one permanent position, prior appropriation continued **$20,000**

Secretary of the Commonwealth.

Printing Laws, etc.

0503-02 For the printing of reports of decisions of the supreme judicial court, prior appropriation continued **$16,165**

Matters Relating to Elections.

0504-04 For expenses of publications of lists of candidates and forms of questions before state elections **$7,100**

Treasurer and Receiver-General.

State Board of Retirement.

Item

0604–03 Item 0604–03 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four is hereby amended by inserting after the word "hundred", in line five, the following: — and ninety $600,000

0604–05 For payment of any claims, as authorized by sections eighty-nine and eighty-nine A of chapter thirty-two of the General Laws, for allowances to the families of certain employees killed or fatally injured in the discharge of their duties 800

0604–06 For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired . . . 324

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 4,000

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 12,000

Department of the Attorney General.

0801–02 For the office of the attorney general, including not more than forty-five permanent positions $30,000

Department of Natural Resources.

Division of Forests and Parks.

1002–12 For the service of the state fire warden, including not more than nineteen permanent positions, and for expenses of the Northeastern Forest Fire Protection Commission, and for compensation of commissioners, as authorized by chapter four hundred and fifty-seven of the acts of nineteen hundred and forty-nine; for the year nineteen hundred and sixty-five and the previous year $18,000

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 3,302

Division of Conservation Services.

7665–01 Section one of chapter five hundred and seven of the acts of nineteen hundred and sixty-four is hereby amended by adding at the end of the first sentence the following: — ; provided, that a sum not to exceed forty thousand dollars shall be allocated to update the existing master plan.

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 $42,197

Department of Banking and Insurance.

Division of Insurance.

1103–02 For the service of the division, including expenses of the board of appeal, and certain other costs of supervising motor vehicle liability insurance, and including not more than two hundred and eighty-seven permanent

Item

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 . **$3,950**

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 **$64**

Department of Education.

1301-04 Item 1301-04 of section two of chapter six hundred and sixty-five of the acts of nineteen hundred and sixty-four is hereby amended by adding at the end thereof the following: — ; and, provided further, that the comptroller, at the request of the commissioner of education, shall transfer the sum of eighty-nine thousand four hundred and fifty-eight dollars and thirty-three cents from the federal grant-in-aid deposited in account number 4155-00 to the receipt account number 1301-90 established under this appropriation item.

1301-06 For printing school registers and other school blanks for cities and towns **$2,500**

1301-10 For the service of the state building on Newbury Street, Boston, including not more than five permanent positions **1,500**

1301-13 For the commonwealth's share of the expenses of the national council of state school officers **400**

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 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, from the school lunch distribution and salvage fund **$200**

1305-05 Item 1305-05 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four 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-five **100,000**

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 **$180,000**

Division of University Extension.

1313-01 For the university extension courses, including not more than fifty-eight 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 **$19,260**

Division of Immigration and Americanization.

Item

1315-01 For the service of the division, including not more than seventeen permanent positions $775

Division of the Blind.

1317-01 For general administration and for instruction of the adult blind in their homes, including not more than seventy-three permanent positions $4,080

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 200,000

1317-28 For the promotion of vocational rehabilitation of the blind in co-operation with the federal government, prior appropriation continued 30,000

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 $55,000

1329-02 Item 1329-02 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four is hereby amended by inserting after the word "million", in line twelve, the following:— five hundred thousand.

1330-02 For the construction of a central power plant, including improvements to the utility distribution system and the cost of equipment, to be in addition to item 8063-04 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two . . 95,000

8264-90 Item 8264-90 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three is hereby amended by adding at the end thereof the following: — and Boyden hall.

1334-30 For certain fuel tank repairs 4,500

1335-01 State college at Salem, including not more than one hundred and sixty-six permanent positions 44,000

1336-01 State college at Westfield, including not more than ninety-one permanent positions 21,000

1338-01 State college at Boston, including not more than one hundred and ninety-seven permanent positions 2,500

Massachusetts Board of Regional Community Colleges.

1361-00 Massachusetts Bay community college, including not more than fifty-three permanent positions $69,542

8065-36 Item 8065-36 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four is hereby amended by inserting after the word "campus", in line seven, the words: — and for the renovation of certain buildings, including the cost of furnishings and equipment.

1363-00 Cape Cod community college, including not more than twenty-nine permanent positions 650

1364-00 Berkshire community college, including not more than thirty-three permanent positions 4,625

1365-00 Quinsigamond community college, including not more than thirty-six permanent positions 24,800

1367-00 Holyoke community college, including not more than forty-two permanent positions 10,000

1368-00 Mount Wachusett community college, including not more than eighteen permanent positions 2,000

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 $36,000

For the maintenance of and for certain improvements at the institutions within the division:

Item

1381-01 Industrial school for boys, including not more than one hundred and thirty-four permanent positions **$5,950**

1384-01 For the operation of reception and detention facilities for boys in the city of Boston, including not more than sixty-three permanent positions **17,500**

1388-01 For the operation of a residential treatment unit for small boys in Oakdale, including not more than twenty-five permanent positions . **1,455**

1389-01 For the operation of a detention center in Worcester county, including not more than twenty permanent positions . . . **4,951**

School Building Assistance Commission.

1393-01 For the school building assistance commission . . . **$500**

Board of Educational Assistance.

1394-01 For the expenses of the board, as authorized by section twenty-six of chapter fifteen of the General Laws **$1,000**

Department of Civil Service and Registration.

Division of Civil Service.

1402-02 For the service of the division, including not more than two hundred and fifty-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. . **$42,600**

Division of Registration.

For the service of the following agencies in the division:

1407-01 Board of registration in pharmacy, including not more than nine permanent positions **$1,600**

1421-01 Board of registration of hairdressers, including not more than eighteen permanent positions **1,000**

Department of Commerce and Development.

1501-11 For the payment of certain moral obligations, as authorized by chapter one hundred and thirteen of the resolves of nineteen hundred and sixty-four **$8,218**

1501-12 For the purpose of providing an additional payment to the New England Council World's Fair Corporation; provided, that, notwithstanding the provisions of chapter four hundred and forty-two of the acts of nineteen hundred and sixty-three, as amended by chapter one hundred and fifty-eight of the acts of nineteen hundred and sixty-five, the commissioner of the department of commerce and development is hereby authorized to negotiate and enter into a contract, on behalf of the commonwealth, with the New England Council World's Fair Corporation, organized under chapter one hundred and eighty of the General Laws, for the purpose of providing for the participation of the commonwealth of Massachusetts, in conjunction with other New England states, in the New York World's Fair; and, provided further, that said contract shall provide for an additional payment of the commonwealth's share of expenditures to be made by such corporation for the cost of operation of the New England exhibits for the nineteen hundred and sixty-five world's fair; appropriation expires December thirty-first, nineteen hundred and sixty-five **20,000**

Department of Labor and Industries.

Division of Industrial Accidents.

1651-05 For expenses of impartial examinations, prior appropriation continued **$10,860**

Division of Self-Insurance.

Item

1651-21 For the service of the division, including not more than six permanent positions $1,300

Industrial Accident Rehabilitation Board.

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:

1710-00 Item 1710-00 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding any provisions of law to the contrary, the amount of two hundred dollars and fifty-two cents shall be allowed from this item to clear an advance of the nineteen hundred and sixty fiscal year unaccounted for $29,500

1711-00 Boston state hospital, including not more than one thousand one hundred and twenty-two permanent positions 5,000

8364-87 Item 8364-87 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three is hereby amended by adding at the end thereof the following: — , and repairs to elevators in various buildings.

1712-00 Danvers state hospital, including not more than eight hundred and forty-six permanent positions 28,200

8364-91 Item 8364-91 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three is hereby amended by adding at the end thereof the following: — , and repainting and waterproofing other buildings.

1713-00 Foxborough state hospital, including not more than five hundred and sixty-one permanent positions 33,000

1715-00 Item 1715-00 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four 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-eight dollars shall be allowed and paid from this item for the salary of a certain employee, earned but not paid, for the period from March eighth, nineteen hundred and sixty-four, to May second, nineteen hundred and sixty-four 7,200

1716-00 Item 1716-00 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding any provision of law to the contrary, the amount of two hundred and twenty dollars and thirty cents shall be allowed and paid from this item for the salary of a certain employee, earned but not paid, for the period from January twentieth, nineteen hundred and fifty-nine, to February twenty-fifth, nineteen hundred and fifty-nine, and May fourteenth, nineteen hundred and sixty-one, to November seventeenth, nineteen hundred and sixty-one.

1717-00 Item 1717-00 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four, as amended by chapter six hundred and sixty-five of said year, is hereby further amended by adding at the end the following: — ; provided, that notwithstanding any provision of law to the contrary, a sum of twenty-one thousand seven hundred and sixty-three dollars and nine cents shall be allowed and paid from this item for certain prior-year salaries earned but not paid 16,000

1720-00 Item 1720-00 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four, as amended by chapter six hundred and sixty-five, is hereby further amended by adding at the end thereof the following: — ; provided, there shall be charged against

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this appropriation a certain shortage in the amount of one hundred dollars determined by the auditor to be the shortage as of July sixth, nineteen hundred and sixty-four.

1721-00 Worcester state hospital, including not more than one thousand and fifty permanent positions $83,000

8365-08 Item 8365-08 of section two of chapter three hundred and ninety-eight of the acts of nineteen hundred and sixty-four is hereby amended by striking out the wording and inserting in place thereof the following: — For earth fill embankment, including demolition of cannery building and construction of a storage building, Worcester state hospital.

1725-00 Item 1725-00 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four, as amended by chapter six hundred and sixty-five of said year, is hereby further amended by adding at the end the following: — ; provided, that notwithstanding any provision of law to the contrary, the amount of twenty-three dollars and twenty-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 April eighth, nineteen hundred and fifty-seven, to April thirtieth, nineteen hundred and fifty-seven.

1727-00 Cushing hospital, including not more than six hundred and seventy-eight permanent positions 11,000

Department of Correction.

For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:

1810-01 Correctional institution at Bridgewater, including not more than five hundred and sixty-two permanent positions . . . $13,600

8365-30 Item 8365-30 of section two of chapter three hundred and ninety-eight of the acts of nineteen hundred and sixty-four is hereby amended by striking out the wording and inserting in place thereof the following: — For certain repairs to "C," "D," and tower roofs, M.C.I., Bridgewater.

1818-01 Correctional institution at Norfolk, including not more than two hundred and fifty-five permanent positions 42,350

Parole Board.

1830-01 For the service of the board, including not more than seventy-three permanent positions $1,500

Department of Public Welfare.

1906-04 For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued $99,400

Department of Public Health.

Bureau of Environmental Sanitation.

2002-01 For the service of the bureau, including not more than eighty-one permanent positions $10,600

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 nineteen hundred and sixty-four, to be in addition to any federal or other funds available for the purpose . . . 40,000

Bureau of Health Services.

2004-01 For the service of the bureau, including not more than sixty-one permanent positions $30,000

Institute of Laboratories.

2007-01 For the service of the institute, including not more than one hundred and fifty permanent positions $40,000

Bureau of Consumer Products Protection.

Item

2008–01 For the service of the bureau, including not more than sixty-nine permanent positions **$5,800**

For the maintenance of and for certain improvements at the following institution under the control of the department of public health:

2024–00 Rutland hospital, including not more than two hundred and fifty-two permanent positions **$15,400**

8164–10 Item 8164–10 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 improvements to steam lines and heater, Pondville hospital.

Department of Public Safety.

State Boxing Commission.

2105–11 For the service of the commission, including not more than six permanent positions **$500**

Board of Schoolhouse Structural Standards.

2110–01 For the service of the board, as authorized by chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-five, as amended **$1,150**

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 nineteen hundred and sixty-four, as amended by chapter six hundred and sixty-five, is hereby further amended by adding at the end thereof the following: — ; and, further provided, that notwithstanding any provision of law to the contrary, the amount of one thousand one hundred and forty-four dollars and fifty-two cents shall be allowed and paid from this item for the salary of a certain employee for the period from October first, nineteen hundred and fifty-six, to September nineteenth, nineteen hundred and fifty-nine.

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 **$12,000**

Miscellaneous.

2420–20 For the payment of a certain judgment as recorded in the Suffolk superior court by docket number 63448 . . . . . **$627**

LOCAL AID APPROPRIATIONS.

The following appropriations are for reimbursements and grants to local governments and for certain other purposes, and are to be in addition to any unexpended balance of appropriations heretofore made for the purpose:

Department of Corporations and Taxation.

Reimbursement for Loss of Taxes.

Item

2612-01 For reimbursing cities and towns for loss of taxes on land used for state institutions and certain other state activities, as certified by the commissioner of corporations and taxation for the calendar year nineteen hundred and sixty-four, and for reimbursement of certain towns as authorized by section seventeen B of chapter fifty-eight of the General Laws **$9,275**

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 **140,000**

Department of Education.

2613-03 For assisting small towns in providing themselves with school superintendents, as provided by law **$9,777**

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 . . **122,027**

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 **380,100**

2613-06 For reimbursement of certain cities and towns for adult English-speaking classes **9,372**

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**

School Lunch and Commodity Distribution Program.

2613-09 Item 2613-09 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four 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-five **$731,000**

HIGHWAY FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Public Works.

Highway Activities.

The salaries of all officers and employees of the department engaged in projects or activities relating to highways shall be charged for the nineteen hundred and sixty-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.

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 **$150,000**

Item
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 $981

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 four hundred and thirty-one permanent positions; 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 $300,000

Construction, Reconstruction and Betterments of State Highways and Bridges.

2910–10 \ From the unexpended balance remaining in item 2910–10 of section two of
2940–26 / chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four, the sum of twelve thousand dollars is hereby transferred and made available for the purposes of the following item: —

2940–26 For the payment of the construction of the radio tower on the site of the highway administration building in district number four, including the installation of microwave equipment $11,550

2940–27 For the removal and relocation of a certain statue in the town of Fairhaven 6,500

Registry of Motor Vehicles.

2970–01 Item 2970–01 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four, as amended by chapter six hundred and sixty-five, is hereby further amended by adding at the end thereof the following: — ; provided, that a certain shortage amounting to one thousand and seven dollars and twenty-eight cents, determined by the auditor of the commonwealth to be the net shortage in the "over and short account" for the period from July first, nineteen hundred and fifty-three to July first, nineteen hundred and sixty-four, shall be allowed and paid from this item $46,508

2970–24 For a motor vehicle safety compact with other states as provided by paragraph (*b*) of Article VI of said compact as appearing in section two of chapter seven hundred and twenty-one of the acts of nineteen hundred and sixty-three 1,500

Metropolitan District Commission.

The following items are to be paid with the approval of the Metropolitan District Commission:

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 $18,109

2973–06 Item 2973–06 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four, as amended by chapter six hundred and sixty-five, is hereby further amended by adding at the end thereof the following: — ; and, provided further, there is hereby authorized to be expended from this item the payment of a certain moral obligation as authorized by chapter one hundred and thirty-one of the resolves of nineteen hundred and sixty-two . . 265,068

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.)

Item

3304-01 For the service of the division, including not more than seventeen permanent positions and including expenses of the board, as authorized by chapter twenty-one of the General Laws **$5,000**

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**

MOSQUITO CONTROL FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Agriculture.

State Reclamation Board.

3921-00 For the expenses of mosquito control projects, as authorized by chapter five hundred and sixteen of the acts of nineteen hundred and fifty-eight, as amended by chapter six hundred and fifteen of the acts of nineteen hundred and sixty-four, appropriation expires June thirtieth, nineteen hundred and sixty-six **$46,300**

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-five fiscal year in full to appropriations authorized under this heading in this act:

Division of Waterways.

4050-06 For the maintenance of Scusset beach **$4,000**

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 Water System.

8902-22 } From the unexpended balance remaining in item 8902-22, the sum of
8902-81 } fourteen thousand dollars is hereby transferred and made available for the purposes of item 8902-81.

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain funds, as follows:

Item		
2449–00	General Fund	$123,159
2949–00	Highway Fund	56,940
3349–00	Inland Fisheries and Game Fund	308
3449–00	Recreational Boating Fund	1,067
3649–00	Marine Fisheries Fund	2,713
3949–00	Mosquito Control Fund	5,957
4049–00	State Recreation Areas Fund	171
8749–00	Metropolitan District Commission Funds — Sewerage District	936

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and sixty-six certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and sixty-five, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and sixty-six:

0101–53	8259–48	8261–43	8464–38
0441–32	8259–66	8261–44	8464–55
0451–00	8259–73	8261–45	8464–58
1350–37	8259–86	8263–20	8464–59
1369–00	8259–93	8263–28	8464–60
1551–02	8259–96	8264–01	8464–61
2002–05	8259–97	8264–14	8464–64
2002–53	8260–12	8264–17	8464–70
2202–10	8260–15	8264–19	8464–96
2202–22	8260–17	8264–20	8602–25
2420–17	8260–21	8264–21	8602–39
2445–10	8260–28	8264–34	8602–46
2940–20	8260–29	8264–86	8602–92
2970–21	8260–44	8264–90	8602–95
2972–07	8260–45	8356–16	8603–04
2972–29	8260–50	8359–02	8701–29
2972–32	8260–51	8359–05	8701–33
2973–04	8260–53	8359–93	8701–34
2973–78	8260–61	8363–44	8701–38
3601–11	8260–66	8363–56	8701–39
4010–36	8260–68	8363–59	8703–25
4010–37	8260–69	8363–60	8902–22
8157–66	8260–78	8363–68	8902–34
8157–77	8260–79	8363–71	8902–35
8157–85	8260–80	8363–90	8902–36
8164–16	8260–81	8363–97	8902–38
8164–18	8260–83	8364–83	8902–40
8258–76	8261–06	8364–87	8902–68
8258–79	8261–09	8364–88	8902–81
8258–81	8261–18	8364–91	8902–94
8258–89	8261–20	8463–18	9026–01
8258–90	8261–21	8463–84	9106–01
8259–02	8261–27	8463–85	9106–02
8259–05	8261–29	8464–13	9112–01
8259–25	8261–32	8464–14	9112–02
8259–40	8261–33	8464–25	9123–01

SECTION 3. The joint committee on ways and means is hereby authorized to revise the subsidiary account schedules filed in accordance with the provisions of section twenty-seven of chapter twenty-nine of the General Laws relating to appropriations authorized in chapters three hundred and thirty-seven, six hundred and sixty-five and seven hundred and eight of the acts of nineteen hundred and sixty-four; provided, that any revision of said subsidiary accounts shall be filed with the comptroller and the budget commissioner at the same time that schedules of subsidiary accounts are so filed for appropriations authorized by this act.

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

Approved June 10, 1965.

Chap. 542. AN ACT TO PROVIDE FUNDS FOR STATE ACTIVITIES BY CONTINUING CERTAIN TAXES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to continue without interruption certain temporary taxes expiring on June thirtieth in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. There is hereby imposed upon all domestic manufacturing corporations, foreign manufacturing corporations, domestic business corporations and foreign corporations, as defined in chapter sixty-three of the General Laws, as amended, in addition to the taxes levied under the provisions of sections thirty to fifty-one, inclusive, of said chapter sixty-three, and all acts in amendment thereof and in addition thereto, and in addition to the taxes imposed upon such corporations under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one, an additional excise tax equal to three per cent of the net income of each such corporation determined to be taxable in accordance with the provisions of said chapter sixty-three; provided, that the tax imposed by this section shall not apply to corporations taxable under the specific dollar minimum measure of section thirty-two or section thirty-nine or under section thirty-eight B, all of said chapter sixty-three. All provisions of law relative to the assessment, payment, collection and abatement of the taxes imposed under said chapter sixty-three upon corporations taxable hereunder shall apply to the additional taxes herein imposed. This section shall apply only to taxes levied in or on account of the months of July to December, inclusive, nineteen hundred and sixty-five, the calendar year nineteen hundred and sixty-six and the months of January to June, inclusive, nineteen hundred and sixty-seven. The surtaxes imposed under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one shall apply to the taxes imposed by this section.

SECTION 2. There is hereby imposed, in addition to the taxes levied under subsection (*b*) of section five and subsection (*c*) of section five A of chapter sixty-two of the General Laws, upon income derived from professions, employments, trade or business, and all acts in amendment thereof and in addition thereto, and in addition to any surtaxes, an additional tax equal to one per cent of such income. All provisions of

law relative to the assessment, payment, collection and abatement of the taxes imposed under said chapter sixty-two shall apply to the additional taxes herein imposed. This section shall apply only to income received in the months of July to December, inclusive, nineteen hundred and sixty-five, the calendar year nineteen hundred and sixty-six and the months of January to June, inclusive, nineteen hundred and sixty-seven. The surtaxes imposed under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one shall apply to the taxes imposed by this section.

SECTION 3. There is hereby imposed, in addition to the taxes levied under subsection (*c*) of section five of chapter sixty-two of the General Laws, upon the excess of gains over losses received by the taxpayer from purchases or sales of intangible personal property, whether or not said taxpayer is engaged in the business of dealing in such property, and all acts in amendment thereof and in addition thereto, and in addition to any surtaxes, an additional tax equal to three per cent of such income. All provisions of law relative to the assessment, payment, collection and abatement of the taxes imposed under said chapter sixty-two shall apply to the additional taxes herein imposed. This section shall apply only to income received in the months of July to December, inclusive, nineteen hundred and sixty-five, the calendar year nineteen hundred and sixty-six and the months of January to June, inclusive, nineteen hundred and sixty-seven. The surtaxes imposed under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one shall apply to the taxes imposed by this section.

SECTION 4. There is hereby imposed, in addition to the taxes levied under the provisions of chapter sixty-two of the General Laws, and all acts in amendment thereof and in addition thereto, and taxes levied under the provisions of sections thirty to sixty, inclusive, of chapter sixty-three of the General Laws, and all acts in amendment thereof and in addition thereto, an additional tax equal to twenty per cent of the taxes assessed under the provisions of said sections, acts and chapters in or on account of the months of July to December, inclusive, nineteen hundred and sixty-five, the calendar year nineteen hundred and sixty-six and the months of January to June, inclusive, nineteen hundred and sixty-seven, and all provisions of law relative to the assessment, payment, collection and abatement of the said taxes shall apply to the taxes imposed by this section. This additional tax shall apply also to taxes levied under sections one, two and three of this act.

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

SECTION 6. There is hereby imposed, in addition to the taxes levied under the provisions of chapter sixty-three A of the General Laws, and all acts in amendment thereof and in addition thereto, an additional tax

equal to twenty per cent of the taxes assessed under the provisions of said chapter and acts in or on account of the months of July to December, inclusive, nineteen hundred and sixty-five, the calendar year nineteen hundred and sixty-six and the months of January to June, inclusive, nineteen hundred and sixty-seven, and all provisions of law relative to the assessment, payment, collection and abatement of the said taxes shall apply to the taxes imposed by this section.

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

SECTION 8. Notwithstanding the provisions of section twenty-two of chapter sixty-three of the General Laws, and in lieu thereof, every domestic insurance company coming within the scope of the definition of a domestic company in section one of chapter one hundred and seventy-five of the General Laws, except life insurance companies with respect to business taxable under section twenty of said chapter sixty-three, and marine, or fire and marine, insurance companies with respect to business taxable under section twenty-nine A of said chapter sixty-three, shall pay for the years nineteen hundred and sixty-six and nineteen hundred and sixty-seven, an excise of two per cent upon the gross premiums for all policies written or renewed, all additional premiums charged, and all assessments made by such company on policyholders during the preceding calendar year, exclusive of reinsurance; but such premiums and assessments for policies written or renewed for insurance, exclusive of reinsurance, of property or interests in other states or countries where a tax is actually paid by such company, or its agents, shall not be so taxed.

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

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

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

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

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

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

Approved June 10, 1965.

Chap. 543. AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE VOCATIONAL REGIONAL SCHOOL DISTRICT PLANNING BOARD AND THE COMMITTEES THEREOF OF THE PROPOSED VOCATIONAL REGIONAL SCHOOL DISTRICT CONSISTING OF THE CITIES OF FITCHBURG AND GARDNER AND CERTAIN TOWNS, AND AUTHORIZING THE INCLUSION OF THE TOWNS OF BARRE, ROYALSTON AND STERLING IN SAID DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 568 of the acts of 1964 is hereby amended by striking out, in line 4, the words "and Winchendon" and inserting in place thereof the words: — , Winchendon, Barre, Royalston and Sterling.

SECTION 2. The creation of vocational regional school district planning committees by the respective cities and towns mentioned in section one of chapter five hundred and sixty-eight of the acts of nineteen hundred and sixty-four, as amended by section one of this act, all actions heretofore taken by said committees with respect to the formation of a vocational regional school district planning board consisting of said committees and all proceedings heretofore taken by such planning board are hereby ratified and confirmed. *Approved June 14, 1965.*

Chap. 544. AN ACT AUTHORIZING THE MASSACHUSETTS BAY UNITED FUND, INC. TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

The Massachusetts Bay United Fund, Inc., a charitable corporation organized under general law, is hereby authorized to hold real and personal estate in an amount not to exceed twenty million dollars, which estate or its income shall be devoted to the purposes set forth in the agreement of association and the articles of organization, as heretofore or hereafter amended, of said corporation. *Approved June 14, 1965.*

Chap. 545. AN ACT REPEALING THE LAW AUTHORIZING THE TOWN OF ORANGE TO ESTABLISH A BOARD OF COMMISSIONERS FOR THE MANAGEMENT OF THE MUNICIPAL AIRPORT.

Be it enacted, etc., as follows:

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

SECTION 2. Upon the appointment of an airport commission by the selectmen of the town of Orange under the provisions of section fifty-one E of chapter ninety of the General Laws the board of commissioners for the management of the municipal airport in the town of Orange established under the provisions of said chapter ninety-three of the acts of nineteen hundred and forty-five shall be abolished.

Approved June 14, 1965.

Chap. 546. AN ACT RELATIVE TO THE BASIS FOR THE ANNUAL ASSESSMENT FOR THE PLYMOUTH COUNTY MOSQUITO CONTROL PROJECT.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter five hundred and fourteen of the acts of nineteen hundred and fifty-seven establishing the Plymouth County Mosquito Control Project, to meet the expenses incurred under said chapter five hundred and fourteen beginning with the fiscal year commencing July first, nineteen hundred and sixty-five, there shall be expended annually from the state treasury, subject to appropriation, sums equal in the aggregate to thirty cents on each one thousand dollars of taxable valuations of all such cities and towns according to the valuations established by chapter six hundred and sixty of the acts of nineteen hundred and sixty-three, and the state treasurer shall issue his warrant requiring the assessors of said cities and towns to assess a tax to the amount of the sums so expended one half in proportion to said valuations, 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 city or town may in any year anticipate in whole or in part its assessment, and appropriate, raise and deposit the amount thereof with the state treasurer, and any sums 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 June 14, 1965.*

Chap. 547. AN ACT PROVIDING FOR THE ALPHABETICAL LISTING OF CANDIDATES IN PRELIMINARY ELECTIONS FOR CITY OFFICES IN THE CITY OF SPRINGFIELD WITH PRIORITY TO ELECTED INCUMBENTS OF SAID OFFICES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section forty-four D of chapter forty-three of the General Laws, or any other general or special law to the contrary, the clerk of the city of Springfield shall post

in a conspicuous place in the city hall the names and residences of the candidates for nomination who have duly qualified as candidates for nomination, as they are to appear on the official ballots to be used at the preliminary election, and shall cause the ballots which shall contain said names, on which the names of candidates for nomination to an office of which they are the elected incumbents shall be placed first in alphabetical order with the names of other candidates following in like order, and no others, with a designation of residence, and of the office and term of service, to be printed, and the ballots so printed shall be official and no others shall be used at the preliminary election. Blank spaces shall be left at the end of each list of candidates for nomination for the different offices equal to the number to be nominated therefor, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for nomination for such office. There shall be printed on such ballots such directions as will aid the voter, as, for example: "vote for one", "vote for two", and the like, and the ballots shall be headed as follows: —

OFFICIAL PRELIMINARY BALLOT.

Candidates for nomination for the offices of ( ) in the city of at a preliminary election to be held on the day of in the year nineteen hundred and .

(The heading shall be varied in accordance with the offices for which nominations are to be made.)

SECTION 2. This act shall take effect upon its acceptance by the city of Springfield. *Approved June 14, 1965.*

Chap. 548. AN ACT AUTHORIZING THE TOWN OF MARBLEHEAD TO ACQUIRE AND ADMINISTER THE PROPERTY OF A CEMETERY LOCATED THEREIN, KNOWN AS HARBOR VIEW CEMETERY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Marblehead is hereby authorized to take by eminent domain or acquire by purchase, gift or otherwise, title to certain land in said town used as a private cemetery and known as the Harbor View Cemetery, bounded and described as follows: — Northeasterly and northwesterly by land now or formerly of Looney; southeasterly by land now or formerly of Wyman; and southwesterly by Cemetery Road and land now or formerly of said Looney; and thereafter to hold and maintain said land, for cemetery purposes, subject to all rights heretofore existing in any burial lots located within said cemetery, and upon the acquisition of said land, said cemetery shall be and become a public burial ground, place 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 all funds or other property held in trust for the perpetual care of the lots in said cemetery and for other purposes, and also any property devised or bequeathed to said cemetery under the will of any person living at the time of said acquisition or under the will of any deceased person not then probated. Interest and dividends accruing on funds deposited, or funds deposited, in trust with any savings

bank as authorized by law, or with any other banking institution, for the benefit of said cemetery, or any burial lot therein, may, after the acquisition by the town, 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 purpose of said trusts.

SECTION 3. All property and property rights acquired by said town, 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 said cemetery or any lots therein shall remain in force to the same extent as if this act had not been passed and such acquisition had not occurred. Any records of said cemetery received by the town shall be delivered to the clerk of said town and he may certify copies thereof.

SECTION 4. This act shall take effect upon its acceptance by the town of Marblehead. *Approved June 14, 1965.*

Chap. 549. AN ACT PROVIDING A MANDATORY JAIL SENTENCE FOR THE SECOND CONVICTION OF CERTAIN OFFENCES INVOLVING THE USE OF A TELEPHONE FOR GAMING PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 271 of the General Laws is hereby amended by striking out section 10, as amended by section 1 of chapter 390 of the acts of 1957, and inserting in place thereof the following section: — *Section 10.* Whoever, within five years after being convicted of any offence mentioned in sections seven, eight, nine, seventeen and seventeen A, commits the like offence, or any other of the offences therein mentioned, shall, in addition to the fine therein provided, be punished by imprisonment for not less than three months nor more than one year, and the sentence imposing such fine and such imprisonment shall not be suspended.

SECTION 2. The provisions of section ten of chapter two hundred and seventy-one of the General Laws, as amended by section one of this act, shall apply to second convictions for offences mentioned therein which are committed subsequent to the effective date hereof; and the provisions of said section ten of said chapter two hundred and seventy-one as in effect immediately prior to said effective date shall continue to apply to second convictions for such offences as were committed prior to said effective date. *Approved June 14, 1965.*

Chap. 550. AN ACT PROVIDING FOR TWO ADDITIONAL COURT OFFICERS FOR THE FOURTH 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 699 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, in the district court of Somerville and in the fourth district court of eastern Middlesex 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 June 16, 1965.*

Chap. 551. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO EXPEND MONEY FOR PRELIMINARY PLANNING AND ENGINEERING STUDIES IN CONNECTION WITH THE DREDGING AND FILLING OF THE HARBOR OF THE TOWN OF WINTHROP.

Be it enacted, etc., as follows:

Section 1 of chapter 732 of the acts of 1963 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — No expenditure, except for preliminary planning and engineering studies, shall be made under this act until said town has acquired title to such land, water rights, rights-of-way, or other easements as said department shall designate as necessary to perform the work authorized under this act, nor until said town assumes liability in the manner provided by section twenty-nine of chapter ninety-one of the General Laws for all damages to property suffered by any person by any taking of land, or of any right, interest or easement therein.

Approved June 16, 1965.

Chap. 552. AN ACT AUTHORIZING THE TOWN OF BREWSTER TO SUPPLY ITSELF AND ITS INHABITANTS WITH WATER.

Be it enacted, etc., as follows:

SECTION 1. The town of Brewster may supply itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes; may establish fountains and hydrants, relocate or discontinue the same, and may regulate the use of such water and fix and collect rates to be paid for the use of the same.

SECTION 2. For the purposes aforesaid, said town, acting by and through its board of water commissioners hereinafter provided for, may contract with any other municipality, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, and may take by eminent domain under chapter seventy-nine

of the General Laws, or acquire by lease, purchase, gift, devise or otherwise, and hold, the waters, or any portion thereof, of any pond, brook, spring or stream or of any ground water sources, by means of driven, artesian or other wells or filter galleries, within the limits of said town, not already appropriated for purposes of public water supply, and the water rights connected with any such water sources; and also for said purposes may take by eminent domain under said chapter seventy-nine, or acquire by lease, purchase, gift, devise or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and treating such water and protecting and preserving the purity thereof and for conveying the same to any part of said town; provided that no source of water supply and no lands necessary for protecting and preserving the purity of water shall be 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, wells or filter galleries, filtration and pumping plants or other works necessary in carrying out the provisions of this act shall be subject to the approval of said department; and for said purposes said town may acquire by lease, purchase, gift, bequest or otherwise any appliances, works, tools, machinery and other equipment that may be necessary or expedient in carrying out the provisions of this act. Said town may construct and maintain on the lands acquired and held under this act proper dams, wells, reservoirs, pumping and filtration plants, buildings, standpipes, tanks, fixtures and other structures, including also purification and treatment works, the construction and maintenance of which shall be subject to the approval of said department of public health, 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, lay and maintain aqueducts, conduits, pipes and other works, under or over any lands, water courses, railroads, railways and public or other ways, and along any such way 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 conduits, pipes and other works, and for all other proper purposes of this act, said town 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 thereon; provided, that all things done upon any such way shall be subject to the direction of the selectmen of said town. Said town shall not enter upon, construct or lay any conduits, pipes 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. Said town may enter upon any lands for the purpose of making surveys, test pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any works or for any other purpose authorized by this act.

SECTION 3. The land, water rights and other property taken or acquired under this act, and all works, buildings and other structures erected or constructed thereunder, shall be managed, improved and controlled by the board of water commissioners hereinafter provided for in such manner as they shall deem for the best interest of the town.

SECTION 4. Any person or corporation injured in his or its property by any action of said town or board under this act may recover damages from said town under said chapter seventy-nine; provided, that the right to damages for the taking of any water, water source or water right, or any injury thereto, shall not vest until the water is actually withdrawn or diverted by said town under authority of this act.

SECTION 5. Said town may, for the purpose of paying the necessary expenses and liabilities incurred or to be incurred under the provisions of this act, other than expenses of maintenance and operation, issue from time to time bonds or notes to an amount, not exceeding, in the aggregate, one million five hundred thousand dollars, which shall bear on their face the words, Town of Brewster Water Loan, Act of 1965. 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 the provisions of this act shall be outside the debt limit as fixed for water supply loans by chapter forty-four of the General Laws, but otherwise shall be subject to the applicable provisions of said chapter.

SECTION 6. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section five; and when a vote to that effect has been passed, a sum which, with the income derived from the water rates, will be sufficient to pay the annual expense of operating its water works or the purchasing of water and the maintenance of its pipe lines, as the case may be, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of said town annually thereafter in the same manner as other taxes, until the debt incurred by the said loan or loans is extinguished.

SECTION 7. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property owned, held or used by said town under the authority and for the purposes of this act, shall forfeit and pay to said town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any one 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 8. The selectmen of said town shall serve as water commissioners until the election and qualification of water commissioners at the annual meeting in nineteen hundred and sixty-eight or at such later date, if any, as the town may elect water commissioners. Whenever the phrase "said board of water commissioners" or "said board" or "said commissioners" occurs in this act it shall mean and include the board of water commissioners or the selectmen acting as such, as the case may be. Said town shall at the annual meeting in nineteen hundred and sixty-eight or at such later date, if any, as it may vote at a meeting called for the purpose elect by ballot three persons 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 next succeeding annual town meeting, to constitute a board of water commissioners; and at the annual town meeting held on the day on which

the shortest of such terms expires, and at each annual town meeting thereafter, one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the town by this act, except sections five and six, and not otherwise specially provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as said town may impose by its vote. A majority of said commissioners shall constitute a quorum for the transaction of business. After the election of a board of water commissioners under authority of this section, any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any legal town meeting called for the purpose. Any such vacancy may be filled temporarily in the manner provided by section eleven of chapter forty-one of the General Laws, and the person appointed shall perform the duties of the office until the next annual meeting of said town or until another person is qualified.

SECTION 9. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated by vote of said town to defray all operating expenses, interest charges and payments on the principal as they 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 water commissioners, with the approval of the town, may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. All authority vested in said commissioners by the foregoing provisions of this section and by section three shall be subject to the provisions of section eight. Said commissioners shall annually, and as often as the town may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of the receipts and expenditures.

SECTION 10. This act shall take effect upon its acceptance by a majority of the voters of the town of Brewster present and voting thereon at a town meeting called for the purpose within four years after its passage; but the number of meetings so called in any year shall not exceed three. *Approved June 16, 1965.*

Chap. 553. AN ACT AUTHORIZING CERTAIN MEMBERS OF THE LAWRENCE POLICE RELIEF ASSOCIATION TO ELECT TO RECEIVE A CERTAIN SUM OF MONEY UPON THEIR RETIREMENT.

Be it enacted, etc., as follows:

Any member of The Lawrence Police Relief Association who is entitled to receive benefits under the constitution and by-laws of said corporation, shall, upon application, after his retirement from the police department of the city of Lawrence, and before reaching age sixty-five, be paid four fifths of the amount of mortuary benefit to which he was entitled at the time of such retirement, and upon payment of such amount shall cease to be a member of said association.

Approved June 16, 1965.

Chap. 554. AN ACT AUTHORIZING THE TRANSFER FROM THE MASSACHUSETTS UNEMPLOYMENT COMPENSATION FUND ON DEPOSIT IN THE UNITED STATES TREASURY OF AN AMOUNT SUFFICIENT TO LIQUIDATE THE REMAINDER OF THE ACCOUNT REPRESENTING CERTAIN UNEMPLOYMENT BENEFIT COSTS.

Be it enacted, etc., as follows:

Any provision of chapter one hundred and fifty-one A of the General Laws to the contrary notwithstanding, the director of the division of employment security is hereby authorized to direct the Secretary of the Treasury of the United States, after October first, nineteen hundred and sixty-five and prior to November tenth, nineteen hundred and sixty-five, to transfer from the Massachusetts unemployment compensation fund on deposit with the United States Treasury to the Massachusetts temporary unemployment compensation account an amount sufficient to liquidate any remainder of that account which represents unemployment benefit costs expended under the federal temporary unemployment compensation act of 1958 (P.L. 85–441) and under the agreement entered into by said director with the Secretary of Labor of the United States pursuant to chapter four hundred and thirty-nine of the acts of nineteen hundred and fifty-eight, but in no event shall the amount of said transfer exceed eight million five hundred thousand dollars. *Approved June 21, 1965.*

Chap. 555. AN ACT CONFIRMING THE FORMATION OF THE ATHOL-FRANKLIN COUNTY REGIONAL VOCATIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The formation of the Athol-Franklin County Regional Vocational School District consisting of the towns of Ashfield, Athol, Bernardston, Buckland, Charlemont, Colrain, Deerfield, Erving, Greenfield, Leyden, Leverett, New Salem, Northfield, Petersham, Shelburne, Shutesbury, Sunderland and Warwick, hereinafter called the member towns, is hereby confirmed in all respects, notwithstanding that the town of Gill voted not to approve the agreement dated February sixteenth, nineteen hundred and sixty-five and that the result of the vote to accept the agreement taken in the town of Bernardston on April twenty-sixth, nineteen hundred and sixty-five was not announced by the moderator in open meeting prior to adjournment.

SECTION 2. The agreement between the member towns dated February sixteenth, nineteen hundred and sixty-five, and accepted by the member towns on April twenty-sixth, nineteen hundred and sixty-five, is declared to be in effect in the Athol-Franklin County Regional Vocational School District. Section one of the agreement shall be deemed to provide for twenty-three members of the regional district school committee. All references to the town of Gill in the agreement shall be deemed to have been deleted.

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

Approved June 22, 1965.

Chap. 556. AN ACT AUTHORIZING THE TOWN OF WINCHENDON TO APPROPRIATE AND PAY A SUM OF MONEY TO LEON J. WINEHILL.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Winchendon is hereby authorized to appropriate and pay to Leon J. Winehill a sum not exceeding one thousand two hundred and ninety-nine dollars as compensation for services rendered and materials supplied by him to said town in the year nineteen hundred and sixty-four, the claim for which is legally unenforceable by reason of the charges for said services and materials having been incurred in excess of available appropriations and not in conformity with the provisions of law relative to the awarding of contracts.

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

Approved June 23, 1965.

Chap. 557. AN ACT AUTHORIZING THE SOUTH DEERFIELD WATER SUPPLY DISTRICT TO ACQUIRE LAND IN THE TOWN OF CONWAY FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 486 of the acts of 1902 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Said district may also take by purchase or otherwise and hold all lands, rights of way and easements in the towns of Conway, Deerfield and Whately necessary for taking, holding, storing and improving such water and for conveying the same to and through said district, and said district may construct on the lands thus taken or acquired proper dams, buildings, fixtures and other structures, and may do such other things as may be necessary for providing and maintaining complete and effective water works; and for that purpose may construct, lay and maintain aqueducts, conduits, pipes and other works, under or over any land, water courses, railroads, railways and public or other ways, and along any highway or other way in the towns of Conway, Deerfield and Whately, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining and repairing such aqueducts, conduits, pipes and other works, and for all other purposes of this act, said district may dig up, raise and embank any such lands, highways or other ways, in such manner as to cause the least hindrance to public travel; but all things done upon any such ways shall be subject to the direction of the selectmen of the town in which such way is situated.

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

Approved June 23, 1965.

Chap. 558. AN ACT PROVIDING THAT THE MONTH OF MAY BE SET ASIDE AND OBSERVED AS SENIOR CITIZENS MONTH.

Be it enacted, etc., as follows:

SECTION 1. Section 15B of chapter 6 of the General Laws, as amended by chapter 39 of the acts of 1957, is hereby further amended by striking

out, in line 3, the words "third Sunday in September as Senior Citizens Day" and inserting in place thereof the words: — month of May as Senior Citizens Month, — so as to read as follows: — *Section 15B.* The governor shall annually issue a proclamation setting aside the month of May as Senior Citizens Month, recommending its observance by the public in honoring the elder citizens of the commonwealth.

SECTION 2. This act shall take effect on October first, nineteen hundred and sixty-five. *Approved June 23, 1965.*

Chap. 559. AN ACT CONVEYING PUBLIC RIGHTS TO CERTAIN LAND OF LANE'S COVE PIER COMPANY AND OTHER RIGHTS IN THE CITY OF GLOUCESTER TO SAID CITY, AND AUTHORIZING SAID CITY TO CONVEY THE SAME TO TRUSTEES OF BOSTON UNIVERSITY.

Be it enacted, etc., as follows:

SECTION 1. The commonwealth, on its own behalf and on behalf of the public generally, hereby assigns, conveys, releases, sets over and transfers to the city of Gloucester any and all rights of the public in so far as these rights apply to property shown as lot 49 belonging to the Lane's Cove Pier Company, a corporation established by chapter seventy-six of the acts of eighteen hundred and twenty-seven, containing 209,000 square feet, on sheets numbered 142 and 143 in the office of the assessors of the city of Gloucester, and also to the low water mark in so far as title rests in said corporation; and also to the low water mark as shown on a plan numbered 2840 in the office of the county engineer of Essex county, whether or not owned by said corporation.

SECTION 2. Notwithstanding the provisions of any general or special law, the city of Gloucester is hereby authorized, subject to the payment of all unpaid taxes due said city by Lane's Cove Pier Company, to sell, assign, convey, set over, transfer or release without public auction or order all, or from time to time, any part of the rights mentioned in section one to the Trustees of Boston University, a corporation established by chapter three hundred and twenty-two of the acts of eighteen hundred and sixty-nine, on such terms and conditions as the city council of said city may determine; provided that said city council shall require the Trustees of Boston University to grant licenses permitting fishermen presently using the Lane's Cove area and residents in the immediate vicinity thereof, as specified by said city council, to have access thereto for purposes to be enumerated in said licenses. Said licenses shall be in a form and on terms and conditions satisfactory to said city council, and shall be subject to revision and redefinition by agreement of said city council and the Trustees of Boston University.

SECTION 3. This act shall take effect upon its acceptance by the city of Gloucester. *Approved June 23, 1965.*

Chap. 560. AN ACT PROVIDING THAT AGREEMENTS TO REVOKE OR NOT TO REVOKE, NOT TO MAKE, OR TO CHANGE OR NOT TO CHANGE, A WILL, CODICIL, BEQUEST OR DEVISE SHALL BE IN WRITING.

Be it enacted, etc., as follows:

SECTION 1. Chapter 259 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.* No agreement to make a will of real or personal property or to give a legacy or make a devise shall be binding unless such agreement is in writing signed by the person whose executor or administrator is sought to be charged, or by some person by him duly authorized. This section shall not apply to any agreement made prior to May seventeenth, eighteen hundred and eighty-eight or after September thirtieth, nineteen hundred and sixty-five.

SECTION 2. Said chapter 259 is hereby further amended by inserting after said section 5 the following section: —

Section 5A. No agreement to make a will of real or personal property or codicil thereto or to make a bequest or devise, or to revoke or not to revoke a will, codicil, bequest or devise, or to refrain from making a will, codicil, bequest or devise or any other agreement relative to making or not making a will, codicil, bequest or devise, shall be binding unless such agreement is in writing and signed by the person whose executor or administrator is sought to be charged, or by some person duly authorized thereunto by him in writing. This section shall not apply to any agreement made prior to October first, nineteen hundred and sixty-five.

SECTION 3. This act shall take effect on October first, nineteen hundred and sixty-five. *Approved June 23, 1965.*

Chap. 561. AN ACT PERTAINING TO THE ADMINISTRATIVE AUTHORITY IN MULTIPLE-JUDGE DISTRICT COURTS.

Be it enacted, etc., as follows:

Section 6 of chapter 218 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 638 of the acts of 1964, 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 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 in time of service shall be the first justice of the court. Citations, orders of notice, writs, executions and all other processes issued by the clerk of the court shall bear the teste of the first justice thereof. The first justice shall be the administrative head of the court, and without limiting the foregoing, shall appoint temporary clerks, court officers and probation officers, and shall approve the appointments of assistant clerks and of temporary assistant clerks. If the first justice is absent and delay would injure the public interest, the justice next in seniority shall act in his place, and if no justice of the court is available, the chief justice of the district courts shall act.

Approved June 23, 1965.

Chap. 562. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A CERTAIN BRIDGE OVER THE SAUGUS RIVER BETWEEN THE TOWN OF SAUGUS AND THE CITY OF LYNN.

Be it enacted, etc., as follows:

The department of public works, subject to the laws of the United States, is hereby authorized to construct a bridge without a draw to carry interstate highway route 95 over the Saugus river between the town of Saugus and the city of Lynn, approximately eight hundred feet downstream from the present crossing of Lincoln avenue at the Saugus-Lynn line. *Approved June 23, 1965.*

Chap. 563. AN ACT DESIGNATING A CERTAIN BRIDGE OVER PILGRIMS HIGHWAY IN THE TOWN OF NORWELL AS THE PRIVATE IRVING RUSSELL HENDERSON BRIDGE.

Be it enacted, etc., as follows:

The bridge over Pilgrims Highway at River street in the town of Norwell shall be known and designated as the Private Irving Russell Henderson bridge, in memory of Irving Russell Henderson who served in the armed forces of the United States in World War I. A suitable marker bearing said designation shall be attached thereto by the department of public works. *Approved June 23, 1965.*

Chap. 564. AN ACT PROVIDING THAT HOUSING AUTHORITIES AND THEIR EMPLOYEES SHALL BE SUBJECT TO CERTAIN PROVISIONS OF THE STATE LABOR RELATIONS LAW.

Be it enacted, etc., as follows:

Section 26T of chapter 121 of the General Laws is hereby amended by inserting after the first paragraph the following two paragraphs: —

A housing authority may bargain collectively with labor organizations representing its employees and may enter into agreements with such organizations.

Notwithstanding any provision of law to the contrary, the provisions of section five of chapter one hundred and fifty A, so far as apt, shall apply to said authorities and their employees.

Approved June 23, 1965.

Chap. 565. AN ACT AUTHORIZING THE APPOINTMENT AS SPECIAL POLICE OFFICERS OF EMPLOYEES OF COLLEGES, UNIVERSITIES AND OTHER EDUCATIONAL INSTITUTIONS.

Be it enacted, etc., as follows:

Chapter 147 of the General Laws is hereby amended by inserting after section 10F, inserted by chapter 381 of the acts of 1965, the following section: —

Section 10G. The commissioner may at the request of an officer of a college, university or other educational institution appoint employees of such college, university or other institution as special police officers.

Such special police officers shall serve for one year, subject to removal by the commissioner, and they shall have the same power to make arrests as regular police officers for any criminal offence committed in or upon lands or structures owned, used or occupied by such college, university or other educational institution. *Approved June 23, 1965.*

Chap. 566. AN ACT INCORPORATING THE MID-MASS INDUSTRIAL PROPERTY CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. In this act, unless the context otherwise requires, the following words shall have the following meanings: —

"Corporation", the Mid-Mass Industrial Property Corporation, created by section two.

"City", the city of Worcester.

"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.

SECTION 2. John Adam, Jr., Stewart T. Oakes, Norman L. Sharfman, Charles Jolliff, William F. Kane, Jr., Robert S. Bowditch, and Warren C. Lane, Jr., as members and as incorporators, their associates, successors and assigns, are hereby constituted a body corporate under the name of Mid-Mass Industrial Property Corporation. The corporation shall be subject to and have the powers and privileges conferred by the provisions of chapter one hundred and fifty-five, section twenty-seven 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 Worcester.

SECTION 4. The purposes of the corporation shall be to promote, stimulate, develop and advance the business prosperity and economic welfare of the city and its vicinity, and the citizens thereof.

In furtherance of such purposes and in addition to the powers conferred on said corporation under section two, the corporation shall, subject to the restrictions and limitations hereinafter contained, have the following powers: —

(*a*) To stimulate the promotion of industrial development in or near the city of Worcester and to interest industry to locate in and about the city by acquiring or constructing a manufacturing plant and equipment therefor together with necessary appurtenances, and to lease the same to a business enterprise.

(*b*) To acquire, by purchase or otherwise, real estate located in or near the city or any interest therein; to construct, improve and maintain thereon, or otherwise acquire a manufacturing plant and equipment which may be utilized for industrial purposes and, by lease, sublease or otherwise, make any part or all of such properties available for industrial purposes.

(*c*) To borrow the necessary funds to pay the cost of acquiring, constructing, maintaining and operating such properties and facilities, the indebtedness for which borrowed money may be evidenced by securities of this corporation of any kind or character issued at any one or more times, which may be either unsecured or secured by any mortgage, trust deed or other lien upon any part or all of the properties and assets at any time then or thereafter owned or acquired by the corporation.

(*d*) To conduct its business and affairs so as to transfer by gift to the city after all of the corporation's indebtedness has been paid, all right, title and interest of the corporation, in or to all of its properties and assets, subject to any leases that may then exist thereon, in order that the city may acquire such properties and assets without any consideration on its part.

(*e*) To elect, appoint and employ officers, agents and employees; to make contracts and incur liabilities for any of the purposes of the corporation.

(*f*) To do all things and acts necessary or convenient to carry out the powers expressly granted in this act and the objects and purposes for which the corporation is formed.

SECTION 5. The corporation shall have no capital stock. The members of the corporation shall consist of those persons who at the time constitute the board of directors as provided in section nine. The corporation shall so conduct its business and affairs so that no profit or income from the corporation thereof shall inure to any member, director or officer of the corporation, and no distribution shall ever be made of any of the properties or assets of the corporation to any member, director or officer thereof. All the assets of the corporation shall be held in trust for the purposes herein mentioned, including the payment of all of its liabilities. Upon dissolution of the corporation all of the corporation's assets remaining after the payment of all of its liabilities shall vest in and be transferred to the city, without consideration of any kind or nature.

The corporation shall at all times be operated on a nonprofit basis and no interest or dividends shall be paid or payable by the corporation to any member as such.

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 the 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 aggre-

gate, 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 members 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 members by the by-laws.

SECTION 8. This charter may be amended by the affirmative vote of two thirds of the members; 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 and development to examine the corporation or the obligation of the corporation to make reports as provided in section eleven, shall be made; and provided, further, that section five shall not be altered or amended.

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 and development who shall examine them, and if he finds that they conform to the requirements of this act, he shall so certify and endorse his approval thereon. Thereupon the articles of amendment shall be filed in the office of the secretary of the commonwealth, and no such amendment shall take effect until such articles of amendment have been filed.

SECTION 9. The business and affairs of the corporation shall be managed and conducted by a board of directors of not less than five nor more than fifteen members, a president, a vice-president, a treasurer and a clerk, a secretary, if deemed necessary by the board of directors, and such assistant secretaries and assistant treasurers as the directors shall deem to be desirable.

Directors and officers shall not be responsible for losses unless the same shall have been occasioned by the willful misconduct of such directors and officer. Except in the instance of any such willful misconduct, the private property of the members of this corporation and the directors and officers of this corporation shall be forever exempt from corporate debts and obligations of any kind whatsoever.

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 development, 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 and development.

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, by the adoption of by-laws, by the election by ballot of directors, and by action upon such other matters within the powers of the corporation as the incorporators may see fit. The temporary clerk shall be sworn and shall make and attest a record of the proceedings. Four of the incorporators shall be a quorum for the transaction of business.

Whenever the certificate required by section thirteen of chapter one hundred and fifty-five of the General Laws has been filed in the office of the secretary of the commonwealth, he shall issue and deliver to the incorporators a certified copy of this act under the seal of the commonwealth, and the corporation shall then be authorized to commence business.

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 bonds, debentures, notes, evidences of indebtedness or any other securities issued by the corporation, and income therefrom, shall at all times be free from taxation within the commonwealth.

SECTION 14. The provisions of chapter one hundred and ten A of the General Laws shall not apply to the bonds, debentures, notes, evidences of indebtedness, or any other securities of the corporation.

SECTION 15. The period of duration of the corporation shall be fifty years, subject, however, to the right of the members to dissolve the corporation prior to the expiration of said period as provided in section sixteen.

SECTION 16. After the corporation's debts are fully paid, it shall forthwith effect a transfer by gift of its properties and assets to the city. Upon such transfer to the city, the members shall petition for the dissolution of the corporation 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.

SECTION 17. If the corporation shall fail to commence operations within three years from the effective date of this act, then this act shall become null and void.

SECTION 18. Under no circumstances is the credit of the commonwealth or any political division thereof pledged herein.

SECTION 19. The corporation may hold real and personal estate or property to an amount not exceeding fifteen million dollars.

SECTION 20. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not impair any of the remaining provisions. *Approved June 23, 1965.*

Chap. 567. AN ACT RELATIVE TO THE ANNUAL SURPLUS DISTRIBUTION ON INDUSTRIAL AND DEBIT LIFE INSURANCE POLICIES.

Be it enacted, etc., as follows:

SECTION 1. Section 140 of chapter 175 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by chapter 708 of the acts of 1960, and inserting in place thereof the following paragraph: —

On industrial and debit life insurance policies the annual surplus distribution shall begin not later than the end of the fifth policy year, and shall annually, at the option of the owner, be (*a*) payable in cash, or (*b*) applied in reduction of premiums, or (*c*) left on deposit with the company to accumulate at interest, or (*d*) used to purchase paid up additions to the policy.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-six. *Approved June 23, 1965.*

Chap. 568. AN ACT ESTABLISHING THE OFFICE OF RIVER POLLUTION OFFICER IN THE CITIES OF SALEM, PEABODY AND BEVERLY.

Be it enacted, etc., as follows:

SECTION 1. The cities of Salem, Peabody and Beverly are hereby authorized and directed to establish in each such city, respectively, the office of river pollution officer, which office shall be classified under chapter thirty-one of the General Laws; provided, however, that the provisions of section five of said chapter thirty-one shall not apply to such office. The mayor and city council of each such city shall appoint and remove such officer subject to said chapter thirty-one and shall fix his compensation. The river pollution officers of said cities shall, within the limits of their respective cities, have oversight of inland waters and sources of water drainage and the effect of sewage disposal. Said river pollution officers shall enforce such rules, regulations and orders as may be promulgated by the boards of health of their respective cities relative to water pollution and by the state department of public health under the provisions of section five H of chapter one hundred and eleven of the General Laws.

SECTION 2. This act shall take effect in each of the cities of Salem, Peabody and Beverly, respectively, which accepts the provisions hereof. *Approved June 23, 1965.*

Chap. 569. AN ACT AUTHORIZING THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION TO AWARD CERTAIN DAMAGES FOR VIOLATIONS OF THE LAW RELATIVE TO DISCRIMINATION IN HOUSING OR REAL ESTATE.

Be it enacted, etc., as follows:

Section 5 of chapter 151B of the General Laws is hereby amended by adding the following paragraph: —

If upon all the evidence at any such hearing the commission shall find that a respondent has engaged in any such unlawful practice relative to housing or real estate or violated clause (*e*) of said section twenty-six FF it may, in addition to any other action which it may take under this section, award the petitioner damages not to exceed one thousand dollars, which damages shall include, but shall not be limited to, the expense incurred by the petitioner for obtaining alternative housing or space, for storage of goods and effects, for moving and for other costs actually incurred by him as a result of such unlawful practice or violation; provided, however, that such damages shall not include attorneys' fees. Any person claiming to be aggrieved by such an award of damages may, notwithstanding the provisions of section six and within ten days of notice of such award, bring a petition in the municipal court of the city of Boston or in the district court within the judicial district of which the respondent resides, addressed to the justice of the court, praying that the action of the commission in awarding damages be reviewed by the court. After such notice to the parties as the court deems necessary, it shall hear witnesses, review such action, and determine whether or not upon all the evidence such an award was justified and thereafter affirm, modify or reverse the order of the commission. The decision of the court shall be final and conclusive upon all the parties as to all matters of fact.

Approved June 23, 1965.

Chap. 570. AN ACT AUTHORIZING LOCAL LICENSING AUTHORITIES IN BERKSHIRE AND FRANKLIN COUNTIES TO ISSUE WINTER SEASONAL LICENSES FOR ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

The fourth paragraph of section 17 of chapter 138 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 305 of the acts of 1946, and inserting in place thereof the following sentence: — The local licensing authorities of any city or town, except the city of Boston, may make an estimate prior to March first in any year of any temporary increased resident population in such city or town as of July tenth following, and one additional license under section twelve, to be effective from April first to November thirtieth only, may be granted by said authorities for each unit of one thousand or additional fraction thereof of such population as so estimated, and one additional license under section fifteen, to be effective from April first to November thirtieth only, may be so granted for each unit of five thousand or additional fraction thereof, of such population as so estimated; and the local licensing authorities of any city or town in Berkshire county, in which the city council, in accordance with the provisions of its charter, or the town, at an annual or special town meeting, votes to

authorize such authority to grant winter seasonal licenses, or of any town in Franklin county may make an estimate not later than October fifteenth in any year of any temporary increased resident population in such city or town as of February tenth following, and one additional license under section twelve, to be effective from December first to April first of the year following, may be granted by said authorities for each unit of one thousand or additional fraction thereof of such population as so estimated, and one additional license under section fifteen, to be effective from December first to April first may be so granted for each unit of five thousand or additional fraction thereof, of such population as so estimated; provided, that not more than one additional license shall be granted under this paragraph to the same person or for the same premises in any one year; and provided, further, that the local licensing authorities of any city or town, except the city of Boston, may grant, in addition and irrespective of any limitation of number of licenses contained in this section, seasonal licenses under section twelve to duly incorporated clubs in their city or town if deemed by them to be in the public interest. *Approved June 23, 1965.*

Chap. 571. AN ACT PROVIDING LIFE TENURE FOR CERTAIN INCUMBENTS OF THE POSITION OF PUBLIC NURSE IN THE TOWN OF WESTPORT.

Be it enacted, etc., as follows:

SECTION 1. Any person, who has held the position of public nurse in the town of Westport for not less than three consecutive years, shall not be involuntarily separated from such position except subject to and in accordance with the provisions of sections forty-three and forty-five of chapter thirty-one of the General Laws to the same extent as if said position were classified under said chapter.

SECTION 2. The tenure of office of any incumbent of the position of public nurse in the town of Westport, 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 said section forty-three.

SECTION 3. This act shall be submitted for acceptance by the town of Westport at its next annual town meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-five, entitled 'An Act providing life tenure for certain incumbents of the position of public nurse in the town of Westport', be accepted?" If a majority of votes in answer to said question is in the affirmative this act shall thereupon take full effect, but not otherwise.

Approved June 23, 1965.

Chap. 572. AN ACT TO IMPROVE AND EXTEND EDUCATIONAL FACILITIES IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section one hundred of chapter six of the General Laws is hereby repealed and the caption preceding said section is hereby stricken out.

SECTION 2. Chapter 15 of the General Laws is hereby amended by striking out sections 1, 1A, 1B, 1C and 1D and inserting in place thereof the following nine sections: —

Section 1. There shall be a department of education, in this chapter called the department, which shall be under the supervision and control of a board of education.

Section 1A. There shall be in the department, but not subject to its control, a board of higher education, in this section and in sections one B, one C and one D called the board, consisting of a member of the board of trustees of the University of Massachusetts selected by majority vote of all the members of said board, a member of the board of trustees of state colleges selected by a majority vote of all the members of said board, a member of the board of regional community colleges selected by majority vote of all its members, and a member of the board of trustees of Lowell Technological Institute or of the board of trustees for the Southeastern Massachusetts Technological Institute selected alternately by majority vote of all the members of said respective board, each of said four members to serve for a term of one year, and seven persons to be appointed by the governor, one of whom shall be a member of the governing board of a private institution of higher education in the commonwealth, one of whom shall be a member of a labor organization affiliated with the Massachusetts State Labor Council AFL-CIO and at least two of whom shall be women.

No member of said board shall be employed by or derive regular compensation from any educational institution, or school system, public or private, or be employed by or derive regular compensation from the commonwealth. No two members shall be alumni of the same public institution, or segment of institutions, of higher education in the commonwealth. No person who is serving as a member of a board of any public institution of higher education or of any school committee shall be appointed to the board.

Upon the expiration of the term of office of any member of said board, his successor shall be appointed for a term of five years. No person shall be appointed to serve more than two full terms. Prior service on said board for a term of less than three years, resulting from an initial appointment or an appointment for the remainder of an unexpired term, shall not be counted as a full term. If any member is absent from four regularly scheduled meetings, exclusive of July and August, in any calendar year, his office as a member of said board shall be deemed vacant. The chairman of the board shall forthwith notify the governor that such vacancy exists.

The members of the board shall be reimbursed for their necessary expenses incurred in the performance of their duties.

The board by majority vote of all its members shall elect a chairman from among its members.

The board shall meet regularly each month except that the chairman, with board approval, may omit meetings in July and August, and the chairman may call additional meetings at other times.

Section 1B. There shall be in the department an advisory commission to the board of higher education, to consist of the president of the University of Massachusetts, the president of Lowell Technological Institute, the president of the Southeastern Massachusetts Technological Institute, the president of the Massachusetts regional community col-

leges, the commissioner of education, and the director of research of the advisory council on education, ex officiis, a president of a state college chosen annually by a majority vote of all state college presidents, and a president of a private institution of higher education in the commonwealth to be appointed by the governor. The member to be appointed by the governor shall serve for a term of five years. The members of the advisory commission shall attend meetings of the board, except when said board meets in executive session.

Section 1C. The board shall appoint a chancellor of said board, in this chapter called the chancellor, by a two thirds vote of all its members and may in its discretion remove him by majority vote of all its members. He shall be the secretary to the board and its chief executive officer. He shall receive such salary, not exceeding thirty thousand dollars, as the board may determine, and, subject to appropriation, such other perquisites as the board may approve.

Section 1D. The purposes of the board shall be to support, facilitate, and delineate functions and programs for public institutions or of higher education in the commonwealth segments of such institutions, to allocate to them the responsibility and autonomy to discharge such functions and programs, and to plan and develop efficient and effective coordination among them; provided, however, that the determination of individual courses within a general program of study shall be the sole responsibility of each public institution of higher education.

The board shall promote the best interests of all public higher education throughout the commonwealth.

The board shall plan and support orderly and feasible expansion of each segment of public higher education and of public higher education as a whole. The board shall have the power to receive allotments to the commonwealth under federal programs of aid to public higher education, and to disburse such funds in accordance with official plans, not to include grants to individuals, or for projects carried on at any given institution.

The board shall coordinate through its staff such educational services as are common to all segments and institutions of public higher education.

In addition to the degrees authorized to be awarded under section twenty-eight of chapter fifteen, section one of chapter seventy-three, section two of chapter seventy-five, section one of chapter seventy-five A and section one of chapter seventy-five B, the board may approve the awarding of certain other degrees and may define and authorize new functions or new programs; and may authorize, upon approval of the governing board or boards concerned, the termination of any program or degree; and the board may authorize, upon approval of the governing boards concerned, the transfer of an institution from one segment of public higher education to another.

The board shall delineate changes in the functions of the several institutions and segments of public higher education.

The board shall approve plans for the orderly growth of public higher education as a whole and of each of its several segments.

The board shall provide the continuation of a college program, including a four-year liberal arts curriculum in Bristol county at a public institution of higher education designated by it.

The board shall review the annual budget and capital outlay requests of the public institutions of higher education, their segments and public higher education as a whole.

The board shall annually, on or before November first, report to the governor, and, on or before November twenty-second, report to the general court its findings, and recommendations concerning its needs and programs and the needs, programs, locations, and budget for public higher education as a whole and for each of its institutions and segments.

The chancellor shall annually, on or before the first Monday of January, publish a report of the activities and expenditures of the board for the preceding year.

Through its chancellor the board shall collect and maintain such data from institutions, segments and agencies for public higher education as may be relevant to careful and responsible discharge of its purposes, functions, and duties.

The board or its chancellor shall collect such data as the advisory council on education may request, and shall submit such data as requested.

The board may collect and maintain information relevant to its work or requested of it by the advisory council on education in forms and at times it sees fit from any institution, segment, or agency for public higher education in the commonwealth.

Through its chancellor the board may seek relevant data from other states and institutions and from other departments, divisions, authorities, and agencies within the commonwealth.

At the direction of the board and with its approval, the chancellor may seek, accept and administer grants, gifts and trusts from private foundations and federal agencies which shall be kept in a separate fund in the state treasury and disbursed by the state treasurer at the direction of the board pursuant to its authority.

The board may publish reports and documents from time to time.

Upon recommendation of the chancellor, the board may employ, from time to time, such consultants and experts as he may recommend to study specific matters of concern to the board.

The board shall take cognizance of the problems of immigration and Americanization within the commonwealth and provide a program adequate to meet the needs of such problems.

The board shall administer a scholarship program for the purpose of furnishing aid and assistance to students domiciled in the commonwealth and enrolled in and pursuing a program of higher education in any approved public or private college, normal school, scientific or technical institution, or any other approved institution furnishing a program of higher education. Such aid and assistance shall consist of the awarding of one quarter, one half, or full scholarships to worthy and qualified students in need of financial assistance, provided that not less than ten nor more than twenty-five per cent of the total amount of scholarships awarded in any one year shall be allotted to students at institutions of higher education supported by the commonwealth. The board shall establish such regulations governing the eligibility and awarding of scholarships as it shall deem necessary.

The board may award one quarter, one half or full scholarships to worthy and qualified students who have been residents of the common-

wealth for a period of four years immediately prior to receiving such award and who are in need of financial assistance in order to pursue a course of study in medicine, dentistry or nursing. Recipients of scholarships shall be selected by the board from students nominated by the deans of medical and dental schools and the presidents of hospitals. No scholarship shall be awarded for more than five years to any one student. In the event a student fails to complete his or her studies, any unused balance of the scholarship shall be returned to the General Fund. The board may expend such sums as may be appropriated to carry out the provisions of this paragraph.

The board shall establish and maintain university extension courses.

The board shall establish and maintain citizenship classes for the foreign born, teacher training, training for veterans in the division of vocational education, fellowship or loan programs, and other voluntary, post high school, occupation-oriented programs as it shall deem necessary.

Section 1E. There shall be in the department a board of education, in this section and in sections one F and one G called the board, consisting of the chancellor of the board of higher education and the commissioner of education, ex officiis, and eleven members, residents of the commonwealth, to be appointed by the governor, one of whom shall be a member of a labor organization affiliated with the State Labor Council AFL-CIO and at least two of whom shall be women. The members ex officiis shall have no vote. No appointive member of said board shall be employed by or derive regular compensation from any educational institution, or school system, public or private, in the commonwealth, be employed by or derive regular compensation from the commonwealth, or serve as a member of a governing board of any public institution for higher education in the commonwealth or as a member of any school committee. Upon the expiration of the term of office of an appointive member of said board, his successor shall be appointed for a term of five years. No person shall be appointed to serve more than two full terms. Prior service on said board for a term of less than three years, resulting from an initial appointment or an appointment for the remainder of an unexpired term, shall not be counted as a full term. If a member is absent from any four regularly scheduled monthly meetings, exclusive of July and August, in any calendar year, his office as a member of said board shall be deemed vacant. The chairman of the board shall forthwith notify the governor that such vacancy exists.

The members of the board shall be reimbursed for their necessary expenses incurred in the performance of their duties.

The board by majority vote of all its members shall elect its own chairman from among its members.

The board shall meet regularly each month except that the chairman, with board approval, may omit meetings in July and August, and the chairman may call additional meetings at other times.

Section 1F. The board of education shall by a two thirds vote of all its members appoint a commissioner of education, in this chapter called the commissioner, and may in its discretion by majority vote of all its members remove him. He shall be the secretary to the board, its chief executive officer and the chief state school officer for elementary and secondary education. He shall receive such salary, not exceeding thirty

thousand dollars, as the board may determine, and, subject to appropriation, such other perquisites as the board may approve. The board shall, by a two thirds vote of all its members and upon recommendation by the commissioner, appoint a deputy commissioner of education and may in its discretion by majority vote remove him. The board shall establish five divisions in the following areas: (*a*) curriculum and instruction, (*b*) administration and personnel, (*c*) research and development, (*d*) school facilities and related services, and (*e*) state and federal assistance.

The two divisions in the areas of curriculum and research and administration and personnel shall each be headed by an associate commissioner, and each of the other three divisions shall be headed by an assistant commissioner. The board shall, by a majority vote of all its members, appoint the associate commissioners and the assistant commissioners, and shall establish their salaries. The board shall appoint such associate commissioners and assistant commissioners from lists submitted by the commissioner, who shall nominate three candidates, ranked according to his preference, for each such office to be filled. The person appointed associate commissioner for the division in the area of curriculum and instruction shall have had experience and background in all major curricula.

Each division shall be divided into appropriate bureaus or sections, each headed by a director and such staff, including professional help and consultants, as may be required in such fields as English, science, special education, occupational-vocational education, civic education and other areas of instruction and educational services. The board shall also establish audio-visual service, day care service and adult education facilities not collegiate in nature. Upon recommendation of the commissioner and of the appropriate associate or assistant commissioner the board shall hire, transfer, or release such professional staff as the functions, duties and powers of the board shall require.

Section 1G. The purposes of the board shall be to support, serve and plan general education in the public schools.

The board shall be a communication and information center serving all public schools in the commonwealth.

The board may provide such necessary services to local public schools as are beyond their capacity to support separately.

The board shall provide centralized, state wide, long-range planning service for public schools.

The board shall provide a common center for the development, evaluation, and adaptation of educational innovations for public schools.

The board shall delineate and locate such other supporting services so as to improve the operation of all public schools and the quality of their educational programs.

The board shall establish the minimum length for a school day and the minimum number of days in the school year.

The board shall approve the educational standards for appointments for professional personnel in the public schools.

The board shall establish maximum pupil-teacher ratios for classes in public elementary and secondary schools.

The board shall establish the permissible and mandatory ages for school attendance and shall consider the advisability of raising the minimum

age for attendance in the first grade to the national average "age" for such attendance.

The board shall establish minimum educational standards for all courses which public schools require their students to take.

The board shall establish minimum standards for all public school buildings, subject to the provisions of section fifteen of chapter one hundred and forty-three.

The board shall evaluate annually the efficacy of the state aid formula and shall recommend such changes in it as it may deem necessary.

The board may withhold state and federal funds from school committees which fail to comply with the provisions of law relative to the operation of the public schools or any regulation of said board authorized in this section.

The board of education shall develop plans for education to meet state needs, and shall be the planning and approving authority for federal programs to be undertaken in the commonwealth.

The board shall see to it that all school committees comply with all laws relating to the operation of the public schools and in the event of noncompliance the commissioner of education shall refer all such cases to the attorney general of the commonwealth for appropriate action to obtain compliance.

The board shall annually, on or before November fifteenth, report to the governor and to the general court its acts and decisions during the preceding year with recommendations for the ensuing year, and, on or before the first Monday of January, distribute to the chairman of each school committee in the commonwealth a copy of such report, and statistics showing the performance of the public schools.

The board shall establish the functions, duties and responsibilities of each division established by it and of the personnel thereof.

The board shall appoint advisory committees in the areas of vocational education and special education, and may appoint advisory committees for each of its divisions and for each other curriculum area.

The board may collect and maintain information from any public school system in the commonwealth relevant to its work or requested of it by the advisory council on education.

The board may receive allotments for the commonwealth from federal programs in aid of elementary, secondary, and vocational education and may direct the disbursement of such funds and state aid funds in accordance with law.

The board and commissioner of education may seek relevant information from other states and institutions and from other departments, divisions, authorities, and agencies within the commonwealth.

At the direction of the board, the commissioner may seek, accept, and administer specific grants from private foundations and federal agencies. Said grants shall be kept in a separate fund in the state treasury and shall be disbursed by the state treasurer at the direction of the board and pursuant to its authority.

The board may employ, from time to time, such consultants and experts as the commissioner may recommend to study specific matters of concern to the department.

Section 1H. There is hereby established an advisory council on education. Said council shall consist of nine persons, residents of the com-

monwealth, to be appointed by the governor, one of whom shall be a member of a labor organization affiliated with the Massachusetts State Labor Council AFL-CIO. At no time shall there be more than five members from the same major political party on the council.

No member of the council shall be employed by or derive regular compensation from any educational institution, or school system, public or private, in the commonwealth or be employed by or derive regular compensation from the commonwealth, or be a member of a board of any public institution for higher education in the commonwealth or of any state board of education. Upon the expiration of the term of office of a member, his successor shall be appointed for a term of five years. No person shall be appointed to serve more than two full terms. Prior service on said council for a term of less than three years, resulting from an initial appointment or an appointment for the remainder of an unexpired term, shall not be counted as a full term.

If any member is absent from two regularly scheduled bimonthly meetings in one calendar year, exclusive of July and August, his office as a member of said board shall be deemed vacant. The chairman of the board shall forthwith notify the governor that such vacancy exists.

The council by majority vote of all members shall elect annually its own chairman and such other officers as it sees fit from among its members.

The council shall meet bimonthly except that the chairman, with council approval, may omit such meeting in July and August. The chairman may call additional meetings at other times.

Members of the council shall be reimbursed for their necessary expenses incurred in the performance of their duties.

The council shall, by two thirds vote of all members, appoint a director of research, who shall serve as executive secretary of the council. Upon the recommendation of the director of research, the council may employ one or two full-time professional associates, who shall serve at the pleasure of the council and shall receive such compensation as the council shall determine, such full-time clerical and technical assistants as may be necessary, and may, subject to appropriation, employ, from time to time, such consultants and experts as the director may recommend to study specific matters of concern to the council.

The purpose of the advisory council on education shall be to recommend policies designed to improve the performance of all public education systems in the commonwealth.

The council shall analyze, plan, and evaluate the programs and systems used by all agencies for public education in the commonwealth, drawing as required on the experiences of other governments and organizations and on relevant information in other departments, divisions, authorities and agencies of the commonwealth.

The council shall recommend such policies as will promote and facilitate coordination, effectiveness and efficiency in the operation of all public education systems in the commonwealth.

The council shall recommend to the board of education and the board of higher education for their consideration the findings of its analyses and evaluations and the substance of its plans.

The council shall annually, on or before the first Monday of November, report to the governor its findings and plans regarding the co-

ordination, effectiveness, and efficiency of public education programs and systems in the commonwealth.

The director of research shall annually, on or before the first Monday of January, file with the governor and the general court a report of the activities and expenditures of the council during the preceding year.

The council shall submit to the governor for his consideration for appointment to the board of higher education, the board of education, and the board of trustees of state colleges lists containing the names of three times as many qualified residents of the commonwealth as there are appointments to be made to such boards. Each such list shall be approved by a two thirds vote of all the members of the council.

The council shall have the power to collect information relevant to its work in forms and at times it sees fit from any institution or agency for public education in the commonwealth.

The council may, from time to time, at its own discretion, issue public reports on educational matters it is concerned with.

SECTION 3. Said chapter 15 is hereby further amended by striking out section 20A, as amended by section 3 of chapter 561 of the acts of 1964, and inserting in place thereof the following section: — *Section 20A.* There shall be a board of trustees of state colleges consisting of eleven members, residents of the commonwealth, to be appointed by the governor, at least two of whom shall be women. No person serving as a member of a board of any public institution for higher education in the commonwealth or of any state board of education shall be eligible for appointment.

No member of said board shall be employed by or derive regular compensation from any educational institution or school system, public or private, in the commonwealth or be employed by or derive regular compensation from the commonwealth.

Upon the expiration of the term of office of a member of the board, his successor shall be appointed for a term of five years. No person shall be appointed to serve more than two full terms. Prior service on said board for a term of less than three years, resulting from an initial appointment or an appointment for the remainder of an unexpired term, shall not be counted as a full term. If any member is absent from four regular meetings, exclusive of July and August, in any calendar year, his office as a member of said board shall be deemed vacant. The chairman shall forthwith notify the governor that such vacancy exists.

The members of the board shall be reimbursed for their necessary expenses incurred in the performance of their duties.

The members of the board shall elect their own chairman by a majority vote of the entire membership. The board shall meet regularly each month, except that the chairman, with board approval, may omit meetings in July and August, and he may call additional meetings at other times.

SECTION 4. Said chapter 15 is hereby further amended by inserting after said section 20A the following section: —

Section 20B. There shall be an advisory commission to the board of trustees of state colleges consisting of five members, who shall be professional educators, three of whom shall be presidents of state colleges, elected by a majority of all state college presidents, and shall serve for a term of one year and two persons, who shall be affiliated with

private institutions of higher education in the commonwealth and shall be appointed by the governor for a term of five years. The two members appointed by the governor shall be residents of the commonwealth and eligible for reappointment for one five-year term. The members of the commission shall attend meetings of the board of trustees of state colleges except when said board meets in executive session.

SECTION 5. The first sentence of section 21A of said chapter 15, as appearing in section 2 of chapter 543 of the acts of 1960, is hereby amended by striking out, in lines 4 and 5, the words "and the commissioner of education as an ex officio member".

SECTION 6. Section 27 of said chapter 15, as appearing in section 1 of chapter 737 of the acts of 1964, is hereby further amended by inserting after the word "commonwealth", in lines 11 and 12, the words: — and at least two of whom shall be women.

SECTION 7. Said chapter 15 is hereby further amended by striking out section 28, as so appearing, and inserting in place thereof the following section: — *Section 28.* The regional community colleges shall provide educational programs, the curricula of which shall be substantially equivalent to the first two years of college, including post-high school vocational education; provide two-year transfer educational programs qualifying students for admission to the junior year at other colleges and such liberal arts and science instruction as may be appropriate within the terminal programs.

The duties of the board of regional community colleges shall include the determination of the need for education at the community and junior college level throughout the commonwealth, the development and execution of an over-all plan to meet this need and the establishment and maintenance of regional community colleges at suitable locations in accordance with this plan, subject only to such general authority in the board of higher education. The board shall fix the tuition to be charged. Said board shall have the power to construct, lease or otherwise provide any facilities required for such 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 school committee or other local authority or jointly with school committees or other authorities of two or more cities or towns; provided, that the board and the 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.

Each regional community college established under this or any other section shall be governed solely by the board of regional community colleges. In exercising the authority, responsibility, powers and duties specifically conferred upon it, the board shall, subject only to such general authority in the board of higher education, have all the authority, responsibility, rights, privileges, powers and duties customarily and traditionally exercised by governing boards of institutions of higher

learning. In exercising such authority, responsibility, powers and duties said board shall not in the management of the affairs of said colleges be subject to, or superseded in any such authority by, any other state board, bureau, department or commission, except the board of higher education to the extent any such exercise might be inconsistent with determinations of said board delineating functions and programs for institutions and segments of institutions of public higher education.

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.

The board 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. Notwithstanding the provisions of this paragraph, in exercising the authority to grant degrees, the board shall be subject to the determinations of the board of higher education delineating functions and programs for institutions and segments of institutions of public higher education.

The board may also award academic degrees at all appropriate levels, as approved by the board of higher education.

SECTION 8. Sections three A, three B, four, five, six, six A, twelve, twenty-five and twenty-six of chapter fifteen of the General Laws are hereby repealed.

SECTION 9. Chapter 69 of the General Laws is hereby amended by striking out section 7, as most recently amended by section 2D of chapter 613 of the acts of 1958, and inserting in place thereof the following section: — *Section 7.* The board of higher education may cooperate with existing institutions of learning in the establishment and conduct of university extension and correspondence courses; may supervise the administration of all such courses supported in whole or in part by the commonwealth; and also, where deemed advisable, may establish and conduct such courses for the benefit of residents of the commonwealth and, provided that the fees charged exceed the cost of service, may enroll in correspondence courses such nonresidents as are approved by the department. Said board may offer correspondence courses, free of charge, to inmates of county and state hospitals and sanatoria, municipal sanatoria and tuberculosis divisions and tuberculosis wards of municipal hospitals, county and state correctional institutions, the Tewksbury hospital, and federal hospitals situated within the commonwealth, and to veterans, as such term is defined in section twenty-one of chapter thirty-one, who come within the class referred to as disabled veterans in section twenty-three of said chapter thirty-one, and may permit university extension courses to be taken, free of charge, by such veterans, and also by blind persons who have resided in the commonwealth at least one year immediately prior to the taking of such courses. Said board shall permit such courses to be taken, free of charge, by persons sixty-five years of age or over. Said board may also furnish correspondence courses, free of charge, to former inmates of any of said county or state hospitals or sanatoria, municipal sanatoria and tuberculosis divi-

sions and tuberculosis wards of municipal hospitals, for a period of one year immediately following their discharge therefrom; provided, that such courses shall be furnished only for the purpose of completing correspondence courses in which said former inmates had enrolled prior to their discharge. It may, in accordance with rules and regulations established by it, grant to students satisfactorily completing such courses suitable certificates.

SECTION 10. Said chapter 69 is hereby further amended by striking out the caption preceding section 30, inserted by section 3 of chapter 549 of the acts of 1943.

SECTION 11. Section 30 of said chapter 69, as so inserted, is hereby amended by striking out, in lines 9, 10 and 11, the words "collegiate authority established by section three A of chapter fifteen" and inserting in place thereof the words: — higher education.

SECTION 12. Section 30A of said chapter 69, inserted by chapter 202 of the acts of 1963, is hereby amended by striking out, in line 1, the words "collegiate authority", and inserting in place thereof the words: — higher education.

SECTION 13. Section 31 of said chapter 69, inserted by section 3 of chapter 549 of the acts of 1943, is hereby amended by striking out, in line 1, the words "collegiate authority" and inserting in place thereof the words: — higher education.

SECTION 14. Section 1 of chapter 71 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 11 of the acts of 1962, and inserting in place thereof the following sentence: — Every town shall maintain, for at least the number of days required by the board of education in each school year unless specifically exempted as to any one year by said board, a sufficient number of schools for the instruction of all children who may legally attend a public school therein.

SECTION 15. Said chapter 71 is hereby further amended by striking out section 4, as most recently amended by section 1 of chapter 530 of the acts of 1963, and inserting in place thereof the following section: — *Section 4.* Every town containing, according to the latest census, state or national, five hundred families or householders, shall, unless specifically exempted by the board of education and under conditions defined by it, maintain a high school, adequately equipped, which shall be kept by a principal and such assistants as may be needed, of competent ability and good morals, who shall give instruction in such subjects as the school committee considers expedient. One or more courses of study, at least four years in length, shall be maintained in such high school and it shall be kept open for the benefit of all inhabitants of the town for at least the number of days required by said board, exclusive of vacations, in each school year; provided, however, that the date of graduation from such high school may precede the regular closing date of the school by not more than twelve school days; and provided, further, that pupils graduating shall not be released from attendance prior to the fifteenth day of May. A school committee may determine that such school shall be conducted for less than the number of days required by said board in any year during which school has been closed because of epidemic, extraordinary weather conditions dangerous to the health or safety of pupils or other emergency, subject, however, to the provisions of section four A. Each high school maintained by a town required to belong to a

superintendency union shall be conducted in accordance with standards of organization, equipment and instruction approved, from time to time, by the board.

SECTION 16. Said chapter 71 is hereby further amended by striking out section 4A, inserted by section 2 of chapter 530 of the acts of 1963, and inserting in place thereof the following section: — *Section 4A*. Every town which, without having received a specific exemption from the board of education, fails to keep open all schools required to be maintained under sections one and four or fails to provide school facilities under section six for grade one through twelve, the number of days required by said board in each school year shall have deducted from the sum of school aid payable to it under chapter seventy an amount equal to the proportion which the number of such days during which schools were not kept open bears to the total number of days required that they be kept open by said board.

SECTION 17. Section 79 of said chapter 71, as amended by chapter 168 of the acts of 1958, is hereby further amended by striking out, in line 5, the words "collegiate authority" and inserting in place thereof the words: — higher education.

SECTION 18. Section 1 of chapter 73 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 7 of chapter 561 of the acts of 1964, and inserting in place thereof the following two paragraphs: —

The state colleges shall provide educational programs, research, extension, and continuing education services in the liberal, fine and applied arts and sciences and other related disciplines through the master's degree level. They may offer doctoral programs in cooperation with the University of Massachusetts under authority granted by the board of higher education, concurred in by the boards of trustees of said university and of said state colleges. They shall provide a major emphasis on the preparation of teachers and other professional educational personnel. The board of trustees of the state colleges may grant the degree of Bachelor of Education or of Bachelor of Science in Education to any person completing a four-year course in a state college, and the degree of Master of Education to graduates of colleges or universities who have satisfactorily completed a graduate course of instruction in any such college. The trustees may grant the degree of Bachelor of Fine Arts to any student at the Massachusetts college of art upon the successful completion of certain four-year prescribed courses in the field of fine arts, and may grant the honorary degree of Doctor of Fine Arts at said college of art. The trustees may grant the degree of Bachelor of Nautical 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. The trustees may also award academic degrees at all appropriate levels, as approved by the board of higher education. They may also award such honorary degrees as they deem appropriate.

Notwithstanding the provisions of this section, in exercising the authority to grant degrees, the board shall be subject to the determinations of the board of higher education delineating functions and programs for

public institutions of higher education and segments of such institutions.

SECTION 19. Section seven of said chapter seventy-three is hereby repealed.

SECTION 20. Section 1 of chapter 74 of the General Laws is hereby amended by striking out the paragraph defining "State board", inserted by section 2 of chapter 630 of the acts of 1952, and inserting in place thereof the following paragraph: —

"State board", the board of education.

SECTION 21. Said chapter 74 is hereby further amended by striking out section 20 and inserting in place thereof the following section: — *Section 20.* The state treasurer shall be the custodian of funds allotted to the commonwealth from appropriations made under the act of Congress approved February twenty-third, nineteen hundred and seventeen, and any acts in amendment thereof and in addition thereto, relating to vocational education in agriculture, distributive occupations, household arts and trades and industries. The funds so allotted from appropriations made under said act of Congress shall be expended without specific appropriation, under the order or the approval of the state board.

SECTION 22. Said chapter 74 is hereby further amended by striking out section 21, as most recently amended by section 9 of chapter 602 of the acts of 1956, and inserting in place thereof the following section: — *Section 21.* Subject to section twenty-two, the funds received under the act of Congress mentioned in section twenty shall be paid out, on requisition of the state board, as reimbursement for expenses already incurred, to approved schools and classes or courses for training entitled to receive them under said act.

SECTION 23. Said chapter 74 is hereby further amended by striking out section 22, as most recently amended by section 9 of chapter 602 of the acts of 1956, and inserting in place thereof the following section: — *Section 22.* The state board may use the funds received under the act of Congress mentioned in section twenty as supplementary to state aid for salaries of teachers of vocational subjects in schools complying therewith. It may also use such funds (1), for salaries of teachers giving types of training selected by it as especially needing stimulus; or (2), for courses for the preparation of teachers of vocations selected by it; or (3), to arrange with schools and colleges to give the proper types of training to teachers of vocations under its supervision; or (4), to enable local school authorities to conduct, under its supervision, classes for the training of vocational teachers; or (5), for travel as provided for under said act of Congress. Such payments shall be subject to conditions prescribed by said board.

SECTION 24. Section 22D of said chapter 74, inserted by section 3 of chapter 552 of the acts of 1946, is hereby amended by striking out, in line 2, the words "for vocational education".

SECTION 25. Section 35A of said chapter 74, as amended by section 7A of chapter 419 of the acts of 1962, is hereby further amended by striking out, in line 6, the words "collegiate authority" and inserting in place thereof the words: — higher education.

SECTION 26. Said chapter 74 is hereby further amended by striking out section 37A, inserted by section 1 of chapter 562 of the acts of 1963, and inserting in place thereof the following section: — *Section 37A.* If

a school committee or the board of trustees of any industrial, technical, agricultural or vocational school subject to this chapter determines that sufficient need exists in such school for a course or courses beyond secondary school level and designed to prepare students for greater opportunities for employment in industrial, agricultural and technical occupations, it may submit in writing its plans for such course or courses to the board of higher education. Upon the written approval of said plans by said board, such school committee or board of trustees may establish and maintain such extended courses of instruction on a technical institute level, and public funds may be appropriated for said purpose; provided, that such courses of instruction conform to such standards as said board may establish, and are maintained by said school committee or said trustees under the general regulations of the department. Any such school may use the designation "technical institute" with respect to the maintenance of such courses at such school, and the school committee or trustees of such school may, subject to the approval of the state board and the board of higher education, grant the degree of Associate in Applied Science to persons who complete such course or courses of instruction.

This section shall not be applicable to the board of regional community colleges, or any action of said board under section twenty-seven of chapter fifteen, or to any regional community college.

SECTION 27. Section 42 of said chapter 74, as most recently amended by section 1 of chapter 347 of the acts of 1957, is hereby further amended by striking out, in line 12, the words "collegiate authority" and inserting in place thereof the words: — higher education.

SECTION 28. Section 42B of said chapter 74, as amended by chapter 243 of the acts of 1958, is hereby further amended by striking out, in line 4, the words "collegiate authority" and inserting in place thereof the words: — higher education.

SECTION 29. Said chapter 74 is hereby further amended by striking out section 54, as amended by chapter 680 of the acts of 1955, and inserting in place thereof the following section: — *Section 54.* The board of higher education may establish and maintain, in cooperation with local public or vocational school authorities, one or more schools for institutional on-farm training for veterans of World War II and for veterans of the Korean emergency. Said board may contract or agree with said local school authorities, in such centers as may be selected, for the establishment of such schools, for the use of quarters therefor, for the payment of the cost of operation thereof and equipment therefor, and for local supervision and administration of the training program.

Said board shall appoint, and may remove, the teaching personnel of such schools, shall determine the rates of salary for said personnel, shall pay the costs of instructional and supervisory travel of such personnel, and shall purchase, or provide for the purchase of, approved texts for trainees at said schools. Said board shall employ such additional supervisory and clerical personnel as may be needed by it in the carrying out of the training programs under this section. Said board may contract with the Veterans' Administration for the purpose of procuring reimbursement to the commonwealth for approvable costs of conducting and administering said training courses for veterans of World War II. Said board may contract with and collect from veterans of the Korean emergency tuition for said training.

SECTION 30. Said chapter 74 is hereby further amended by striking out section 55, inserted by chapter 581 of the acts of 1953, and inserting in place thereof the following section: — *Section 55.* There is hereby created and established in the state board a state agency for surplus property, authorized and empowered to acquire, warehouse, allocate and distribute surplus government property to tax-supported and to nonprofit institutions and others, eligible to acquire property in accordance with the terms and conditions of the federal property and administrative services act of nineteen hundred and forty-nine, as amended, and all other acts authorizing the distribution of surplus government property, and in accordance with the provisions of an approved state plan, and to execute agreements as required by the federal government. Said state board shall employ and assign such supervisory and clerical persons as may be necessary to carry out the provisions of this section.

SECTION 31. Chapter 75 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 1 of chapter 562 of the acts of 1964, and inserting in place thereof the following section: — *Section 2.* The major purpose of the university shall be to provide, without discrimination, education programs, research, extension, and continuing education services in the liberal arts and sciences and in the professions, and in those professional areas normally requiring either education beyond four years of undergraduate training or a basic or advanced degree beyond the bachelor's level, with exclusive jurisdiction in agriculture. The university shall offer the adult education services of the university extension program. The university shall be the sole public university operated by the commonwealth but it may establish branches and may take under its jurisdiction other elements of the state system of higher education with the approval of all boards of trustees involved and the board of higher education. The university shall have general authority to award an earned doctoral degree, either independently or jointly with any other public institution of higher education operated by the commonwealth in accordance with joint programs approved by the board of higher education and the board of trustees of the university and the board of trustees of such other public institution. To this end, the trustee shall maintain high educational standards at the university and shall, subject only to such general authority in the board of higher education, have complete authority to establish, locate, support, consolidate or abolish classes, courses, curricula, departments, divisions, schools or colleges of the university wherever and whenever required in meeting the needs of the commonwealth in the fields of public higher education. 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. The trustees shall establish for the university the qualifications and standards for admission, promotion and graduation and shall award academic degrees and diplomas and confer honors as is customary in American universities, except to the extent any such exercise might be inconsistent with determinations of the board of higher education delineating functions and programs for institutions and segments of institutions of public higher education. The trustees may confer such honorary degrees as they deem appropriate.

SECTION 32. Chapter 75A of the General Laws is hereby amended by striking out section 1, as amended by section 1 of chapter 701 of the acts of 1963, and inserting in place thereof the following section: — *Section 1.* The Lowell Technological Institute of Massachusetts, hereinafter referred to as the institute, shall provide educational programs, research, extension and continuing education services in the technological and engineering and physical science fields through the master's degree level with general education subjects as may be appropriate to such programs. It shall provide such services through the doctoral degree level in chemistry; and may offer other doctoral programs in cooperation with the University of Massachusetts under authority granted by the board of higher education concurred in by the boards of trustees of said university and of said institute.

The institute shall be a state institution within the department of education but not under its control and shall be governed solely by the board of trustees whose authority, responsibility, rights, privileges, powers and duties specifically conferred by this chapter shall be the same as those customarily and traditionally exercised by governing boards of institutions of higher learning. In exercising such authority, responsibility, rights, privileges, powers and duties said board shall not in the management of the affairs of the institute be subject to, or superseded in any such authority by, any other state board, bureau, department or commission, except the board of higher education to the extent any such exercise might be inconsistent with determinations of said board delineating functions and programs for institutions and segments of institutions of public higher education. The trustees shall maintain high educational standards at the institute and shall, subject only to such general authority in the board of higher education, have complete authority to establish, locate, support, consolidate or abolish classes, courses, curricula, departments, divisions, wherever and whenever required in meeting the needs of the commonwealth in the fields of public higher education. The trustees shall establish appropriate qualifications and standards for admission, promotion and graduation and shall award academic degrees and diplomas and confer honors as is customary for such institutes, except to the extent any such exercise might be inconsistent with determinations of the board of higher education delineating functions and programs for institutions and segments of institutions of public higher education. The trustees may confer such honorary degrees as they may deem appropriate.

SECTION 33. Section eleven of said chapter seventy-five A is hereby repealed.

SECTION 34. Chapter 75B of the General Laws is hereby amended by striking out section 1, as appearing in section 1 of chapter 582 of the acts of 1964, and inserting in place thereof the following section: — *Section 1.* The Southeastern Massachusetts Technological Institute shall provide educational programs, research, extension and continuing education services in the technological and engineering and physical science fields through the master's degree level, with general education subjects as may be appropriate to such programs. It may offer doctoral programs in cooperation with the University of Massachusetts under authority granted by the board of higher education, concurred in by the board of trustees of said university and of said institute.

Said institute shall be a state institution of higher learning and shall 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, subject only to such general authority in the board of higher education, 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 the board of higher education to the extent any such exercise might be inconsistent with determinations of said board delineating functions and programs for institutions and segments of institutions of public higher education. The trustees shall establish qualifications and standards for admission, promotion and graduation; and shall award academic degrees at all appropriate levels, as approved by the board of higher education. The trustees may confer such honorary degrees as they may deem appropriate.

SECTION 35. Section two of said chapter seventy-five B is hereby repealed.

SECTION 36. Section 1 of chapter 76 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 3 of chapter 461 of the acts of 1939, and inserting in place thereof the following sentence: — Every child between the minimum and maximum ages established for school attendance by the board of education, except a child between fourteen and sixteen who meets the requirements for the completion of the sixth grade of the public school as established by said board and who holds a permit for employment in private domestic service or service on a farm, under section eighty-six of chapter one hundred and forty-nine, and is regularly employed thereunder for at least six hours per day, or a child between fourteen and sixteen who meets said requirements and has the written permission of the superintendent of schools of the town where he resides to engage in non-wage-earning employment at home, or a child over fourteen who holds a permit for employment in a cooperating employment, as provided in said section eighty-six, shall, subject to section fifteen, attend a public day school in said town, or some other day school approved by the school committee, during the entire time the public schools are in session, unless the child attends school in another town, during the entire time the same is in session, under sections six to twelve, inclusive; but such attendance shall not be required of a child whose physical or mental condition is such as to render attendance inexpedient or impracticable or of a child granted an employment permit by the superintendent of schools when such superintendent determines that the welfare of such child will be better served through the granting of such permit, or of a child who is being otherwise instructed in a manner approved in advance by the superintendent or the school committee.

SECTION 37. Notwithstanding any provisions of this act, Lowell Technological Institute, Southeastern Massachusetts Technological Institute, the University of Massachusetts, the state colleges and the regional community colleges may continue to grant degrees at levels

lower than the doctorate in areas in which the said institutions have offered programs in which students were actually enrolled prior to January first, nineteen hundred and sixty-five; provided, however, that Southeastern Massachusetts Technological Institute shall add courses necessary for major program studies in the liberal arts on the freshman level during the academic year commencing September, nineteen hundred and sixty-five; and provided, further, that Southeastern Massachusetts Technological Institute or any institution of public higher education located in Bristol county and designated by the board of higher education shall add courses necessary for major program studies in the liberal arts on the second year level for the academic year commencing in September, nineteen hundred and sixty-six. The pupil-teacher ratio in the above mentioned liberal arts curriculum shall be maintained at the same ratio as in those public institutions of higher education of the commonwealth offering liberal arts curriculum.

SECTION 38. Until such time as the board of higher education, established by section one A of chapter fifteen of the General Laws, as appearing in section two of this act, shall be appointed and organized or until the first of January, nineteen hundred and sixty-six, whichever shall come first, no public institution of higher education shall add to its offerings any educational program which was not actively in force and operating on the thirty-first day of December, nineteen hundred and sixty-four.

SECTION 39. The board of collegiate authority, the advisory board of higher education policy, the board of immigration and Americanization, the board of educational assistance, and the medical, dental and nursing scholarship board are hereby abolished, and the terms of all members of said boards are hereby terminated.

All records, books and papers of said boards shall be turned over to the board of higher education, established under section one A of chapter fifteen of the General Laws, as appearing in section two of this act.

All unexpended balances of moneys appropriated for said boards shall be transferred to and made available for expenditure by said board of higher education. The powers and duties of the boards hereby abolished shall be exercised and performed by the board of higher education established under said section one A of said chapter fifteen.

SECTION 40. The board of trustees of the state colleges, as existing on the effective date of this section, is hereby abolished, and the terms of all members of said board are hereby terminated. All records, books and papers of said board of trustees of the state colleges shall be turned over to the board of trustees of state colleges, established by section twenty A of chapter fifteen of the General Laws, as appearing in section three of this act.

SECTION 41. The state board of education and the state board for vocational education, as existing on the effective date of this section, are hereby abolished, and the terms of all members of said boards are hereby terminated, and all records, books and papers of said boards shall be turned over to the board of education established under section one E of chapter fifteen of the General Laws, as appearing in section two of this act.

All unexpended balances of moneys appropriated for said state board of education and for said state board of vocational education shall be trans-

ferred to and made available for expenditure by the board of education established under said section one E of said chapter fifteen. The powers and duties of the boards hereby abolished by this section shall hereafter be exercised and performed by the board of education established under said section one E of said chapter fifteen.

SECTION 42. The school building assistance commission, established by chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, is hereby abolished, and the terms of all members of said commission are hereby terminated. All powers, duties and liabilities of said commission shall hereafter be exercised and discharged by the board of education.

All employees of said school building assistance commission on the effective date of this section shall be transferred to the state department of education without loss of seniority, retirement or other rights.

All unexpended balances of moneys appropriated for said school building assistance commission shall be transferred to and made available for expenditure by the board of education.

SECTION 43. Notwithstanding the provisions of this act, any board, commission, council, division or other agency, whose powers are abolished, merged and consolidated with, transferred or allocated to the board of higher education or the board of education, established by this act, shall continue to function until said boards are organized.

SECTION 44. The professional staff of the department of education and the state colleges shall serve at the pleasure of their respective boards, provided that the tenure of office of any member of such staff on the effective date of this act shall not be impaired. The classification, title and salary of each member of the professional staff of the department of education and the state colleges immediately prior to the effective date of this act shall remain in effect until changed by their respective boards.

SECTION 45. Nothing in this act shall be construed to impair the seniority, tenure, retirement or other rights of any permanent civil service employee, or veteran covered by section nine A of chapter thirty of the General Laws, or of any maintenance employees covered by section nine B of said chapter thirty, employed on the effective date of this act in the department of education and by the state colleges; provided, however, that to staff the said department and the state colleges as reorganized by this act, any such employee may be transferred to any position in his respective employing unit as so reorganized; provided further, however, (*a*) that the employee's salary shall not be reduced as the result of such a transfer; (*b*) that without the approval of the director of civil service and the director of personnel and standardization the employee shall not, as the result of such a transfer, be placed in a position of higher salary grade; and (*c*) that the applicable provisions of chapters thirty and thirty-one of the General Laws shall not apply to persons employed at the state colleges subsequent to the effective date of this act.

SECTION 46. Nothing in this act shall be construed to impair the seniority, tenure, retirement or other rights of any teacher or permanent civil service employee, or any veteran covered by section nine A of chapter thirty of the General Laws, or of any maintenance employee covered by section nine B of said chapter thirty, who on the effective

date of this act is a teacher at or employed by the University of Massachusetts, Lowell Technological Institute of Massachusetts, Southeastern Massachusetts Technological Institute, or by any regional community college, or who on said effective date is employed by any board, commission, council, division or other agency which is abolished by any provision of this act.

SECTION 47. Notwithstanding any provision of law to the contrary, nothing in this act shall be deemed to affect the membership of the Massachusetts State College Building Authority, created by section two of chapter seven hundred and three of the acts of nineteen hundred and sixty-three, and any member appointed thereto prior to the effective date of this act, as a member of the board of trustees of the state colleges, which board is abolished by section forty of this act, shall continue to serve as a member of said Authority until the expiration of the term for which he was appointed. Upon the expiration of the term of any such member, or in the event of a vacancy in the membership of the said Authority due to the death, resignation, or removal of any such member, his successor shall be appointed from the board of trustees of state colleges, established by section twenty A of chapter fifteen of the General Laws, as appearing in section three of this act.

SECTION 48. Nothing in this act shall be construed as affecting the powers and duties of the higher education facilities commission established under the provisions of chapter three hundred and eighty-eight of the acts of nineteen hundred and sixty-four.

SECTION 49. School projects begun or now in the process of construction under the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight may be concluded in accordance with said chapter six hundred and forty-five. Pending applications for school building assistance shall be transferred to the board of education on the organization of said board and shall be processed by said board.

SECTION 50. Of the members of the board of education and of the board of trustees of state colleges, respectively, who are first appointed under the authority of this act, two shall be appointed by the governor for terms of one year, two for terms of two years, two for terms of three years, two for terms of four years and three for terms of five years.

Of the seven members of the board of higher education who are first appointed by the governor under authority of section one A of chapter fifteen of the General Laws, as appearing in section two of this act, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, two for terms of four years, and two for terms of five years.

Upon the expiration of the term of any such member his successor shall be appointed in the manner and for the terms set forth in sections one E, twenty A and one A of said chapter fifteen, respectively.

SECTION 51. Of the members of the advisory council on education first appointed under authority of section one H of chapter fifteen of the General Laws, as appearing in section two of this act, one shall be appointed by the governor for a term of one year, two for terms of two years, two for terms of three years, two for terms of four years, and two for terms of five years.

SECTION 52. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent

jurisdiction, the decisions of such court shall not affect or impair any of the remaining provisions.

SECTION 53. Section thirty-nine, section forty, and sections forty-one and forty-two of this act shall take effect upon the appointment of the initial members of the board of higher education, the board of trustees of state colleges and the board of education, respectively, as provided in section fifty of this act, and their qualification.

Approved June 28, 1965.

Chap. 573. AN ACT RELATING TO PROCEEDINGS FOR THE TAKING OF REAL ESTATE AND INTERESTS THEREIN BY EMINENT DOMAIN.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith urgently needed procedures relative to the payment of damages arising from the exercise of eminent domain, 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 79 of the General Laws is hereby amended by striking out section 7D, as appearing in section 3 of chapter 579 of the acts of 1964, and inserting in place thereof the following section: — *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 superior court of the county in which the property taken or injured was located for the benefit of the person 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 superior court of the county in which the property taken or injured was located 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 institution, 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 shall, 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 superior court and shall be subject to the order of the superior court 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. No action by a taking authority under the provisions of this section shall be construed so as to prevent or delay the operation of section sixteen. *Approved June 28, 1965.*

Chap. 574. AN ACT DIRECTING THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME TO CONVEY CERTAIN LAND IN THE TOWN OF BOXFORD TO THE COUNTY OF ESSEX.

Be it enacted, etc., as follows:

The director of the division of fisheries and game, in the name and on behalf of the commonwealth, is hereby authorized and directed, subject to the approval of the governor, to convey for the consideration of one dollar to the inhabitants of the county of Essex, by a deed, approved as to form by the attorney general, all the right, title and interest of the commonwealth in and to two parcels of land situated in the town of Boxford, for highway purposes. Said parcels are bounded and described as follows: —

Parcel #1. A parcel of land located on the southwesterly side of Middleton Road and bounded northeasterly by said Middleton Road as defined by a stone wall, about 195 feet and southwesterly by the proposed southwesterly line of the highway about 190 feet, said parcel containing about 1750 square feet.

Parcel #2. A parcel of land located on the southwesterly side of said Middleton Road and bounded northeasterly by said Middleton Road as defined by a stone wall, about 307 feet and southwesterly by the proposed southwesterly line of the highway about 295 feet, said parcel containing about 5280 square feet.

Said parcels are shown on a plan entitled "Plan of a Portion of Middleton Road in the Town of Boxford, Earl H. Page, County Engineer, Scale 1" equals 40' " and dated May 12, 1964 and filed in the office of the county engineer of the county of Essex in the city of Salem.

Approved June 28, 1965.

Chap. 575. AN ACT DESIGNATING A PORTION OF INTERSTATE HIGHWAY ROUTE I95 AS THE VETERANS OF WORLD WAR I MEMORIAL HIGHWAY.

Be it enacted, etc., as follows:

That portion of interstate highway route I95 beginning at the New Hampshire state line and extending southerly to its junction with U.S. Route 1 in the town of Danvers shall be designated and known as the Veterans of World War I Memorial Highway. The department of public works is hereby authorized and directed to erect along said highway suitable markers bearing said designation in compliance with the standards of said department and as authorized by the federal bureau of public roads. *Approved June 28, 1965.*

Chap. 576. AN ACT AUTHORIZING THE LAWRENCE POLICE RELIEF ASSOCIATION TO PAY CERTAIN SUMS TO MEMBERS UPON THE DEATH OF THEIR WIVES.

Be it enacted, etc., as follows:

The Lawrence Police Relief Association is hereby authorized to pay to any active member of the police department of the city of Lawrence, who is a member in good standing of said corporation, upon the death of his wife, the sum of five hundred dollars. Any amount so paid shall reduce the death benefit otherwise payable upon the death of any such member. *Approved June 28, 1965.*

Chap. 577. AN ACT PROVIDING FOR NONPARTISAN PRELIMINARY ELECTIONS IN THE TOWN OF WATERTOWN.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and eighty-four of the acts of nineteen hundred and sixty-five is hereby repealed.

SECTION 2. Any person who is qualified to vote in the town of Watertown may be a candidate for an elective town office therein and shall be entitled to have his name as such candidate printed on the official ballot to be used at a preliminary election; provided, that he files nomination papers provided by the town clerk containing no less than fifty signatures certified as voters of the town.

SECTION 3. The preliminary election shall be held on the twenty-eighth day preceding every regular or special town election.

SECTION 4. No primary or caucus for the nomination of town officers shall be held. No ballot used at any preliminary, regular or special election in said town shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such political designation or mark.

SECTION 5. Nomination papers shall be filed with the town clerk not later than five o'clock in the afternoon of the twenty-first day preceding the preliminary election. Every nomination paper shall be submitted to the registrars of voters for certification of the names thereon on or before five o'clock in the afternoon of the seventh day preceding the day on which it shall be filed with the clerk.

SECTION 6. The election officers shall, immediately upon the closing of the polls at the preliminary election, count the ballots and ascertain the number of votes cast in the several voting places for each candidate, and forthwith make return thereof upon blanks to be furnished, as in regular elections, to the town clerk who shall canvass said returns and shall forthwith determine the result thereof.

SECTION 7. The two persons receiving at a preliminary election the highest number of votes for nomination for an office shall be the sole candidates for that office whose names may be printed on the official ballot to be used at the regular or special election at which such office is to be filled, and no acceptance of a nomination at a preliminary election shall be necessary to its validity.

If two or more persons are to be elected to the same office at such regular or special election the several persons in number equal to twice

the number so to be elected receiving at such preliminary election the highest number of votes for nomination for that office shall be the sole candidates for that office whose names may be printed on the official ballot.

If the preliminary election results in a tie vote among candidates for the nomination receiving the lowest number of votes, which, but for said tie vote, would entitle a person receiving the same to have his name printed upon the official ballot for the election, all candidates participating in said tie vote shall have their names printed upon the official ballot, although in consequence there be printed thereon names of candidates to a number exceeding twice the number to be elected.

SECTION 8. If at the expiration of the time for filing nomination papers of candidates to be voted for at any preliminary election not more than twice as many such papers have been filed with the town clerk for an office as there are persons to be elected to such office, the candidates whose nomination papers have thus been filed shall be deemed to have been nominated to said office, and their names shall be voted on for such office at the succeeding regular or special election, as the case may be, and the town clerk shall not print said names upon the ballot to be used at said preliminary election and no other nomination to said office shall be made. If in consequence it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election in the town, no preliminary election shall be held.

SECTION 9. Except as otherwise provided in this act, the laws of the commonwealth governing town elections, special elections of town officers and special elections in towns shall, so far as applicable, govern such elections in the town of Watertown.

SECTION 10. Town meeting member nomination papers shall be filed with the town clerk not later than five o'clock in the afternoon of the twenty-eighth day preceding the town election. Every such nomination paper shall be submitted to the registrars of voters for certification of the names thereon on or before five o'clock in the afternoon of the seventh day preceding the day on which it must be filed with the town clerk. Incumbent town meeting members may become candidates for reelection by giving written notice to the town clerk not later than fourteen days prior to the last day and hour for filing town meeting nomination papers.

SECTION 11. This act shall be submitted to the voters of the town of Watertown at the annual town meeting to be held in the year nineteen hundred and sixty-six, in the form of the following question, which shall be printed on the official ballot used for the election of town officers: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-five, entitled 'An Act providing for nonpartisan preliminary elections in the town of Watertown', be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, this act shall thereupon take full effect, but not otherwise.

SECTION 12. Section one shall take effect upon its passage and sections two to eleven, inclusive, shall take effect as provided in section eleven. *Approved June 28, 1965.*

Chap. 578. AN ACT EXEMPTING PHYSICIANS 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, as amended by chapter 59 of the acts of 1964, 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, in the District of Columbia or in a province of Canada, and duly registered therein who, in good faith, as a volunteer and without fee, renders emergency care or treatment, other than in the ordinary course of his practice, 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 June 28, 1965.*

Chap. 579. AN ACT MAKING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-SIX PRIOR TO FINAL ACTION ON THE GENERAL APPROPRIATION BILL FOR SAID YEAR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the provisions of House Bill numbered 3939, as amended and passed to be engrossed by the House of Representatives, making appropriations for the fiscal year nineteen hundred and sixty-six for the maintenance of departments, boards, commissions, institutions, and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements, and for certain permanent improvements, are hereby incorporated herein by reference and shall be effective on the passage of this act; provided, that expenditures thereunder shall be limited to the amounts made available by allotment by the governor upon recommendation of the commissioner of administration; and provided, further, that said commissioner is hereby directed to limit the amount so allotted to those appropriation accounts essential for the maintenance of services during the month of July. The total allotment to any department, board or commission subject to section nine B of chapter twenty-nine of the General Laws shall not exceed one-third of the amount provided in each appropriation account in said House Bill numbered 3939, as amended; provided, however, if the amount so allotted would be insufficient to meet the minimum requirements of the agency, the commissioner may authorize such additional allotment as may be necessary, and a copy of such additional authorization shall be filed with the joint committee on ways and means.

SECTION 2. This act shall cease to be operative upon the enactment into law of the general appropriation bill for the fiscal year nineteen hundred and sixty-six or on July thirty-first, nineteen hundred and sixty-five, whichever is the earlier, and all action taken under this act shall apply against said appropriation act.

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

Approved June 29, 1965.

Chap. 580. AN ACT RELATIVE TO THE ESTABLISHMENT OF EDUCATIONAL REQUIREMENTS AND THE USE OF CIVIL SERVICE LISTS IN CERTAIN CASES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to foster forthwith improvements in the quality of the public service and to provide that the educational qualifications for such service shall conform with federal standards and thereby assure to the commonwealth continued receipt of federal reimbursement, therefore, it is hereby declared to be an emergency law necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 31 of the General Laws is hereby amended by striking out section 6A, inserted by chapter 228 of the acts of 1935, and inserting in place thereof the following section: — *Section 6A*. No rule or regulation shall be made setting up educational requirements as a condition of taking a civil service examination except in respect to professional and other positions for which such requirements are expressly imposed by statute and to the extent of the requirements so imposed, provided that wherever, as a condition of receiving federal grants for programs and activities to which the federal standards for a merit system of personnel administration relate, federal requirements make necessary the application of educational qualifications to any office or position of the commonwealth or political subdivision thereof, the director, other than in the case of an emergency appointment under section fifteen, shall apply such educational requirements to such office or position in the manner and extent necessary to meet federal requirements, notwithstanding any other provision of law to the contrary or whether such office or position is to be filled by appointment, promotion, transfer, or however otherwise designated, and no person other than an emergency appointee shall enter upon such position who does not meet the educational requirements so required to be established.

SECTION 2. Section 15 of said chapter 31, as most recently amended by section 1 of chapter 720 of the acts of 1964, is hereby further amended by inserting after paragraph C the following paragraph: —

D. Notwithstanding any provision of law to the contrary no individual, other than in an emergency as heretofore set forth in this section, shall be appointed, transferred or promoted to any office or position which is subject to the federal standards for a merit system of personnel administration unless the director has certified such individual meets the minimum qualifications conformable with applicable federal requirements, which minimum qualifications he is hereby authorized and directed to establish for each such office or position.

SECTION 3. Section 47C of said chapter 31 is hereby amended by striking out paragraph (3), as appearing in section 1 of chapter 402 of the acts of 1941, and inserting in place thereof the following paragraph: —

(3) Notwithstanding any other provision of law to the contrary, if there is no suitable list established for a city or town of persons eligible to positions in the service of such city or town which are referred to in this section, the director shall certify and selection shall be made from any suitable list of persons eligible to such positions established for the political subdivisions comprising the geographical district served by the

respective district offices of the department of public welfare in which such city or town is located; if there is no suitable list established for a city or town or for such district of persons eligible to positions in the service of such city or town the director shall certify and selection shall be made from any suitable state-wide list of persons eligible to such positions. Appointments, promotions or temporary transfer to positions referred to in this section and made subject to this chapter by this section or otherwise shall be made only after certification by the director that the proposed appointee meets the minimum qualifications required.

SECTION 4. Names of persons who have passed the examination held December thirtieth, nineteen hundred and sixty-four for welfare worker and social worker shall also be placed on a state-wide list in accordance with the provisions of the civil service law and rules to be used to fill vacancies in cities, towns or welfare districts in cases where there are no available eligible applicants for vacancies in such cities, towns or districts. *Approved July 6, 1965.*

Chap. 581. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO BORROWING BY CITIES AND TOWNS INSIDE THEIR LIMIT OF INDEBTEDNESS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to correct forthwith an amendment to the law relative to borrowing by cities and towns inside their limit of indebtedness, 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 44 of the General Laws, as appearing in section 1 of chapter 206 of the acts of 1965, is hereby amended by adding the following paragraph: —

Debts may be authorized under this section only by a two-thirds vote.

SECTION 2. This act shall take effect as of March twenty-ninth, nineteen hundred and sixty-five. *Approved July 6, 1965.*

Chap. 582. AN ACT AUTHORIZING THE COMMONWEALTH, THE POLITICAL SUBDIVISIONS THEREOF, AND WATER COMPANIES TO ACQUIRE OR SELL EMERGENCY SOURCES OF WATER SUPPLY THROUGHOUT THE YEAR NINETEEN HUNDRED AND SIXTY-FIVE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the acquisition or sale of emergency sources of water supply by the commonwealth, the political subdivisions thereof, and water companies throughout the year nineteen hundred and sixty-five, 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:

Notwithstanding the limitation of six months for the emergency purchase, taking or selling of water contained in section forty of chapter

forty of the General Laws, water may be purchased, taken or sold in accordance with the provisions of said section from January first, nineteen hundred and sixty-five to December thirty-first, nineteen hundred and sixty-five. *Approved July 6, 1965.*

Chap. 583. AN ACT ESTABLISHING THE OFFICE OF ASSISTANT SECRETARY OF THE BOARD OF DENTAL EXAMINERS, INCREASING THE DUTIES OF SAID BOARD, AND FEES TO BE PAID SAID BOARD, AND FURTHER REGULATING THE QUALIFICATIONS, EXAMINATION, AND REGISTRATION OF DENTISTS, AND FURTHER REGULATING THE BUSINESS OF DENTAL HYGIENISTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 112 of the General Laws is hereby amended by striking out section 43, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 43.* The board of dental examiners, herein and in sections forty-four to fifty-three, inclusive, called the board, shall examine applicants for registration in dentistry and shall investigate all complaints of violations of sections forty-four, forty-nine, fifty-two, fifty-two A, fifty-two C and sixty-five. In aid thereof, the board may make, and shall publish, such rules and regulations as it deems necessary. If, as a result of such investigation, the board has reasonable cause to believe that a violation has occurred, it shall forthwith file a written report of the same with the attorney general who shall, within three months following receipt of such report, notify the board in writing of the action taken with respect to such violation. The board may also bring a petition in equity in the superior court to enjoin the continuation of such violation. Four members of the board shall constitute a quorum for the transaction of business. The board shall keep a full record of its proceedings and a registry of all persons registered by it, which shall be public records open to inspection. A transcript of any of the entries in such record, certified by its secretary, shall be competent evidence of the facts stated therein. The board shall make a full and accurate annual report.

The board shall employ a full-time assistant secretary and it may employ such investigators and other clerical assistance as it deems necessary, all such positions to be subject to the provisions of chapter thirty-one.

SECTION 2. Section 44 of said chapter 112, as so appearing is hereby amended by striking out, in line 5, the word "two" and inserting in place thereof the word: — five.

SECTION 3. Said chapter 112 is hereby further amended by striking out section 45A, as amended by section 2 of chapter 564 of the acts of 1949, and inserting in place thereof the following section: — *Section 45A.* An applicant for limited registration under this section who shall furnish the board with proof entitling him to be examined for registration under section forty-five and with satisfactory proof that he has been employed as a member of the faculty of a reputable dental college or that he has been appointed a dental interne in a hospital or other institution maintained by the commonwealth or by a county or municipality thereof, or in a hospital or dental infirmary incorporated under

the laws of this commonwealth, may, upon payment of twenty-five dollars, be registered by the board as a dental interne for one year; but such limited registration shall entitle said applicant to practice dentistry only in the hospital or other institution designated on his registration and under the direction of a registered dentist employed therein. Limited registration under this section may be revoked at any time by the board.

SECTION 4. Section 47 of said chapter 112, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 2 and in line 4, the word "shall" and inserting in place thereof, in each instance, the word: — may.

SECTION 5. Said chapter 112 is hereby further amended by striking out section 48, as so appearing, and inserting in place thereof the following section: — *Section 48.* The board may, without examination upon payment of a fee of seventy-five dollars, register, and issue a certificate to, a dentist who has been lawfully in practice for at least five years in another state, if he presents to the board a certificate of registration, and duration of practice, from the board of dental examiners or other like board of said state; provided, that such other state shall require a degree of competency equal to that required of applicants in this commonwealth. Subject hereto, the board may waive written examination with respect to a dentist who has received a certificate of qualification from the National Board of Dental Examiners.

SECTION 6. The second paragraph of section 51 of said chapter 112, as appearing in chapter 576 of the acts of 1949, is hereby amended by inserting after the word "the", in line 1, the word: — general, — and by adding after the word "anaesthesia", in lines 11 and 12, the words: — ; (6) use a roentgen or x-ray machine for the purpose of taking dental x-rays or roentgenograms.

SECTION 7. Said section 51 of said chapter 112 is hereby further amended by striking out the last paragraph, as so appearing, and inserting in place thereof the following two paragraphs: —

An applicant failing to pass a satisfactory examination shall be entitled to re-examination at any meeting of the board upon payment of a fee of twenty-five dollars.

Each dental hygienist shall register annually before April first and shall pay to the board an annual registration fee of three dollars.

SECTION 8. Clause (5) of section 52A of said chapter 112, as appearing in section 2 of chapter 408 of the acts of 1954, is hereby amended by inserting after the word "print", in line 2, the words: — but for not more than seven successive days. *Approved July 6, 1965.*

Chap. 584. AN ACT RELATIVE TO THE TIME WITHIN WHICH PERSONS NOMINATED BY MEANS OF PASTERS OR WRITE-INS SHALL ACCEPT SUCH NOMINATIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 53 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 334 of the acts of 1943, and inserting in place thereof the following sentence: — A person whose name is not printed on a state, city or town primary ballot as a candidate for an office, but who receives

sufficient votes to nominate him therefor, shall file written acceptance of the nomination in the office of the state secretary or the city or town clerk, as the case may be, within six days, succeeding five o'clock in the afternoon of the day of holding the primaries, otherwise his name shall not be printed on the ballot at the ensuing election.

SECTION 2. Said chapter 53 is hereby further amended by inserting after section 35A the following section: —

Section 35B. The city or town clerk shall forthwith notify a person who appears to have been nominated by means of pasters or write-ins of the necessity of complying with section three.

SECTION 2A. Section 52 of said chapter 53, as most recently amended by section 3 of chapter 280 of the acts of 1950, is hereby further amended by adding the following sentence: — Said secretary shall also forthwith notify a person who has received sufficient votes by pasters or write-ins to be nominated of the necessity of complying with the requirements of section three.

SECTION 3. The second paragraph of section 41 of chapter 54 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: — To the name of each candidate for a state office shall be added the name of the city or town where he resides, with the name of the street and number, if any, of his residence.

SECTION 4. The second paragraph of section 42 of said chapter 54 is hereby amended by striking out the third sentence, as appearing in chapter 272 of the acts of 1948, and inserting in place thereof the following sentence: — Blank spaces shall be left at the end of the list of candidates for each different office equal to the number to be elected thereto, in which the voter may insert the name and address of any person not printed on the ballot for whom he desires to vote for such office; provided, however, that a mistake in stating the address of such person shall not invalidate a vote if the address stated is sufficient to indicate the person for whom the vote was intended.

Approved July 6, 1965.

Chap. 585. AN ACT AUTHORIZING DEFENDANTS TO EMPLOY A STENOGRAPHER AT CERTAIN HEARINGS.

Be it enacted, etc., as follows:

Chapter 221 of the General Laws is hereby amended by inserting after section 91A the following section: —

Section 91B. At any hearing or proceeding in connection with a criminal case, including a hearing on the issuance of a complaint, at which a court appointed stenographer is not present, the defendant or the person against whom such complaint is filed may have the proceedings taken by a stenographer provided at his own expense. The judge or other officer presiding at such hearing or proceeding shall provide a suitable place in which such stenographer may hear and take notes of all testimony, arguments and rulings; provided, that the transcripts of notes taken by stenographers provided under authority of this section shall not be admissible under the provisions of section eighty of chapter two hundred and thirty-three and that the provisions of this section shall not be applicable to grand jury proceedings.

Approved July 6, 1965.

Chap. 586. AN ACT CLARIFYING THE ELIGIBILITY FOR CERTAIN PUBLIC ASSISTANCE OF CERTAIN FORMER PATIENTS OF MENTAL HEALTH INSTITUTIONS IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 15 of chapter 118A of the General Laws is hereby amended by striking out the second sentence, as appearing in section 8 of chapter 781 of the acts of 1960, and inserting in place thereof the following two sentences: — A person who is a patient in an institution shall be considered to reside in the town in which he last maintained a residence outside of an institution; provided, however, that when the person has been a patient in a mental health facility and is ready to return to the community, he shall not be disqualified by reason of not having evidence of a prior residence outside of such facility. In such event, the town where the person is to be placed will be responsible for granting assistance.

SECTION 2. Section 2 of chapter 118D of the General Laws is hereby amended by striking out the first sentence, as appearing in section 2 of chapter 741 of the acts of 1951, and inserting in place thereof the following three sentences: — Any person may apply for assistance under this chapter to the board of public welfare of the town in which he resides. A person who is a patient in an institution shall be considered to reside in the town in which he last maintained a residence outside of an institution; provided, however, that when the person has been a patient in a mental health facility and is ready to return to the community, he shall not be disqualified by reason of not having evidence of a prior residence outside of such facility. In such event, the town where the person is to be placed will be responsible for granting assistance.

Approved July 6, 1965.

Chap. 587. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF DUKES COUNTY TO BORROW MONEY FOR THE PURCHASE OF BEACH CLEANING EQUIPMENT.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Dukes County are hereby authorized to expend for the purpose of purchasing beach cleaning equipment a sum not exceeding nineteen thousand dollars.

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, nineteen thousand dollars, and may issue notes of the county therefor, which shall bear on their face the words, Dukes County Beach Equipment Loan, Act of 1965. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than four years from their dates. Such notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred

hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

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

Approved July 7, 1965.

Chap. 588. AN ACT PROVIDING FOR LIFE TENURE FOR WALTER T. BARNES, INCUMBENT OF THE OFFICE OF CITY COLLECTOR OF THE CITY OF BEVERLY.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Walter T. Barnes, incumbent of the office of city collector of the city of Beverly, 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 Beverly. *Approved July 7, 1965.*

Chap. 589. AN ACT AUTHORIZING THE CITY OF REVERE TO PAY CERTAIN CLAIMS AGAINST SAID CITY, AND TO BORROW MONEY FOR SAID PURPOSE.

Be it enacted, etc., as follows:

SECTION 1. The city of Revere, for the purposes specified in section two, may incur indebtedness to an amount not exceeding four hundred and forty-one thousand, nine hundred and eighty-three dollars and forty-eight cents and may issue bonds or notes therefor which shall bear on their face the words, City of Revere Funding Loan, Act of 1965. Said loan shall be paid in not more than five years from the date of issue. Indebtedness incurred under this section shall be outside the limit of indebtedness established in section ten of chapter forty-four of the General Laws but, except as herein provided, shall be subject to the provisions of said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. Amounts borrowed under section one shall be used for the payment of certain unpaid bills incurred by said city and totalling four hundred and forty-one thousand, nine hundred and eighty-three dollars and forty-eight cents as set forth in the list on file in the office of the director of accounts in the department of corporations and taxation, which claims are legally unenforceable against said city, by reason of their being incurred in excess of available appropriations.

SECTION 3. 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 goods, materials or services for which said bills have been submitted were ordered by an official or any 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 4. Any person who knowingly files a certificate required by section three, which certificate is false, and who thereby receives pay-

ment for goods, materials or services 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 5. This act shall take effect upon its passage.

Approved July 12, 1965.

Chap. 590. AN ACT PROVIDING THAT THE PROCEDURE AGAINST CERTAIN VIOLATORS OF MOTOR VEHICLE LAWS BE EXTENDED TO INCLUDE VIOLATIONS ON LANDS OF THE UNIVERSITY OF MASSACHUSETTS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to facilitate enforcement of the motor vehicle laws on lands of the University of Massachusetts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience and safety.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 90C of the General Laws is hereby amended by striking out the definition "Police chief", as appearing in section 2 of chapter 789 of the acts of 1962, and inserting in place thereof the following definition: —

"Police chief", the chief or the head of the organized police department of a city or town, the commissioner of public safety, the superintendent of the metropolitan district commission police, the registrar of motor vehicles, the state superintendent of buildings, the chairman of the Massachusetts Turnpike Authority, or such person as the trustees of the University of Massachusetts shall appoint as chief of the police officers appointed under section thirty-two A of chapter seventy-five.

SECTION 2. Said section 1 of said chapter 90C is hereby further amended by striking out the definition "Police officer", as amended by section 2 of chapter 340 of the acts of 1963, and inserting in place thereof the following definition: —

"Police officer", any officer, other than an investigator or examiner of the commercial motor vehicle division of the department of public utilities, authorized to make arrest or serve criminal process, any person appointed by the registrar under section twenty-nine of chapter ninety, and any person appointed by the trustees of the University of Massachusetts under section thirty-two A of chapter seventy-five.

Approved July 12, 1965.

Chap. 591. AN ACT AUTHORIZING THE CITY OF WESTFIELD TO REIMBURSE JOSEPH P. OLEKSAK FOR CERTAIN MEDICAL EXPENSES.

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 Joseph P. Oleksak, a former member of the police department of said city, a sum not to exceed one hundred and fifty-nine dollars as reimbursement

for medical expenses incurred by him on account of injuries sustained in the course of his employment with said department. Said payment shall be in full settlement of any and all claims for such expenses by him against said city, its employees or agents.

SECTION 2. This act shall take effect upon its acceptance by the city of Westfield. *Approved July 12, 1965.*

Chap. 592. AN ACT REQUIRING THE STATE SECRETARY TO PROVIDE APPLICATION FORMS FOR ABSENT VOTING BALLOTS ON CARDS SUITABLE FOR MAILING AS POST CARDS.

Be it enacted, etc., as follows:

Section 87 of chapter 54 of the General Laws is hereby amended by adding the following subsection: — (*f*) Blank forms of applications for absent voting ballots printed on cards suitable for mailing as post cards, but without postage, as follows: —

APPLICATION FOR ABSENT VOTING BALLOT

(s. 87 (*f*), c. 54, G. L.)

To the Registrars of Voters or Election Commissioners:

I hereby apply for an absent voting ballot for the Biennial State Election.

My name is .....
(Please Print)

I vote from .....
(Street and Number)

Mail ballot to .....
(Your Signature Here)

.....
(Street and Number)

.....
(City or Town) (State)

(If you are unable to vote in person by reason of physical disability ALSO complete this part of the application.)

I hereby certify that I will be unable by reason of physical disability to cast my vote in person at the polling place on the day of the election.

....
(Your Signature Here) (Date)

(Have the following certificate completed by your Doctor, Hospital Superintendent, Attending Registered or Licensed Practical Nurse, or an Ordained Minister, Priest, Rabbi or Christian Science Practitioner.)

I certify that the applicant .....
..... personally known to me, will by reason of physical disability be unable to cast his vote at the polling place on the day of election.

Name .....
Address .....
Designation .....

Approved July 12, 1965.

Chap. 593. AN ACT AUTHORIZING THE PARK COMMISSION OF THE CITY OF BROCKTON TO ERECT CERTAIN STRUCTURES IN SALISBURY PARK IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The park commission of the city of Brockton is hereby authorized to construct a swimming pool and such structures and facilities as may be incidental thereto in Salisbury Park in said city, notwithstanding so much of section seven of chapter forty-five of the General Laws as limits the ground area of buildings in parks to six hundred square feet. Said commission shall have the care and control of said pool and facilities and may regulate the use thereof and charge admission fees thereto; provided, however, that no construction shall be commenced in violation of any restrictions contained in the conveyance of said land to said city.

SECTION 2. This act shall take effect upon its acceptance by the city of Brockton. *Approved July 12, 1965.*

Chap. 594. AN ACT CHANGING THE NAME OF COLUMBINE STREET IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON TO ANSEL ROAD.

Be it enacted, etc., as follows:

SECTION 1. The name of Columbine street in the Dorchester district of the city of Boston is hereby changed, effective March first, nineteen hundred and sixty-six, to Ansel road, in memory of Julius Ansel, a former member of the general court.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved July 12, 1965.*

Chap. 595. AN ACT AUTHORIZING THE TOWN OF MARSHFIELD TO RECEIVE AND ADMINISTER THE PROPERTY OF MARSHFIELD HILLS CEMETERY, INCORPORATED.

Be it enacted, etc., as follows:

SECTION 1. Marshfield Hills Cemetery, Incorporated, a corporation established under the laws of the commonwealth, hereinafter called the corporation may, by deed duly executed, convey and transfer to the town of Marshfield, and said town is hereby authorized and empowered to receive, and thereafter to hold and maintain, but for cemetery purposes only, and subject to all rights heretofore existing in any burial lots, the real and personal property of the corporation not subject to any trust, and thereupon, and upon the transfer of the trust funds as hereinafter provided, the corporation shall be dissolved; and the cemetery of the corporation shall be and become a public burial place, ground or cemetery.

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

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

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

SECTION 4. This act shall take effect upon its acceptance by the town of Marshfield at the annual town meeting to be held in the year nineteen hundred and sixty-six, or at any special town meeting held prior thereto, but not otherwise. *Approved July 12, 1965.*

Chap. 596. AN ACT AUTHORIZING THE TOWN OF BILLERICA TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Billerica is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said town is hereby authorized to pay, an unpaid bill incurred by said town, totalling two thousand and fifty dollars and five cents, to the law firm of Ganz, Ham & Brancucci for legal services rendered to the planning board of said town in the years nineteen hundred and sixty-three and nineteen hundred and sixty-four, which bill is legally unenforceable against said town by reason of said services not having been engaged pursuant to section eighty-one B of chapter forty-one of the General Laws and having been incurred in the absence of available appropriation.

SECTION 2. No bill shall be approved by the town accountant of said town for payment or paid by the treasurer thereof unless and until certificates have been signed and filed with the said town accountant, stating under the penalties of perjury that the services for which bills have been submitted were ordered by said board, an official or an employee of said town, and that such services were rendered to said town or to said board.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby receives payment for services which were not rendered to said town, shall be punished by

imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its acceptance by the town of Billerica. *Approved July 12, 1965.*

Chap. 597. AN ACT INCREASING THE RATE OF INTEREST ON UNPAID LOCAL REAL AND PERSONAL PROPERTY TAXES AND ON REFUNDS AND REIMBURSEMENTS ON ABATEMENTS OF REAL AND PERSONAL PROPERTY TAXES.

Be it enacted, etc., as follows:

SECTION 1. Section 57 of chapter 59 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 522 of the acts of 1947, and inserting in place thereof the following sentence: — Interest shall be paid at the rate of six per cent per annum on all real and personal property taxes remaining unpaid after November first of the year in which they are payable, computed from October first of such year.

SECTION 2. The second paragraph of section 64 of said chapter 59 is hereby amended by striking out the seventh sentence, as appearing in chapter 544 of the acts of 1956, and inserting in place thereof the following sentence: — If upon hearing it appears that the complainant has complied with all applicable provisions of law and the appellate tax board finds that the complainant is duly entitled to an abatement, it may grant him such reasonable abatement as justice may require, and shall enter an order directing the treasurer of the town to refund said amount, if the tax sought to be abated has been paid, together with all charges and interest at six per cent on the amount of the abatement from the date of the payment of the tax.

SECTION 3. Said chapter 59 is hereby further amended by striking out section 69, as most recently amended by section 3 of chapter 366 of the acts of 1939, and inserting in place thereof the following section: — *Section 69.* A person whose tax has been abated shall, if the tax has been paid, be reimbursed by the town to the amount of the abatement allowed, with interest at six per cent from the time of payment of said tax and all charges paid therewith except legal costs paid as provided in section sixty-two.

SECTION 3A. Section 13 of chapter 58A of the General Laws is hereby amended by striking out the fifteenth sentence and inserting in place thereof the following sentence: — If the order grants an abatement of a tax assessed by the commissioner or by the board of assessors of a town and the tax has been paid, the amount abated with interest at the rate of six per cent per annum from the time when the tax was paid but, in case of a tax assessed under chapter sixty-two, not from a time earlier than October first of the year in which the return of income subject to said tax was required to be filed, and, if costs are ordered against the commission or against a board of assessors, the amount thereof, shall be paid to the taxpayer by the state treasurer or by the town treasurer, as the case may be, and, if unpaid in the latter case, execution therefor may issue against the town as in actions at law.

SECTION 4. This act shall apply to taxes assessed in the year nineteen hundred and sixty-six and thereafter. *Approved July 19, 1965.*

Chap. 598. AN ACT FURTHER REGULATING THE FILING OF BIDS FOR CONTRACTS FOR THE CONSTRUCTION, RECONSTRUCTION, ALTERATION, REMODELING, REPAIR AND DEMOLITION OF PUBLIC BUILDINGS.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 44D, as amended by section 4 of chapter 604 of the acts of 1961, and inserting in place thereof the following section: — *Section 44D.* Whenever general bids are invited for a contract subject to section forty-four A, and whenever subbids are invited in connection with such a contract, the awarding authority shall prescribe one place for filing such general bids and one place for filing such subbids, which need not be the same place; and notwithstanding any provision of general or special law, ordinance or by-law to the contrary, neither a general bidder nor a subbidder shall be required to file a duplicate of his bid in any other place.

In inviting bids, the awarding authority shall reserve the right to reject any or all such general bids, if it be in the public interest so to do. In inviting subbids in connection with such a contract, the awarding authority shall reserve the right to reject any subbid on any subtrade, if it determines that such subbid does not represent the subbid of a person competent to perform the work as specified or that less than three such subbids were received and that the prices are not reasonable for acceptance without further competition. *Approved July 19, 1965.*

Chap. 599. AN ACT RELATIVE TO THE COST OF LIVING INDEX IN THE ADJUSTMENT OF BUDGETARY STANDARDS UNDER THE OLD AGE ASSISTANCE LAW, SO CALLED.

Be it enacted, etc., as follows:

The second paragraph of section 1 of chapter 118A of the General Laws, as appearing in section 2 of chapter 801 of the acts of 1951, is hereby amended by striking out, in line 6, the word "five" and inserting in place thereof the word: — three. *Approved July 19, 1965.*

Chap. 600. AN ACT INCORPORATING WORCESTER BUSINESS DEVELOPMENT CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. In this act, unless the context otherwise requires, the following words shall have the following meanings: —

"Corporation", Worcester Business Development Corporation, created by section two.

"Financial institution", any banking corporation or institution, trust company, savings bank, co-operative bank, savings and loan association, insurance company, or related corporation, partnership, foundation or other institution engaged primarily in lending or investing funds.

"Executive committee", the executive committee established under section nine.

"Members of the corporation", Francis J. McGrath, Norman L. Sharfman, Milton P. Higgins, Edward L. Clifford, John Adam, Jr., C.

Lane Goss, Philip M. Morgan, H. Ladd Plumley, Robert S. Bowditch, Frank L. Harrington, Stewart T. Oakes, Richard C. Steele, Charles Jolliff, Thomas L. Rooney, Richard N. Symonds, Percy C. Harris, Nathan T. Bascom, Edward C. Maher, Alfred W. Smith, Richard J. Rutherford, Timothy Linehan, William D. Ireland, Jr., Francis H. Dewey, III, Joseph P. Carter, Raymond P. Harold, Aaron Krock, Frederick W. Howe, and any other person who pursuant to the by-laws of the corporation are validly elected to membership in the corporation. The foregoing individuals shall also constitute the incorporators.

SECTION 2. The individuals named in section one, their associates, successors and assigns, are hereby constituted a body corporate under the name of Worcester Business Development Corporation. The corporation shall be subject to and have the powers and privileges conferred by the provisions of chapter one hundred and fifty-five, sections eighteen, twenty-six, twenty-seven, thirty-one, thirty-three, and thirty-four of chapter one hundred and fifty-six, and section two of chapter one hundred and eighty of the General Laws, except so far as said provisions are inconsistent with or otherwise restricted or limited by the provisions of this act.

SECTION 3. The principal office of the corporation shall be located in the city of Worcester.

SECTION 4. The purposes of the corporation shall be to promote the common good and general welfare of the city of Worcester and its vicinity; to improve the living standards of the citizens thereof by fostering the improvement of their employment skills and capacities, by creating, encouraging and promoting employment opportunities, by soliciting, encouraging and inducing business organizations to locate in said city or its vicinity, and by assisting and promoting the development and expansion of business activity and business organizations in said city and its vicinity, and to develop an association of public spirited citizens, business, professional and technically trained citizens, to accomplish the purposes of the corporation.

In furtherance of such purposes and in addition to the powers conferred on the corporation under section two, the corporation shall, subject to the restrictions and limitations hereinafter contained, have the following powers: —

(*a*) To accept, acquire, receive, take, and hold by bequest, devise, grant, gift, purchase, exchange, lease, transfer, judicial order or decree, or otherwise, for any of its objects and purposes, any property, both real and personal;

(*b*) To sell, convey, mortgage, lease, transfer, exchange or otherwise dispose of, any such property, both real and personal, as the objects and purposes of the corporation may require, subject to such limitations as may be prescribed by law;

(*c*) To borrow money, and, from time to time, to make, accept, endorse, execute, and issue bonds, debentures, promissory notes, bills of exchange, and other obligations of the corporation for monies borrowed or in payment for property acquired or for any of the other purposes of the corporation, and to secure the payment of any such obligations by mortgage, pledge, deed, indenture, agreement, or other instrument of trust, or by other lien upon, assignment of, or agreement in regard to all or any part of the property, rights, or privileges of the corporation, whether now owned or hereafter to be acquired;

(*d*) To make loans to any person, firm, corporation, joint stock company, association or trust located, or to be located, in the city of Worcester or in the vicinity thereof, for the purpose of promoting and developing business activities of all kinds, provided such business activities tend to increase employment opportunities or reduce unemployment within said city of Worcester or its vicinity;

(*e*) To acquire improved and unimproved real estate for the purpose of constructing industrial plants or other business establishments thereon or for the purpose of disposing of such real estate to others for the construction of industrial plants or other business establishments as the objects and purposes of the corporation may require;

(*f*) To acquire, construct, reconstruct, alter, repair, maintain, sell, convey, transfer, lease, or otherwise dispose of industrial plants or business establishments as the objects and purposes of the corporation may require;

(*g*) To acquire, subscribe for, own, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of the bonds, debentures, notes or other securities and evidences of interest in, or indebtedness of, any person, firm, corporation, joint stock company, association or trust, and while the owner or holder thereof to exercise all the rights, powers and privileges of ownership;

(*h*) To 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 state department of commerce and development, the Worcester Redevelopment Authority, the United States Department of Commerce and any similar governmental agencies, and any local chambers of commerce, trade organizations, employment agencies and similar organizations; and to co-operate with and assist, and otherwise encourage organizations in the city of Worcester and in the vicinity thereof in the promotion, assistance, and development of the business prosperity and economic welfare of such area;

(*i*) To receive stocks, bonds, donations, gifts and to otherwise raise money for the above outlined purposes;

(*j*) To elect, appoint and employ officers, agents and employees; to make contracts and incur liabilities for any of the purposes of the corporation;

(*k*) To do all things and acts necessary or convenient to carry out the powers expressly granted in this act; provided, however, that the purposes shall not include the right to apply for a license to sell alcoholic beverages; and that no part of the funds, property or net earnings of this corporation shall inure to the benefit of any member, stockholder, officer of the corporation, or any private individual, and no member, officer of this corporation, or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation except to the extent that stockholders are entitled to participate in the distribution of the corporation's assets upon dissolution under section sixteen, nor shall the corporation allow any of its property to be used directly or indirectly in carrying on, nor shall any of the activities of the corporation consist of the carrying on, of propaganda, or otherwise attempting to influence legislation. The corporation shall not participate in or intervene in any political campaign on behalf

of any candidate for public office or publish or distribute any statements with respect thereto. Notwithstanding any other provision herein contained, neither the members, directors, officers, stockholders, nor the corporation shall participate in any of the "prohibited transactions" as defined in Section 503 of the Internal Revenue Code, as the same may, from time to time, be amended, nor shall the corporation accumulate income or engage in any activities if the accumulation of income or the activities so engaged in are or would be within the prohibitions of Section 504 of the Internal Revenue Code as the same may be, from time to time, amended, nor shall the corporation be operated at any time for the primary purpose of carrying on a trade or business for profit.

SECTION 5. The authorized capital stock of the corporation shall consist of two hundred thousand shares of nonvoting, nondividend paying common capital stock with a par value of ten dollars each. The members may at any time by majority vote issue any part or all of said stock upon such terms as they shall determine or by majority vote the members may delegate to the directors the power by majority vote to issue any part or all of said stock upon such terms as they shall determine. An individual, corporation, estate or trust, company or partnership shall be entitled to purchase the same from the corporation, from time to time, so long as the latter has in its treasury authorized common capital stock not distributed. Such stock may also be purchased from other individuals, corporations, estates, trusts, companies or partnerships. None of the earnings or profits of the corporation shall accrue to or be paid to the stockholders of common capital stock as dividend or profits in any form.

SECTION 6. Notwithstanding any rule at common law or any authorization, limitation or any such other provision of any general or special law, or any provision in their respective charters, agreements of association, articles of organization, or trust indentures, all domestic corporations organized for the purpose of carrying on business within the commonwealth, including without implied limitation any electric or gas company as defined in section one of chapter one hundred and sixty-four of the General Laws, railroad corporations as defined in section one of chapter one hundred and sixty of the General Laws, financial institutions, and trustees, are hereby authorized to acquire, purchase, hold, sell, assign, transfer, or otherwise dispose of any stocks, bonds, securities, or other evidence of indebtedness of the corporation and to make contributions to the corporation, 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 life insurance company shall expend, in the aggregate, in any one year an amount greater than one half of one per cent of its net gain from operations before dividends to policyholders and before federal income taxes for the next preceding fiscal year, and in the case of an insurance company other than life, one half of one per cent of its net income before dividends to policyholders and before federal and foreign income taxes for the next preceding fiscal year; and no other financial institution shall expend, in the aggregate, in any one year an amount greater than one half of one per cent of its income for the next preceding fiscal year; and provided, further, that such acquisitions or 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 twelve C of chapter one hundred and fifty-five, section sixty-eight of chapter one hundred and sixty-eight, 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 members 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 members by the by-laws.

SECTION 8. This charter may be amended by the affirmative vote of two thirds of the members; 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 and development to examine the corporation or the obligation of the corporation to make reports as provided in section eleven, shall be made; and provided, further, that no amendment of this charter which affects a stockholder's rights on dissolution, as provided in section sixteen, 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 and development who shall examine them, and if he finds that they conform to the requirements of this act, he shall so certify and endorse his approval thereon. Thereupon the articles of amendment shall be filed in the office of the secretary of the commonwealth, and no such amendment shall take effect until such articles of amendment have been filed.

SECTION 9. The business and affairs of the corporation shall be managed and conducted by a board of directors of not less than five nor more than eighteen members. There shall be elected by and from the board of directors a president, an executive vice-president, a vice-president, a treasurer, a clerk, an executive committee consisting of the foregoing five officers and two other directors, and, if deemed desirable, a secretary who may also be the clerk. The directors may also appoint such assistant secretaries and assistant treasurers as the directors shall deem desirable.

The executive committee may exercise between meetings of the board of directors such of the powers of the directors as are delegated to the executive committee, from time to time, by the board of directors.

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 development, 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 and development.

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, by the adoption of by-laws, by the election by ballot of directors, and by action upon such other matters within the powers of the corporation as the incorporators may see fit. The temporary clerk shall be sworn and shall make and attest a record of the proceedings. Four of the incorporators shall be a quorum for the transaction of business.

Whenever the certificate required by section thirteen of chapter one hundred and fifty-five of the General Laws has been filed in the office of the secretary of the commonwealth, said secretary shall issue and deliver to the incorporators a certified copy of this act under the seal of the commonwealth, and said corporation shall then be authorized to commence business, and stock thereof to the extent herein or hereafter duly authorized may, from time to time, be issued.

SECTION 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.

Real property owned by the corporation shall not be subject to taxation by the city or town in which it is located until ten years from the date of its acquisition or until such property is leased, rented or otherwise disposed of, whichever is first.

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 members 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 its members 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 the stockholders, if any, shall be paid on a pro rata basis that percentage of the assets of the corporation in excess of the obligations of the corporation which the amounts paid into the corporation for all the stock bears to the sum of (1) such amounts paid into the corporation for all the stock and (2) the amounts of all donations made to the corporation; provided, that in no event shall a stockholder be paid upon such dissolution more than the amount paid into the corporation for his stock, and all the remaining assets shall be transferred to the city of Worcester, for its use and benefit and for the use and benefit of the citizens thereof or to one or more corporations, trusts, funds or foundations operating in said city or the vicinity thereof which are described in Section 501 (*c*) (3) of the Internal Revenue Code, as the same may be, from time to time, amended, and which are exempt from federal income taxes under Section 501 (*a*) of the Internal Revenue Code, as the same may be, from time to time, amended.

SECTION 17. If the corporation shall fail to commence operations within three years from the effective date of this act, then this act shall become null and void.

SECTION 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 July 19, 1965.

Chap. 601. AN ACT PROVIDING THAT THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF SHIRLEY SHALL NOT BE SUBJECT TO THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The office of chief of police of the town of Shirley shall not be subject to the provisions of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Shirley at the annual town meeting to be held in the year nineteen hundred and sixty-six 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-five, entitled 'An Act providing that the office of chief of police of the town of Shirley shall not be subject to the civil service law and rules', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved July 19, 1965.

Chap. 602. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO ACQUIRE LAND IN THE TOWN OF RANDOLPH FOR WATER SUPPLY PROTECTION.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of protecting a proposed increase in its water supply, the town of Braintree, 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 purchase or otherwise, and hold, the land area hereinafter described; provided, that no 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 plans of works including wells, pumping and the like pertinent to the carrying out of the provisions of this act shall be subject to the approval of said department. Said land, which is adjacent to the proposed works in the Crowley's Pit area of the town of Braintree in the valley of the confluence of the Farm and Cochato rivers, is described as follows: — Commencing at a point on the Braintree-Randolph town line a distance of approximately 1600 feet southeast of North Street, Randolph; a strip of land in Randolph, 400 feet in width, whose northeast boundary is the town line, and extending parallel to the town line in a southeasterly direction a distance of approximately 800 feet.

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

Approved July 23, 1965.

Chap. 603. AN ACT PROVIDING FOR THE APPOINTMENT OF AN ADDITIONAL ASSISTANT DISTRICT ATTORNEY FOR THE NORTHERN DISTRICT AND ESTABLISHING HIS SALARY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for an additional district attorney in the northern district due to the increased work load of the district attorney's office resulting from trials by six man juries, 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 14 of chapter 12 of the General Laws is hereby amended by striking out the third paragraph, as amended by section 1 of chapter 678 of the acts of 1955, and inserting in place thereof the following paragraph: —

For the northern district, an assistant district attorney and ten second assistant district attorneys.

SECTION 2. Section 16 of said chapter 12 is hereby amended by striking out the third paragraph, as appearing in section 2 of chapter 743 of the acts of 1963, and inserting in place thereof the following paragraph: —

For the northern district, one assistant, ten thousand seven hundred dollars; and ten assistants, nine thousand four hundred dollars.

Approved July 23, 1965.

Chap. 604. AN ACT PROVIDING FOR THE TRANSFER FROM ESSEX COUNTY TO THE COMMONWEALTH OF THE COST OF THE CARE, CONTROL AND MAINTENANCE OF CERTAIN BRIDGES IN SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. On January first, nineteen hundred and sixty-six, the care, control and maintenance of the following public highway bridges, presently under care and control of the county commissioners of Essex county, are hereby transferred to the department of public works, and thereafter such bridges shall be in the system of state highways and the cost of the care, control and maintenance thereof shall be paid by the commonwealth:

Chain bridge between Newburyport and Amesbury,
Duck bridge in Lawrence,
Essex-Merrimac bridge in Amesbury,
Hall-Whitake bridge in Beverly,
Haverhill Upper bridge in Haverhill,
Kernwood bridge between Salem and Beverly,
Plum Island bridge in Newbury,
Powow bridge in Amesbury, and
Rocks bridge between Haverhill and West Newbury;

provided, that prior to January first, nineteen hundred and sixty-six the county commissioners of Essex county shall have filed with said department approval of the transfer aforesaid. Until June thirtieth, nineteen hundred and sixty-six, all employees of the Essex county engineering department classified as drawbridge tenders shall continue to be so employed, and the cost of the operation of such bridges shall be paid by Essex county, but said county shall be reimbursed by the commonwealth for the actual cost of the operation thereof.

On July first, nineteen hundred and sixty-six all employees of the Essex county engineering department classified as drawbridge tenders shall be transferred to the service of the said department of public works in the same or higher pay grade classification as the one in which they were employed on June thirtieth, nineteen hundred and sixty-six. Upon the transfer of any such employee, all funds held in the Essex county retirement fund for the credit of such employee, or on account of his retirement shall be transferred to the state retirement fund.

SECTION 2. Nothing in this act shall affect existing agreements, decrees, orders or statutes defining the duties, responsibilities or obligations of railroad companies or other public utilities relative to any such bridge so made a part of the state highway system.

Approved July 23, 1965.

Chap. 605. AN ACT AUTHORIZING THE APPOINTMENT OF AN ADDITIONAL COURT OFFICER FOR THE PROBATE COURT OF PLYMOUTH COUNTY.

Be it enacted, etc., as follows:

Section 30 of chapter 217 of the General Laws is hereby amended by striking out the first four sentences, as appearing in section 1 of chapter 575 of the acts of 1960, and inserting in place thereof the following

three sentences: — The judges of probate for the counties of Suffolk and Middlesex may appoint three officers, the judges of probate for the counties of Essex, Norfolk and Plymouth may appoint two officers and the judges of probate for Worcester county may appoint one officer to attend the sessions of the probate court and court of insolvency of their respective counties. Such officers may be removed at the pleasure of the judge or judges of probate of their respective counties, and the said judge or judges may fill any vacancy caused by removal or otherwise. Each court officer appointed hereunder for Suffolk, Middlesex, Worcester, Essex, Norfolk or Plymouth county shall give bond with sufficient sureties approved by a judge of his court for the faithful performance of his duties, in the sum of one thousand dollars, payable to the treasurer of Suffolk county or to Middlesex, Worcester, Essex, Norfolk or Plymouth county, as the case may be. *Approved July 23, 1965.*

Chap. 606. AN ACT VALIDATING CERTAIN ACTS OF M. IRENE CORTHELL AS ASSISTANT TOWN CLERK OF THE TOWN OF HINGHAM.

Be it enacted, etc., as follows:

The acts performed by M. Irene Corthell, acting, or purporting to act, in her capacity as assistant town clerk of the town of Hingham between December first, nineteen hundred and fifty and March twenty-third, nineteen hundred and sixty-five, both dates inclusive, insofar as the same may have been invalid by reason of the failure to comply with all relevant provisions of law relative to the appointment and qualification of assistant town clerks, are hereby validated and confirmed.

Approved July 23, 1965.

Chap. 607. AN ACT EXTENDING THE TIME WITHIN WHICH AN ACT MAKING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-SIX PRIOR TO FINAL ACTION ON THE GENERAL APPROPRIATION BILL FOR SAID YEAR SHALL BE OPERATIVE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 579 of the acts of 1965 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Notwithstanding any provision of law to the contrary, the provisions of House Bill numbered 3939, as amended and passed to be engrossed by the House of Representatives, making appropriations for the fiscal year nineteen hundred and sixty-six for the maintenance of departments, boards, commissions, institutions, and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements, and for certain permanent improvements, are hereby incorporated herein by reference and shall be effective on the passage of this act; provided, that expenditures thereunder shall be limited to the amounts made available by allotment by the governor upon recommendation of the commissioner of administration; and provided, further, that said commissioner is hereby directed to limit the amount so allotted to those appropriation accounts essential for the maintenance of services during the months of July and August.

SECTION 1A. Said chapter 579 is hereby further amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* This act shall cease to be operative upon the enactment into law of the general appropriation bill for the fiscal year nineteen hundred and sixty-six or on August thirty-first, nineteen hundred and sixty-five, whichever is the earlier, and all action taken under this act shall apply against said appropriation act.

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

Approved July 29, 1965.

Chap. 608. AN ACT REDIVIDING THE TERRITORY OF THE CITY OF PEABODY INTO WARDS.

Be it enacted, etc., as follows:

SECTION 1. The city council of the city of Peabody may, prior to the first day of December, nineteen hundred and sixty-five, make a redivision of the territory of said city into six wards. The boundaries of such wards shall be so arranged that the wards shall contain as nearly as can be ascertained and as may be consistent with well defined limits to each ward, an equal number of voters according to the voting list for the year nineteen hundred and sixty-four; provided, however, that the number of voters in the ward having the greatest number thereof shall not exceed the number of voters in the ward having the smallest number by more than fifteen per cent.

SECTION 2. If the city council of said city does not redivide the territory thereof as provided in section one the territory of said city shall be redivided as follows: —

WARD 1.

BEGINNING at the boundary line between Salem, Peabody and Lynn; thence running

Westerly and Northwesterly by the Peabody, Lynn line to the Peabody, Lynnfield line; thence

Northwesterly by the Peabody, Lynnfield line to the center line of the Boston & Maine Railroad, South Reading Branch; thence running

Easterly by the center line of the Boston & Maine Railroad, South Reading Branch to Summit Street; thence

Southerly by the center line of Summit Street to Lynnfield Street; thence

Southerly and Southeasterly by the center line of County Street to Lynn Street; thence continuing in the same direction to the Westerly line of the Cedar Grove Cemetery; thence running

Southwesterly, Southerly and Southeasterly by the boundary line of the Cedar Grove Cemetery to the Salem, Peabody line; thence running

Southwesterly by the Salem, Peabody line to the point of beginning.

WARD 2.

BEGINNING at the Southwesterly boundary line of the Cedar Grove Cemetery and the Salem, Peabody boundary line; thence running

Northwesterly, Northerly, Northeasterly and Northwesterly again by the boundary line of the Cedar Grove Cemetery; thence continuing

Northwesterly to Lynn Street to the junction of County Street; thence running

Northwesterly and Northerly by the center line of County Street to Lynnfield Street; thence

Northerly by the center line of Summit Street to the center line of the Boston & Maine Railroad, South Reading Branch; thence running

Northeasterly by the center line of the South Reading Branch of the Boston & Maine Railroad to the junction of the Danvers Branch of the Boston & Maine Railroad; thence running

Easterly by the Boston & Maine Railroad to the center line of Caller Street to Main Street; thence by the center line of Main Street to the Peabody, Salem line; thence running

Southerly and Southwesterly by the Peabody, Salem line to the point of beginning.

WARD 3.

BEGINNING at the Peabody, Salem line at the center line of Main Street; thence running

Westerly by Main Street to Caller Street; thence

Northerly by the center line of Caller Street to the Boston & Maine Railroad; thence

Northwesterly by the Boston & Maine Railroad to the center line of Central Street; thence

Northerly by the center line of Central Street to Wilson Square; thence continuing

Northerly by the center line of North Central Street to the Danvers Branch of the Boston & Maine Railroad; thence continuing

Northerly by the center line of the Danvers Branch of the Boston & Maine Railroad to the Peabody and Danvers line; thence running

Easterly by the Peabody, Danvers line to the bound stone of the Peabody, Salem, Danvers line; thence

Southerly by the Peabody, Salem line to Tremont Street; thence

Westerly, Southerly, Westerly, Southwesterly, Easterly, Southwesterly and Southeasterly and Southwesterly and Westerly by the Peabody, Salem line to the center line of Main Street, and the point of beginning.

WARD 4.

BEGINNING at the junction of the Danvers Branch of the Boston & Maine Railroad and the South Reading Branch of the Boston & Maine Railroad; thence running

Southwesterly and Westerly by the center line of the South Reading Branch of the Boston & Maine Railroad to the Peabody, Lynnfield line; thence running

Northwesterly by the Peabody, Lynnfield line to the center line of Route 128; thence by the center line of Route 128, as it now exists, to the Peabody, Danvers line; thence

Easterly by the Peabody, Danvers line to the center line of the Danvers Branch of the Boston & Maine Railroad; thence running

Southerly by the center line of said railroad to North Central Street; thence continuing

Southerly by the center line of North Central Street to Wilson Square; thence continuing

Southerly by the center line of Central Street to the junction of the Danvers Branch of the Boston & Maine Railroad; thence running
Southeasterly by the said railroad to the point of beginning.

WARD 5.

BEGINNING at the center line of Route 128 and the Peabody, Danvers line; thence running
Southerly and Southwesterly by the center line of Route 128 to the Peabody, Lynnfield line; thence running
Northwesterly by the Peabody, Lynnfield line to Newbury Street (Route 1); thence running
Northeasterly by the center line of Newbury Street (Route 1) to the Boston & Maine Railroad, Lowell Branch; thence running
Westerly and Northwesterly by said center line of said railroad to a point on the Ipswich River ONE THOUSAND SIX HUNDRED FEET (1,600') Westerly of the Peabody, Middleton, Danvers bound; thence running
Easterly by the Peabody, Middleton line to said bound; thence
Southeasterly by the Peabody, Danvers line to Route 128 and the point of beginning.

WARD 6.

BEGINNING at the center line of Newbury Street (Route 1) at the Peabody, Lynnfield line; thence running
Northwesterly by the Peabody, Lynnfield line to the bound stone of Peabody, Lynnfield, Middleton; thence running
Easterly and Northerly and Southeasterly by the Peabody, Middleton line to a point on the Ipswich River ONE THOUSAND SIX HUNDRED FEET (1,600') Westerly of the Peabody, Middleton, Danvers bound stone; thence running
Southeasterly and Easterly by the Lowell Branch of the Boston & Maine Railroad to Newbury Street (Route 1); thence
Southwesterly by the center line of Newbury Street (Route 1) to the point of beginning.

SECTION 3. This act shall take effect as of December thirty-first, nineteen hundred and sixty-four and the city clerk of the city of Peabody shall report the results of the special enumeration taken in the current year as if the wards established by the city council or established by this act were in existence on January first, nineteen hundred and sixty-five.

SECTION 4. The wards established under the provisions of this act shall be in effect for the purpose of any municipal election and its antecedent preliminary election held in the city of Peabody in nineteen hundred and sixty-seven and thereafter; provided that, prior to the antecedent primary of the first biennial state election at which representatives are to be elected from new representative districts established under the provisions of the constitution, the wards as existing previous to such redivision shall continue and for all such purposes the election officers shall be appointed and hold office and voting lists shall be prepared and all other things required by law shall be done as if there had been no such redivision.

SECTION 5. Except as provided in this act, sections one to four of chapter fifty-four of the General Laws shall apply to any redivision made under the provisions of this act. *Approved July 29, 1965.*

Chap. 609. AN ACT PROVIDING FOR THE AMENDMENT OF A CERTAIN LEASE AND AGREEMENTS RELATIVE TO THE USE OF THE STATE FISH PIER AND ITS FACILITIES LOCATED IN THE CITY OF GLOUCESTER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to amend a certain lease so as to lower the amount of the annual payments to the commonwealth by the Gloucester Community Pier Association, Inc., for the amortization of the cost of certain additions to the freezer building on the state fish pier in Gloucester harbor, thus extending the term for the completion of such amortization because the present schedule of payments cannot be met by the paying corporation, thereby endangering the continued operation of such pier, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to amend its lease and agreements with the Gloucester Community Pier Association, Inc., relative to the use of the state fish pier located in the city of Gloucester, so as to extend the term of said lease to September thirtieth, nineteen hundred and ninety-five and so as to provide that the total consideration for such use shall be ten thousand dollars per year, payable in equal quarterly installments on the last day of each quarter. Said amendment shall take effect on the effective date of this act and the first payment shall be due and payable thereunder on the last day of the first quarter following said effective date. In consideration of the said extension hereinbefore provided, any payments required to be made or due on the effective date of this act from said lessee under the provisions of any lease or agreements negotiated prior to said effective date are hereby cancelled. *Approved August 2, 1965.*

Chap. 610. AN ACT AUTHORIZING THE OFFICE OF SCHOOL LUNCH PROGRAMS IN THE DEPARTMENT OF EDUCATION TO ESTABLISH STANDARDS AND QUALIFICATIONS FOR CERTAIN FOOD SERVICE PERSONNEL IN PUBLIC SCHOOLS AND TO ESTABLISH TRAINING PROGRAMS FOR SUCH PERSONNEL.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 548 of the acts of 1948, inserted by chapter 417 of the acts of 1950, is hereby amended by striking out, in line 8, the word "division" each time it occurs and inserting in place thereof, in each instance, the word: — office, — and by adding at the end the following sentence: — The office of school lunch programs may by regulations establish standards and qualifications, which shall be subject to the approval of the board of education, for the positions of school lunch supervisors, managers and other food service personnel which are not subject to chapter thirty-one of the General Laws, and establish training programs for such personnel.

SECTION 2. Notwithstanding the provisions of section four of chapter five hundred and forty-eight of the acts of nineteen hundred and forty-eight, as amended by section one of this act, any standards and qualifica-

tions, established by regulation thereunder for positions of school lunch supervisors, managers and other food service personnel which are not subject to chapter thirty-one of the General Laws, shall not take effect until two years after the promulgation of said regulations by the office of school lunch programs, nor shall such standards and qualifications apply to any such person who was employed in school food service by a school committee immediately prior to the effective date of such regulations. *Approved August 2, 1965.*

Chap. 611. AN ACT PROVIDING FOR THE PAYMENT OF COMPENSATION FOR SERVICES RENDERED TO A CITY BY CERTAIN FORMER PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

The second sentence of section 91 of chapter 32 of the General Laws, as appearing in chapter 482 of the acts of 1963, is hereby amended by striking out, in line 7, the words: — , in a Plan E city,.

Approved August 2, 1965.

Chap. 612. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO REDEVELOP AND RESTOCK THE FRANKLIN PARK ZOO.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to redevelop, alter, construct, reconstruct and restock the Franklin Park zoo in the Dorchester district of the city of Boston. Projects constructed as herein authorized shall not be subject to section thirty A of chapter seven of the General Laws.

SECTION 2. To meet the expenditures necessary in carrying out the construction and other 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 two million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Metropolitan District Commission Franklin Park Zoo Improvement Loan, Act of 1965, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and eighty-eight.

All interest payments and payments on account of principal on such obligations shall be paid from the metropolitan district commission park funds, to be assessed by methods fixed by law.

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

Approved August 3, 1965.

Chap. 613. AN ACT PROVIDING THAT A CERTAIN LICENSE FOR THE PURPOSE OF MAINTAINING SOLID FILL WITH RIPRAP SLOPES OVER CERTAIN TIDEWATERS IN BEVERLY HARBOR BE IRREVOCABLE.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the license and authority to maintain an existing marine railway and solid fill with riprap slopes in tidewater below the high water mark in Beverly harbor on the property known as the Jubilee Yacht Club granted by the department of public works to said club and being license #4881, dated October twenty-eighth, nineteen hundred and sixty-four, shall hereafter be irrevocable, subject, however, to compliance with such of the following conditions as have not already been complied with: —

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 Essex county, pursuant to the provisions of section eighteen of said chapter;

3. Payment to the commonwealth of such compensation, if any, as may properly be assessed by said department for tidewater displacement, pursuant to the provisions of section twenty-one of said chapter;

4. Payment to the commonwealth of such compensation, if any, as may be determined by the governor and council for right granted in any land the title to which is in the commonwealth, pursuant to the provisions of section twenty-two of said chapter;

5. Performance of any work authorized by any such license in accordance with plans submitted to and approved by said department, pursuant to the provisions of section twenty of said chapter;

6. Completion of said authorized work within five years after the date of any such license, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter; and

7. The actual building or making in good faith of valuable structures, fillings or enclosures under the authority of any such license and during the term thereof, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter.

8. In the event of a taking of such land or any part thereof by the commonwealth or any of its political subdivisions within ten years after the effective date of this act, the damages 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 August 3, 1965.

Chap. 614. AN ACT RELATIVE TO THE AMOUNT OF A STATE FINANCIAL ASSISTANCE GRANT FOR A SCHOOL PROJECT IN THE TOWN OF MONSON.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, for the purpose of determining the amount of a state financial assistance grant to the town of Monson for a junior and senior high school project, the vote passed at a town meeting of said town on February sixth, nineteen hundred and sixty-five, amending a vote taken at a town meeting on December fourteenth, nineteen hundred and sixty-four which authorized the appropriation of funds for said project, shall be deemed to have been taken prior to January first, nineteen hundred and sixty-five in accordance with the provisions of section four of chapter six hundred and sixty of the acts of nineteen hundred and sixty-three. The amount of such grant shall be based on the equalized valuation set forth in chapter five hundred and fifty-nine of the acts of nineteen hundred and forty-five. *Approved August 3, 1965.*

Chap. 615. AN ACT ESTABLISHING THE DATE FOR FILING APPLICATION FOR EXEMPTION FROM TAXATION OF REAL PROPERTY OF CERTAIN WIDOWS AND MINORS, VETERANS AND WIVES, WIDOWS, FATHERS AND MOTHERS OF SUCH VETERANS, BLIND PERSONS AND ELDERLY PERSONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to provide forthwith for the establishment of a date for filing applications for exemption of taxes by certain persons commencing in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Clause Thirty-seventh of section 5 of chapter 59 of the General Laws is hereby amended by striking out the last sentence, as amended by chapter 18 of the acts of 1960.

SECTION 2. Section 59 of said chapter 59, as most recently amended by chapter 125 of the acts of 1963, is hereby further amended by adding the following paragraph:—

An application for exemption under clause Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Thirty-seventh or Forty-first of section five may be made on or before December fifteenth of the year to which the tax relates.

SECTION 3. Section 3A of chapter 60 of the General Laws, as most recently amended by section 3 of chapter 444 of the acts of 1954, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Every tax bill or notice shall be in a form approved by the commissioner and shall state that applications for abatement or exemption other than an application for exemption under clause Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Thirty-seventh or Forty-first of section five of chapter fifty-nine, on forms so approved, must be filed

with the assessors, in case of original assessments, on or before October first of the year to which the tax relates, and that application for abatement under clauses Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Thirty-seventh and Forty-first of section five of chapter fifty-nine, on forms so approved, must be filed with the assessors on or before December fifteenth of the year to which the tax relates, or, if the bill or notice is first sent after September first of such year, on or before the thirtieth day after the date on which the bill or notice is so sent, excepting applications for exemption under said clauses Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Thirty-seventh and Forty-first, and in case of applications for exemption under said clauses within three months after said date, or, in case of an assessment under section seventy-five or section seventy-six of chapter fifty-nine or a reassessment under section seventy-seven of said chapter, within three months after the sending of the bill or notice.

SECTION 4. Sections one and two shall take effect upon the passage of this act. Section three shall apply only to tax bills for taxes levied for the year nineteen hundred and sixty-six and subsequent years.

Approved August 9, 1965.

Chap. 616. AN ACT RELATIVE TO THE PAYMENT OF INTEREST IN CERTAIN CASES UNDER THE WORKMEN'S COMPENSATION LAW.

Be it enacted, etc., as follows:

Chapter 152 of the General Laws is hereby amended by striking out section 50, as amended by chapter 670 of the acts of 1953, and inserting in place thereof the following section: — *Section 50.* Whenever compensation is not paid within sixty days of notice to the insurer that compensation is claimed to be due an injured employee or his dependents, and there are one or more hearings on any question involving the said compensation, including appeals, and the decision is in favor of the employee or his dependents, interest at the rate of six per cent per annum from the date of the receipt of the notice of the claim by the board to the date of payment shall be paid by the insurer on all sums due as compensation to such employee or his dependents. Whenever such sums include weekly payments, interest shall be computed on each unpaid weekly payment. *Approved August 9, 1965.*

Chap. 617. AN ACT PROVIDING FOR THE SIMPLIFICATION OF PLEADINGS IN CRIMINAL CASES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 277 of the General Laws is hereby amended by inserting after section 47, under the caption PLEADINGS AND MOTIONS BEFORE TRIAL, the following section: —

Section 47A. The pleadings in criminal proceedings shall be the indictment or complaint, and the pleas of not guilty, guilty and nolo contendere. All other pleas, and demurrers, challenges to the array and to the manner of selection of grand or traverse jurors, and motions to quash are hereby abolished, and any defenses and objections, which

could have been raised before trial by one or more of them prior to October fourth, nineteen hundred and sixty-five, shall be raised only by motion to dismiss or by a motion to grant appropriate relief, as hereinafter provided.

Any defense or objection which is capable of determination without the trial of the general issue may be raised before trial by motion.

Defenses and objections based on defects in the institution of the prosecution or in the indictment or complaint, other than a failure to show jurisdiction in the court or to charge an offense, may be raised only by motion before trial. Such motion shall include all such defenses and objections then available to the defendant and shall set out such defenses in separately numbered paragraphs with particularity. Any facts relied upon in support of any of said defenses shall be stated in an affidavit attached to said motion. Failure to present any such defense or objection shall constitute a waiver thereof, but the court for cause shown may grant relief from the waiver. Lack of jurisdiction or the failure of the indictment or complaint to charge an offense shall be noticed by the court at any time during the pendency of the proceedings.

The motion shall be made before the plea is entered, but may either by a general court rule or by order of the justice be made within a reasonable time thereafter.

A motion before trial raising such defenses or objections shall be determined before trial, unless the court orders that it be deferred for determination at the trial of the general issue.

If a motion is determined adversely to the defendant, he shall be permitted to plead if he had not previously pleaded. A plea previously entered shall stand. If the court grants a motion based on a defect in the institution of the prosecution or in the indictment or complaint, it may order that the defendant be held in custody or that his bail be continued for a specified time pending the filing of a new indictment or complaint. Nothing in this section shall be deemed to affect the provisions of any statute relating to periods of limitations.

SECTION 2. The statutory and common law of the commonwealth applicable to the pleas, demurrers, challenges, and motions to quash abolished by section forty-seven A of chapter two hundred and seventy-seven of the General Laws, inserted by section one of this act, shall continue to apply to any motion filed under said section forty-seven A of said chapter two hundred and seventy-seven and covering the same matter as would have been covered, prior to the effective date of this act, by such abolished plea, demurrer, challenge, or motion to quash.

SECTION 3. This act shall take effect on October fourth, nineteen hundred and sixty-five. *Approved August 9, 1965.*

Chap. 618. AN ACT RELATIVE TO THE LICENSING OF CERTAIN HOMES PROVIDING DAY CARE TO CHILDREN.

Be it enacted, etc., as follows:

Chapter 119 of the General Laws is hereby amended by inserting after section 8 the following section: —

Section 8A. Any person who advertises that he provides day care for children in his home shall be deemed to maintain a commercial home. No person shall maintain a commercial home unless he has been issued

a permit by the department, unless such day care is otherwise regulated by law. The department shall establish minimum standards for such commercial homes in order to assure the health, safety and welfare of children therein maintained, and may adopt such rules and regulations as may be necessary. If any person conducting a commercial home is found guilty of a violation of any provision of this section or of any rule or regulation adopted thereunder, the department shall issue an order directing that such home be closed and remain closed until such provision, rule or regulation has been complied with. This section shall not apply to any institution or place required to be licensed under section fifty-nine of chapter one hundred and eleven.

Approved August 9, 1965.

Chap. 619. AN ACT AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH RULES FOR THE EXPENDITURE OF CERTAIN FUNDS APPROPRIATED TO SAID DEPARTMENT.

Be it enacted, etc., as follows:

Section 2 of chapter 128 of the General Laws is hereby amended by adding the following paragraph: —

The department may establish rules for the expenditure of sums appropriated to carry out the provisions of paragraphs (*b*) and (*f*) of this section. Before establishing such rules, the commissioner shall after reasonable notice, setting forth the date, place and purpose, hold a public hearing. *Approved August 9, 1965.*

Chap. 620. AN ACT REPEALING THE PROVISIONS OF THE LAW REQUIRING THE ESTATE OF CERTAIN WIDOWS AND ELDERLY PERSONS TO REPAY CERTAIN TAXES.

Be it enacted, etc., as follows:

SECTION 1. Clause Seventeenth of section 5 of chapter 59 of the General Laws, as most recently amended by chapter 351 of the acts of 1954, is hereby further amended by striking out, in line 1, the words "Subject to section five A, real" and inserting in place thereof the word: — Real.

SECTION 2. Said section 5 of said chapter 59 is hereby further amended by striking out clause Eighteenth, as most recently amended by section 10 of chapter 160 of the acts of 1963, and inserting in place thereof the following clause: —

Eighteenth, Any portion of the estates of persons who by reason of age, infirmity and poverty are in the judgment of the assessors unable to contribute fully toward the public charges.

SECTION 3. Section five A of said chapter fifty-nine is hereby repealed.

SECTION 4. On and after the effective date of this act, no amount shall be recorded by the assessors of any city or town under section five A of chapter fifty-nine of the General Laws; nor shall any amount recorded thereunder prior to said date be committed to any collector on or after said date; nor shall any collector on or after said date present any claim, or bring or prosecute any suit, for any amount committed to him under said section prior to said date. *Approved August 9, 1965.*

Chap. 621. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAW PROVIDING FOR THE FILLING AND IMPROVEMENT OF SOUTH BAY, ROXBURY CANAL AND DORCHESTER BROOK AND CERTAIN TERRITORIES ADJACENT THERETO.

Be it enacted, etc., as follows:

Chapter 762 of the acts of 1962 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* The state treasurer shall, upon request of the governor and council, issue and sell at public or private sale, bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding, in the aggregate, the sum of five million dollars, sufficient to provide means for payment of the cost of the undertaking herein authorized to be carried out by the commonwealth, including land and other damages. All bonds issued by the commonwealth as aforesaid shall be designated on their face, South Bay, Roxbury Canal and Dorchester Brook Improvement Loan, Act of 1962. All such bonds 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 payable semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof. *Approved August 9, 1965.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, September 9, 1965.

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

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 621 of the Acts of 1965 entitled "An Act Making Certain Corrective Changes in the Law Providing for the Filling and Improvement of South Bay, Roxbury Canal and Dorchester Brook and Certain Territories Adjacent Thereto." and the enactment of which received my approval on August 9, 1965, 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 the Act until the expiration of the full 90 days would defeat its purpose which is to make possible the immediate sale of bonds to finance the improvements provided for in chapter 762 of the Acts of 1962.

Sincerely,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, September 9, 1965.

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 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-one of the acts of nineteen hundred and sixty-five.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 622. AN ACT PROVIDING THAT VETERANS SHALL NOT BE EXEMPTED FROM THE PAYMENT OF AN EXCISE ON MORE THAN ONE MOTOR VEHICLE AND GRANTING AN EXEMPTION TO CERTAIN PERSONS WITH IMPAIRED VISION.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 60A of the General Laws is hereby amended by striking out the fifth and sixth paragraphs and inserting in place thereof the following paragraph: —

The excise imposed by this section shall not apply to a motor vehicle owned and registered by a World War I, World War II or Korean veteran who according to the records of the United States Veterans Administration, by reason of service in the armed forces of the United States, has suffered loss, or permanent loss of use of, one or both feet, or loss, or permanent loss of use of, one or both hands; nor to a motor vehicle owned and registered by a World War I, World War II or Korean veteran who is receiving a statutory award from the Veterans Administration for the loss of sight of one eye or who according to the records of the United States Veterans Administration, by reason of service in the armed forces of the United States, has suffered permanent impairment of vision of both eyes of the following status: central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye; nor to a motor vehicle owned and registered to any person who has suffered loss, or permanent loss of use of, both legs; nor to a motor vehicle owned and registered to any person who has suffered permanent impairment of vision of both eyes of the following status: central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye. This exemption shall apply to not more than one motor vehicle owned and registered for the personal, non-commercial use of such veteran or person.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-six, and shall apply to motor vehicles and trailers registered for the calendar year nineteen hundred and sixty-six and thereafter.

Approved August 9, 1965.

Chap. 623. AN ACT REDESIGNATING THE JUDGE ABRAHAM H. KAHALAS AND REPRESENTATIVE CHARLES KAPLAN RECREATION CENTER IN THE CITY OF BOSTON AS THE SENATOR JULIUS ANSEL, JUDGE ABRAHAM H. KAHALAS AND REPRESENTATIVE CHARLES KAPLAN RECREATION CENTER.

Be it enacted, etc., as follows:

SECTION 1. The Judge Abraham H. Kahalas and Representative Charles Kaplan Recreation Center, located in Franklin field in the Dorchester district of the city of Boston, shall hereafter be known and designated as the Senator Julius Ansel, Judge Abraham H. Kahalas and Representative Charles Kaplan Recreation Center. A suitable marker bearing said designation shall be erected and maintained at said center by the metropolitan district commission.

SECTION 2. Section four of chapter seven hundred and eighty-five of the acts of nineteen hundred and sixty-two is hereby repealed.

Approved August 9, 1965.

Chap. 624. AN ACT PLACING THE TOWN OF DUNSTABLE IN THE JUDICIAL JURISDICTION OF THE FIRST DISTRICT COURT OF NORTHERN MIDDLESEX HELD AT AYER.

Be it enacted, etc., as follows:

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

The first district court of Northern Middlesex, held at Ayer; Ayer, Dunstable, Groton, Pepperell, Townsend, Ashby, Shirley, Westford, Littleton and Boxborough.

SECTION 2. Said section 1 of said chapter 218 is hereby further amended by striking out the eighth paragraph under the caption "*Middlesex*", as so appearing, and inserting in place thereof the following paragraph: —

The district court of Lowell, held at Lowell; Lowell, Tewksbury, Billerica, Dracut, Chelmsford and Tyngsborough.

Approved August 9, 1965.

Chap. 625. AN ACT ESTABLISHING A FREEDOM TRAIL COMMISSION IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. There shall be in the public works department of the city of Boston, or in such other department of said city as the city council, with the approval of the mayor, shall from time to time determine, but not subject to the supervision or control of the officer or board in charge of such department, a board, to be known as the freedom trail commission, consisting of five commissioners appointed by the mayor, each for a term expiring on the first Monday of the January following the next biennial municipal election at which a mayor is elected, two of whom shall be so appointed from a list of seven candidates nominated by the Freedom Trail Foundation Inc. Said commission shall elect a chairman and a vice chairman, who shall be members thereof, and a

secretary, who need not be a member thereof. The members of said commission shall serve without compensation.

SECTION 2. The freedom trail commission shall from time to time, after due notice and a public hearing, designate a route in said city, not over three miles in length, along which the public may walk and pass not less than twelve historic places. Said city may from time to time appropriate moneys for the suitable delineation of such route by such means as said commission shall from time to time recommend.

SECTION 3. This act shall take effect upon its acceptance by the city of Boston. *Approved August 9, 1965.*

Chap. 626. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO GRANT AN IRREVOCABLE LICENSE TO MAINTAIN FILL OR STRUCTURES IN CERTAIN TIDELANDS IN THE CITY OF NEW BEDFORD TO THE NEW BEDFORD REDEVELOPMENT AUTHORITY.

Be it enacted, etc., as follows:

The department of public works shall grant an irrevocable license to the New Bedford Redevelopment Authority, or its successors in interest, of the whole or any part of the fee or of any other interest of said Authority to fill or maintain fill or to erect or maintain structures within the following described area in the city of New Bedford covered by an urban renewal plan and land assembly and redevelopment plan under chapter one hundred and twenty-one of the General Laws, and consisting of so much of the tidelands as lie within said area: — Beginning at a point, said point being at the intersection of the south side of Potomska Street and the east side of Prospect Street; thence northerly along the east side of Prospect Street to its intersection with the north side of Howland Street; thence westerly along the north side of Howland Street to its intersection with the east side of Cape Street; thence northerly along the east side of Cape Street to its intersection with the north property line of Lot two hundred and thirty-nine of Plat forty-two of the 1964 Assessor's Map of the city of New Bedford; thence easterly along the north property line of Lot two hundred and thirty-nine of Plat forty-two of the 1964 Assessor's Map of the city of New Bedford to a point, said point being the intersection with the west property line of Lot two hundred and sixty-eight of Plat forty-two of the 1964 Assessor's Map of the city of New Bedford; thence northerly along the west property line of Lot two hundred and sixty-eight of Plat forty-two of the 1964 Assessor's Map of the city of New Bedford to a point, said point being at the intersection of the north property line of said lot; thence easterly along the north property line of said lot; thence in range of this north property line of said lot produced through the tidelands of the Acushnet River to a point of intersection with the U. S. Bulkhead and Pierhead Line; thence, in a southerly direction along the said U. S. Bulkhead and Pierhead Line to a point, said point being at the intersection of the line of the south side of Potomska Street, produced and in range thereof; thence along said line produced in range of the south side of Potomska Street to a point, said point being at the intersection of the south side of Potomska Street and the east side of Prospect Street, said point being the point of beginning.

Approved August 10, 1965.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 10, 1965.

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

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 626 of the Acts of 1965 entitled "An Act Directing the Department of Public Works to Grant An Irrevocable License to Maintain Fill or Structures in Certain Tidelands in the City of New Bedford to the New Bedford Redevelopment Authority." and the enactment of which received my approval on August 10, 1965, 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:

Immediate granting of the irrevocable license is a necessary and vital part of a program directed at revitalization of the New Bedford port, to the end that the economy and general welfare of the city and its surrounding area may be improved.

Sincerely,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 11, 1965.

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 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 twenty-six of the acts of nineteen hundred and sixty-five.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 627. AN ACT FURTHER REGULATING THE DUAL BRAKE SYSTEMS ON CERTAIN MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 90 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 109 of the acts of 1933, and inserting in place thereof the following two sentences: — Every automobile shall be provided with at least two braking systems, one of which shall be the service brake system, and the other shall be the parking brake system, each with a separate means of application, each operating directly or indirectly on at least two wheels and each of which shall suffice alone to stop said automobile within a proper distance as defined in said rules and regulations; provided, that if such systems are connected, combined or have any part in common, such systems shall be so constructed that a breaking of any one element

thereof will not leave the automobile without brakes acting directly or indirectly on at least two wheels; and provided, further, that a tractor having a draw-bar pull rating of ten horse power or less and capable of a maximum speed of not more than eighteen miles an hour and designed specially for use elsewhere than on the traveled part of ways may be operated thereon if equipped with a single braking system which shall suffice to stop such tractor within a proper distance as aforesaid. Every automobile equipped with a hydraulic braking system, whether or not assisted by other means, which provides braking action on four or more wheels shall be equipped with a service brake system so arranged as to provide separate systems for at least two wheels and so designed and constructed that a failure of any single component of the service brake system, other than the brake pedal or its attachments, will not leave the automobile without operative service brakes on at least two wheels.

SECTION 2. This act shall apply to motor vehicles manufactured for the model year nineteen hundred and sixty-eight and for subsequent years. *Approved August 10, 1965.*

Chap. 628. AN ACT RELATIVE TO THE REPORTING OF CERTAIN ACCIDENTS ARISING OUT OF THE OPERATION OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

The first paragraph of section 26 of chapter 90 of the General Laws, as appearing in chapter 405 of the acts of 1964, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — 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 there is damage in excess of two hundred dollars to any one vehicle or other property 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 way where such accident occurred. *Approved August 10, 1965.*

Chap. 629. AN ACT FURTHER LIMITING LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES NEAR SCHOOLS AND CHURCHES.

Be it enacted, etc., as follows:

SECTION 1. Section 16C of chapter 138 of the General Laws is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — Premises, except those of an inn-holder, located within a radius of five hundred feet of a church or school shall not be licensed for the sale of alcoholic beverages; but this provision shall not apply to the transfer of a license from premises located within the said distance to other premises located therein, if it is transferred to a location not less remote from the nearest church or school than its former location.

SECTION 2. The provisions of section sixteen C of chapter one hundred and thirty-eight of the General Laws, as amended by section one of this act, shall not apply to premises which, prior to the effective date of this act, or prior to the establishment of a church or school within a radius of five hundred feet thereof, were licensed for the sale of alcoholic beverages. *Approved August 11, 1965.*

Chap. 630. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO LEASE LAND ON OR NEAR THE CHARLES RIVER DAM TO BOSTON SOCIETY OF NATURAL HISTORY FOR CONSTRUCTION OF ADDITIONAL FACILITIES RELATED TO THE MUSEUM OF SCIENCE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate facilities for the public in connection with its increasing use of the new Museum of Science provided by the Boston Society of Natural History, the metropolitan district commission may lease suitable areas of land maintained by it on or near the Charles River dam, so called, and over the waters of the Charles river, in the city of Cambridge, to the Boston Society of Natural History for the erection, maintenance and operation thereon by said society of Science Museum facilities, under such terms and conditions as said commission may deem proper.

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

Approved August 16, 1965.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 16, 1965.

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

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 630 of the Acts of 1965 entitled "An Act Authorizing the Metropolitan District Commission to Lease Land on or near the Charles River Dam to Boston Society of Natural History for Construction of Additional Facilities Related to the Museum of Science." and the enactment of which received my approval on August 16, 1965, 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:

To defer the operation of this act would seriously retard the efforts of the Museum of Science to enlarge its facilities which are at present overwhelmed by the public. This legislation will enable the Metropolitan District Commission and the Museum to take such action as they may deem advisable to meet the public need in this vitally important area of education. Therefore this act should become effective at once.

Sincerely,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 17, 1965.

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 accor-

dance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and thirty of the acts of nineteen hundred and sixty-five.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 631. AN ACT ELIMINATING THE PAYMENT OF ADMINISTRATIVE COSTS CHARGED TO INSTRUMENTALITIES OF THE COMMONWEALTH RELATIVE TO UNEMPLOYMENT BENEFITS.

Be it enacted, etc., as follows:

Subsection (*o*) of section 14 of chapter 151A of the General Laws, added by section 2 of chapter 431 of the acts of 1954, is hereby amended by striking out the fourth paragraph. *Approved August 16, 1965.*

Chap. 632. AN ACT GOVERNING THE PROCEDURE FOR REGISTERING DAIRY FARMS FOR THE SALE OF MILK WITHIN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 94 of the General Laws is hereby amended by striking out section 16C, as most recently amended by chapter 467 of the acts of 1946, and inserting in place thereof the following section: — *Section 16C.* The director may issue a certificate of registration for a dairy farm which, upon inspection made by him within thirty days prior to the date of issuance of such certificate, clearly indicates satisfactory compliance with the requirements as to milk standards and dairy farm inspection established by the board under section thirteen of this chapter and section forty-two of chapter six. The certificates of registration for any given registration year shall be plainly distinguishable by color from those issued during immediately preceding years. Each dairy farm registered by the director shall receive without cost a numbered certificate of registration which shall, while in effect, be posted in a conspicuous place at all times on said farm. Each certificate of registration shall expire on the following June thirtieth, if for a farm located within the commonwealth, and on the following December thirty-first, if for a farm located without the commonwealth, and an annual application for renewal thereof shall be made to the director not later than the preceding May thirty-first, in the first instance, and not later than the preceding November thirtieth, in the second instance, on forms furnished by the director. If a certificate of registration is lost, a duplicate copy may be obtained from the director upon written application and at a cost of fifty cents each. The director may also, from time to time, renew a certificate of registration; provided, that he has made, in the case of each renewal, at least one inspection of the dairy farm involved within one year prior thereto and has thereby determined that continuing compliance with the requirements of the board is being maintained. The director may accept, as a basis for the issuance or renewal of certificates of registration, the inspection reports of milk inspectors within the commonwealth with respect to farms within or without the commonwealth which have been inspected by them;

provided, that such reports certify that such farms maintain compliance with said requirements.

SECTION 2. Said chapter 94 is hereby further amended by striking out section 16D, as appearing in section 3 of chapter 305 of the acts of 1932, and inserting in place thereof the following section: — *Section 16D.* A certificate of registration for any dairy farm may be refused, or, if issued, may be suspended or revoked by the director for failure to maintain compliance with the requirements as to milk standards and dairy farm inspection established by the board; provided, that the director may in his discretion allow the parties concerned a period of not more than thirty days in which to achieve compliance with said requirements, such compliance to be determined by reinspection; and provided, further, that, if compliance has not been achieved at the end of thirty days, the operator of the dairy farm involved shall be entitled to a hearing before the director, or a person designated by him, prior to the final refusal, suspension or revocation of such certificate, such hearing to be held after reasonable notice specifying the day, hour and place thereof and accompanied by a statement of the alleged failure to comply, or the reasons for such refusal, suspension or revocation. The decision of the director may be appealed to the board, whose decision shall be final. A certificate of registration which has been suspended shall be plainly stamped: — "Suspended until (date)"; and the operator of the dairy farm involved may make written application to the director for reinspection at the expiration of the period of suspension. A certificate of registration which has been revoked shall be plainly stamped: — "Revoked"; and the operator of the dairy farm involved may make written application to the director for reinspection only after a period of one year from the date of revocation has elapsed. Immediate notice of suspension or revocation of a certificate of registration shall be given by the director to each dealer, receiving station or plant handling milk produced on the dairy farm involved, and to the board of health of each city or town where such milk is sold, offered or exposed for sale. In case of emergency, directly and immediately threatening the public, the commissioner of public health may suspend a certificate of registration, and shall notify the director forthwith of any such suspension. The provisions of this section, when pertinent, shall apply to temporary certificates of registration issued under sections sixteen G and sixteen H.

SECTION 3. Said chapter 94 is hereby further amended by striking out section 16G, as so appearing, and inserting in place thereof the following section: — *Section 16G.* The director may issue a temporary certificate of registration, plainly stamped: — "Temporary", for any dairy farm already registered under section sixteen C, pending an inspection within ninety days of the date of issue and such consequent action as may be necessary relative to the actual renewal of the certificate in question. *Approved August 16, 1965.*

Chap. 633. AN ACT FURTHER REGULATING THE SALE OF BONDS BY THE STATE TREASURER.

Be it enacted, etc., as follows:

Section 49 of chapter 29 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following paragraph: —

Unless otherwise specifically provided, a provision in any statute authorizing the state treasurer to issue and sell bonds of the commonwealth shall authorize him to issue and sell such bonds in such denominations as he shall determine to be in the best interests of the commonwealth, and any requirement that the maturities thereof 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 shall mean that the amounts so payable shall be as nearly equal considering the denominations of the bonds issued and sold as in the opinion of the state treasurer it is practicable to make them. *Approved August 16, 1965.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 26, 1965.

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

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 633 of the Acts of 1965 entitled "An Act Further Regulating the Sale of Bonds by the State Treasurer." and the enactment of which received my approval on August 16, 1965 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 is to give the treasurer immediate authority to issue and sell state bonds in more convenient amounts.

Sincerely,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 26, 1965.

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 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 thirty-three of the acts of nineteen hundred and sixty-five.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 634. AN ACT RELATIVE TO THE PAYMENT OF BENEFITS UNDER THE EMPLOYMENT SECURITY LAW TO WOMEN WHO ARE UNEMPLOYED DUE TO PREGNANCY.

Be it enacted, etc., as follows:

Chapter 151A of the General Laws is hereby amended by striking out section 27, as most recently amended by section 11 of chapter 763 of

the acts of 1951, and inserting in place thereof the following section: — *Section 27.* No waiting period may be served and no benefits shall be paid for the period of unemployment during which an individual is unavailable for work because of pregnancy. An individual covered by this section shall be deemed to be unavailable for work, though otherwise eligible, if, solely for reasons personal to her, she is not able to continue in or return to the position in which she was most recently employed; provided, that an individual shall not be disqualified under the provisions of this section from receiving benefits solely by reason of leaving her work under the terms of a collective bargaining contract requiring suspension of work because of pregnancy at a specified time, notwithstanding her prior assent, direct or indirect, to such contract. In no event shall a waiting period be served or benefits paid for the four weeks prior to or the four weeks next ensuing after the date of birth of the child. *Approved August 16, 1965.*

Chap. 635. AN ACT PROVIDING FOR THE LICENSING BY THE GAS FITTING REGULATORY BOARD OF LIMITED UNDILUTED PETROLEUM GAS INSTALLERS.

Be it enacted, etc., as follows:

SECTION 1. Section 12I of chapter 25 of the General Laws is hereby amended by adding the following definition: — "Limited undiluted liquefied petroleum gas installer", a person who does any work in installing, connecting, and moving from place to place undiluted liquefied petroleum gas salamanders, space heaters and related equipment used in buildings under construction.

SECTION 2. Said chapter 25 is hereby further amended by striking out section 12J, as amended by section 3 of chapter 557 of the acts of 1963, and inserting in place thereof the following section: — *Section 12J.* The board shall hold examinations for the licensing of journeymen and master gas fitters at such times and places as it shall determine, but not less than once in each year, and for the licensing of undiluted liquefied petroleum gas installers and limited undiluted liquefied petroleum gas installers at such times and places as it shall determine, but not less than once in each year. It may make such rules and regulations as are deemed necessary for the conduct of such examinations; provided, however, that no applicant for licensure as an undiluted liquefied petroleum gas installer shall be examined by the board unless he satisfies the board that he has had at least ninety days' training and experience in installing undiluted liquefied petroleum gas systems and appliances, except that an applicant for licensure as a limited undiluted liquefied petroleum gas installer need satisfy the board that he has had six months' experience, being the equivalent of one heating season, in installing, connecting and moving from place to place undiluted liquefied petroleum gas salamanders, space heaters and related equipment used in buildings under construction. Applicants for licensure as limited undiluted liquefied petroleum gas installers shall be examined only on matters pertaining to installation, connecting and moving from place to place of undiluted liquefied petroleum gas salamanders, space heaters and related equipment as used in buildings under construction. The board shall employ an examiner who shall receive as compensation not more than fifty dollars a day during the period of such examinations and the

correction thereof. The examiner shall not be an employee of any utility corporation which is subject to the provisions of chapter one hundred and sixty-four nor shall he examine any candidate who is or has been his employee or is or has been actively associated in business with him, but shall refer such candidate to the board. An applicant shall, upon payment of the prescribed fee, be examined by the board, and, if he passes such examination, shall be licensed as a journeyman gas fitter or master gas fitter or as an undiluted liquefied petroleum gas installer or a limited undiluted liquefied petroleum gas installer, and shall, upon payment of the prescribed fee, receive a certificate thereof from the board. Such license shall not be assignable or transferable and shall be valid for a period of one year from its date of issue, and may be renewed for a like period upon application therefor on blank forms to be furnished by the board.

SECTION 3. Section 12K of said chapter 25, as amended by section 4 of said chapter 557, is hereby further amended by adding the following sentence: — The fee for the original license of a limited undiluted petroleum gas installer shall be at the rate of ten dollars for twelve months; for any renewal thereof five dollars and for each examination therefor five dollars.

SECTION 4. Said chapter 25 is hereby further amended by striking out section 12L, as amended by section 5 of said chapter 557, and inserting in place thereof the following section: — *Section 12L.* Except as otherwise provided herein, no person shall engage in the business of a master gas fitter or work as a journeyman gas fitter unless he is licensed by the board as such or is licensed as a master plumber or journeyman plumber under chapter one hundred and forty-two, and no person shall work as an undiluted liquefied petroleum gas installer unless he is licensed by the board as such or is licensed as a master gas fitter or a journeyman gas fitter under the provisions of this chapter or is licensed as a master plumber or journeyman plumber under chapter one hundred and forty-two. Persons licensed by the board as limited undiluted liquefied petroleum gas installers may only install, connect and move from place to place undiluted liquefied petroleum gas salamanders, space heaters and related equipment used in buildings under construction. This section shall not apply to any person who engages solely in installing or removing gas meters or in adjusting or servicing gas appliances listed in section twelve H. Whoever violates any provision of this section shall be punished by a fine of not more than fifty dollars.

SECTION 5. Notwithstanding the provisions of sections twelve J and twelve K of chapter twenty-five of the General Laws, as amended by sections two and three of this act, any individual who files an application for a license as a limited undiluted liquefied petroleum gas installer with the board established under section twelve H of said chapter twenty-five, hereinafter called the board, at any time prior to the first day of January, nineteen hundred and sixty-six, on a form furnished by the board, containing such information as to his training and experience as will satisfy the board that he has had at least six months' of practical experience in installing, connecting and moving from place to place undiluted liquefied petroleum gas salamanders, space heaters and related equipment used in buildings under construction, and furnishes evidence, satisfactory to the board, that he is of good moral character, and pays the appropriate original license fee as provided in

section twelve K of said chapter twenty-five, shall, without examination, be granted such license, and shall be issued a certificate thereof by the board.

Any license issued under this section shall be effective January first, nineteen hundred and sixty-six, and shall expire on the anniversary of the licensee's date of birth next occurring more than twelve months after the date of issuance.

All statements made on application forms filed under this section shall be subscribed by the applicant and shall be verified by a written declaration that they are made under the penalties of perjury.

Approved August 16, 1965.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 16, 1965.

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

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 635 of the Acts of 1965 entitled "An Act Providing for the Licensing by the Gas Fitting Regulatory Board of Limited Undiluted Petroleum Gas Installers." and the enactment of which received my approval on August 16, 1965, 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 early approach of the heating season, when activity in the liquefied petroleum field is greatest, makes it imperative that this bill take effect at once. This is in the interest of public safety as well as in the interest of orderly administration.

Sincerely,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 17, 1965.

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

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 636. AN ACT PROVIDING FOR THE PAYMENT OF CONTINUED UNEMPLOYMENT BENEFITS FOR A PERIOD OF ONE WEEK TO CERTAIN INDIVIDUALS WHO ARE ILL OR DISABLED AND TO WHOM NO SUITABLE WORK IS OFFERED.

Be it enacted, etc., as follows:

Section 24 of chapter 151A of the General Laws is hereby amended by adding the following paragraph: —

No individual shall be considered ineligible for benefits because of failure to comply with the provisions of said clause (*b*) if such failure is due to an illness or disability which occurs during a period of unemployment after he has filed a claim and registered for work, and has been determined to be otherwise eligible; provided, that no work which would have been considered suitable but for such illness or disability was offered to him after he became ill or disabled; provided further, that the exception granted under this paragraph shall apply to one week only within a benefit year. *Approved August 16, 1965.*

Chap. 637. AN ACT PROVIDING THAT CONTRIBUTORY GROUP GENERAL OR BLANKET INSURANCE FOR PERSONS IN THE SERVICE OF THE COMMONWEALTH AND THEIR DEPENDENTS BE EXTENDED TO EMPLOYEES OF THE MASSACHUSETTS PARKING AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*b*) of section 2 of chapter 32A of the General Laws, as most recently amended by chapter 534 of the acts of 1960, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — "Employee", any person in the service of the commonwealth, which shall include a person employed by the National Guard as a technician, and a person who is an employee of a mosquito control project, the Massachusetts Parking Authority, a local housing authority or a redevelopment authority, whether such person be employed, appointed or elected by popular vote; provided the duties of such person require that his time be devoted to the service of the commonwealth during the regular work week of permanent employees, except that persons elected by popular vote, other than those serving as members of mosquito control projects, local housing authorities and redevelopment authorities, will be considered employees during the entire term for which they are elected regardless of the hours devoted to the service of the commonwealth.

SECTION 2. Paragraph (*c*) of section 8 of said chapter 32A is hereby amended by striking out the sentence inserted by section 2 of chapter 558 of the acts of 1958, and inserting in place thereof the following sentence: — The Massachusetts Parking Authority, local housing authorities and redevelopment authorities shall reimburse the commonwealth for all contributions made on behalf of their employees.

Approved August 16, 1965.

Chap. 638. AN ACT ESTABLISHING THE ESSEX COUNTY, CITY OF REVERE AND TOWN OF WINTHROP MOSQUITO CONTROL PROJECT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 516 of the acts of 1958 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — The area in Essex county not including any city or town already a member of an organized mosquito control project, and the city of Revere and the town of Winthrop are hereby constituted a mosquito control project under section five A of chapter two hundred and fifty-two of the General Laws, to the same

extent as if so constituted by the state reclamation board acting under said section five A and the improvements herein authorized shall be undertaken under the identifying name of the Essex County, City of Revere and Town of Winthrop Mosquito Control Project.

SECTION 2. Said chapter 516 of the acts of 1958 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* The funds appropriated and deposited as aforesaid shall be expended by the Essex County, City of Revere and Town of Winthrop Mosquito Control Project for the investigation of mosquito control works, and the construction and maintenance thereof, in said county, city and town, under the direction and supervision of the state reclamation board in accordance with such known methods as in its opinion will effect the greatest measure of relief.

Approved August 16, 1965.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, September 7, 1965.

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

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion, the immediate preservation of the public convenience requires that the law being Chapter 638 of the Acts of 1965 entitled "An Act Establishing the Essex County, City of Revere and Town of Winthrop Mosquito Control Project." and the enactment of which received my approval on August 16, 1965, 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 need to take preventive steps decreases as the summer passes and consequently action provided for under this bill must be taken if relief from the mosquito scourge is to be effective.

Sincerely,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, September 7, 1965.

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

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 639. AN ACT AUTHORIZING THE COMMONWEALTH TO REIMBURSE CERTAIN POLITICAL SUBDIVISIONS THEREOF FOR EXPENSES INCURRED IN FIGHTING CERTAIN FOREST FIRES IN THE YEAR NINETEEN HUNDRED AND SIXTY-FOUR.

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 following county, towns and fire districts the following sums as reimbursement for expenses incurred by said political subdivisions in fighting certain forest fires in the year nineteen hundred and sixty-four: —

Wareham Fire District	$564.97
Wareham	5,843.96
Hanover	258.38
Carver	5,997.91
Dartmouth Fire District	253.55
Halifax	561.60
Hull	308.82
Yarmouth	589.34
Bourne	1,045.25
Middleboro	1,061.81
Rockland	128.40
Marshfield	302.50
Norwell	606.00
Barnstable county	1,976.59
Lakeville	352.50
Duxbury	410.00
Barnstable	980.00
Kingston	837.50
Hingham	786.37
Bridgewater	323.40
Barnstable Fire District	319.50
Sandwich	737.50
Falmouth	723.48
Plymouth	9,944.39
Plympton	578.77
Wendell	182.25
New Salem	147.00
Athol	1,164.22
Orange	652.50
Winchendon	442.50
Phillipston	297.00
Royalston	4,729.76
Warwick	60.00
Total	$43,167.72

Approved August 16, 1965.

Chap. 640. AN ACT PROVIDING THAT THE LIBELLEE IN A DIVORCE ACTION MAY REMARRY WHEN THE DECREE BECOMES ABSOLUTE.

Be it enacted, etc., as follows:

Chapter 208 of the General Laws is hereby amended by striking out section 24, as amended by section 1 of chapter 168 of the acts of 1943, and inserting in place thereof the following section: — *Section 24.* After a decree of divorce has become absolute, either party may marry again as if the other were dead.

(The foregoing was laid before the governor on the tenth day of August, 1965, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 641. AN ACT PROVIDING FOR THE ELIMINATION OF RACIAL IMBALANCE IN THE PUBLIC SCHOOLS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to eliminate forthwith racial imbalance in the public schools, 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 71 of the General Laws is hereby amended by inserting after section 37B the following two sections: —

Section 37C. It is hereby declared to be the policy of the commonwealth to encourage all school committees to adopt as educational objectives the promotion of racial balance and the correction of existing racial imbalance in the public schools. The prevention or elimination of racial imbalance shall be an objective in all decisions involving the drawing or altering of school attendance lines and the selection of new school sites.

Section 37D. The school committee of each city, town and district shall, annually, at such time and in such form as the commissioner shall determine, submit statistics sufficient to enable a determination to be made of the per cent of nonwhite pupils in all public schools and in each school under the jurisdiction of each such committee. Whenever the state board of education finds that racial imbalance exists in a public school it shall notify in writing the school committee or regional school district committee having jurisdiction over such school that such finding has been made. The school committee shall thereupon prepare a plan to eliminate such racial imbalance and file a copy of such plan with the board. The term "racial imbalance" refers to a ratio between nonwhite and other students in public schools which is sharply out of balance with the racial composition of the society in which nonwhite children study, serve and work. For the purpose of this section, racial imbalance shall be deemed to exist when the per cent of nonwhite students in any public school is in excess of fifty per cent of the total number of students in such school.

Said plan shall detail the changes in existing school attendance districts, the location of proposed school sites the proposed additions to existing school buildings, and other methods for the elimination of racial

imbalance. Said plan shall also include projections of the expected racial composition of all public schools. Any plan to detail changes in existing school attendance districts, the locations of proposed new school sites and proposed additions to existing school sites and proposed additions to existing school buildings with the intention of reducing or eliminating racial imbalance, must take into consideration on an equal basis with the above-mentioned intention, the safety of the children involved in travelling from home to school and school to home. Said plan may provide for voluntary co-operation by other cities and towns in rendering assistance and in making available facilities to effectuate said plan.

No school committee or regional school district committee shall be required as part of its plan to transport any pupil to any school outside its jurisdiction or to any school outside the school district established for his neighborhood, if the parent or guardian of such pupil files written objection thereto with such school committee.

Said board may, from time to time, require each school committee to submit to said board a report on the progress of the plan and its implementation.

The supreme judicial and the superior court shall have jurisdiction in equity upon petition of the board of education to enforce the provisions of this section.

SECTION 2. Chapter 15 of the General Laws is hereby amended by inserting after section 1H the following three sections: —

Section 1I. The board of education shall provide technical and other assistance in the formulation and execution of plans to eliminate racial imbalance, made pursuant to section thirty-seven D of chapter seventy-one. Whenever the board determines that a school committee or regional school district committee has failed to file a plan in compliance with the provisions of said section, it shall consult with and make specific recommendations for a plan by such school committee or regional school district committee.

If, following the receipt of notification from the board of education that racial imbalance, as defined in section thirty-seven D of chapter seventy-one, exists, a school committee or regional school district committee does not show progress within a reasonable time in eliminating racial imbalance in its schools the commissioner of education shall not certify the amount of state aid for such city or town or for such towns which are members of such regional school districts, as required by section nine of chapter seventy, and the school building assistance commission upon receipt of notice from said board that racial imbalance exists shall not approve any project for school construction for such city, town or regional school district under chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, and the commissioner of education may notify the commissioner of corporations and taxation and the comptroller to hold such funds as have been so certified under said section nine but have not been disbursed. The commissioner of education may thereafter upon receipt of a plan acceptable to the board of education notify the commissioner of corporations and taxation and the comptroller to pay any such withheld funds to such city or town in such amounts and at such times as he may designate, and the school building assistance commission upon receipt of notice from said board that a plan acceptable to it has been received may approve such projects.

The school building assistance commission shall, notwithstanding any contrary provision of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, increase the amount of grants for schoolhouse construction to sixty-five per cent of the approved cost, whenever the board of education is satisfied that the construction or enlargement of a schoolhouse is for the purpose of reducing or eliminating racial imbalance in the school system and so notifies the school building assistance commission.

Section 1J. Within thirty days after (1) a school committee or regional school district committee declines to accept the recommendations submitted to it by the board or (2) the board disapproves a revised plan submitted to it by a school committee or regional school district committee, said committee may file a petition for judicial review in the superior court for the county in which it is located or in the supreme judicial court for Suffolk county. The court may affirm the board's determination of the recommendations submitted by it or its determination of disapproval of a revised plan submitted to it, and order compliance with the recommendations of the board by appropriate decree, or if it finds and rules that the determination by the board is (*a*) in excess of the statutory authority or jurisdiction of the board, or (*b*) based upon an error of law, or (*c*) arbitrary or capricious, an abuse of discretion, or otherwise not in accordance with law, then it may set aside such determination by the board and remand the matter to it for further action.

The supreme judicial and the superior court shall have jurisdiction in equity upon petition of the board of education to order funds withheld as provided in section one I for such period of time as the court may determine.

Section 1K. The board of education, with the advice of the commissioner, shall appoint an advisory committee on racial imbalance and no individual shall be appointed to this advisory committee on racial imbalance who has been listed in any state or federal document as being a member of a communist front organization. The members of the committee shall serve without compensation except that they may be reimbursed for the necessary expenses actually incurred in the performance of their duties. *Approved August 18, 1965.*

Chap. 642. AN ACT PROVIDING THAT, FOR A TEMPORARY PERIOD, CERTAIN PAYMENTS UNDER THE WORKMEN'S COMPENSATION ACT IN CASES OF DEATH BE CREDITED TO AND USED FOR THE PURPOSES OF THE GENERAL SECOND-INJURY FUND.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide that certain payments under the workmen's compensation act in cases of death be credited forthwith to and used for the purposes of the general second-injury fund, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section sixty-five N of chapter one hundred and fifty-two of the General Laws, payments made by insurers

or self-insurers under the provisions of said section sixty-five N shall, for the period commencing with the effective date of this act and ending on June thirtieth, nineteen hundred and sixty-six, be credited to the special fund established under the provisions of section sixty-five of said chapter one hundred and fifty-two and used for the purposes and under the conditions set forth in said section sixty-five.

Approved August 17, 1965.

Chap. 643. AN ACT FURTHER DEFINING THE TERM "FARMER" AS USED IN THE LAWS RELATING TO THE REGISTRATION AND OPERATION OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

The definition of "Farmer" in section 1 of chapter 90 of the General Laws, as appearing in section 1 of chapter 736 of the acts of 1951, is hereby amended by inserting after the word "principally", in line 2, the words: — or substantially, — so as to read as follows: —

"Farmer", any person, individual or partnership engaged principally or substantially in the occupation of farming or of raising poultry on land owned or controlled by him. *Approved August 17, 1965.*

Chap. 644. AN ACT ESTABLISHING FIFTY-EIGHT DOLLARS AS THE MAXIMUM WEEKLY BENEFIT FOR INCAPACITY UNDER THE WORKMEN'S COMPENSATION ACT.

Be it enacted, etc., as follows:

SECTION 1. Section 34 of chapter 152 of the General Laws, as most recently amended by section 1 of chapter 460 of the acts of 1963, is hereby further amended by striking out, in line 4, the word "fifty-three" and inserting in place thereof the word: — fifty-eight.

SECTION 2. The first sentence of section 34A of said chapter 152, as most recently amended by section 2 of said chapter 460, is hereby further amended by striking out, in lines 5 and 6, the word "fifty-three" and inserting in place thereof the word: — fifty-eight.

SECTION 3. Section 35 of said chapter 152, as most recently amended by section 3 of said chapter 460, is hereby further amended by striking out, in line 6, the word "fifty-three" and inserting in place thereof the word: — fifty-eight. *Approved August 17, 1965.*

Chap. 645. AN ACT INCREASING THE RENEWAL FEE FOR A PLUMBER'S LICENSE AND INCREASING THE TERM THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Chapter 142 of the General Laws is hereby amended by striking out section 5, as most recently amended by section 4 of chapter 431 of the acts of 1963, and inserting in place thereof the following section: — *Section 5.* The fee for the first license of a master plumber shall be fifteen dollars; for any renewal thereof twenty dollars; and for an examination therefor, five dollars. The fee for the first license of a journeyman shall be five dollars; for any renewal thereof ten dollars; and for an examination therefor, five dollars. The fee for the first license of an apprentice and for each renewal thereof shall be two dollars.

SECTION 2. Section 6 of said chapter 142, as amended by section 2 of chapter 347 of the acts of 1934, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence: — Licenses shall be issued for two years and may be renewed every two years on or before May first, or, in case of absence, sickness or other disability of the holder, on or before such later date as the examiners may permit, upon payment of the required fee.

Approved August 17, 1965.

Chap. 646. AN ACT MAKING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-SIX PRIOR TO FINAL ACTION ON THE GENERAL APPROPRIATION BILL FOR SAID YEAR.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain appropriations previously authorized by chapter five hundred and seventy-nine of the acts of the current year 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 set forth in sections three to twenty-three, inclusive, of House bill numbered 3939, as amended and passed to be engrossed by the House of Representatives.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Natural Resources.

Item		
7665-01	Section one of chapter five hundred and seven of the acts of nineteen hundred and sixty-four, as amended by chapter five hundred and forty-one of the acts of the current year, is hereby further amended by adding after the word "Laws", in line ten, the following: — ; and, provided further, that funds made available by this act shall be available for the purpose of providing the commonwealth's share of the cost of the program authorized under the provisions of the Land and Water Conservation Fund Act of 1965 (P.L. 88-578), and the department of natural resources is hereby authorized on behalf of the commonwealth or any political subdivision thereof to apply to and contract with the United States of America and agencies thereof to obtain grants, subventions and reimbursements under said Land and Water Conservation Fund Act, and shall disburse such federal funds in accordance with the terms and conditions of such contracts.	

Department of Education.

Division of State Colleges.

For the administration, maintenance of and for certain improvements at state colleges and the boarding halls attached thereto and the Massachusetts maritime academy with the approval of the board of trustees:

1330-22	State college at Bridgewater, for the grading and removal of certain material to be used in connection with the athletic field	$109,000
1335-01	State college at Salem, including not more than one hundred and ninety-four permanent positions	16,500

University of Massachusetts.

Item
1350-02 For the maintenance of the facilities of the university in the city of Boston, including not more than eighty-nine permanent positions; provided, that administrative expenses may be incurred for this operation, with the approval of the trustees, from amounts appropriated for the maintenance of the university at Amherst **$1,027,149**

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-six fiscal year in full to appropriations providing for personal services authorized under the heading of "Highway Activities" in this act:

Construction, Reconstruction and Betterments of State Highways and Bridges.

2940-28 For work authorized and directed by chapter three hundred and twelve of the acts of nineteen hundred and sixty-one, including the installation of necessary utilities to service the state office building; provided, that the comptroller shall transfer to the Highway Fund the sum of thirty-four thousand dollars from the General Fund **$425,000**

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

Approved August 19, 1965.

Chap. 647. AN ACT FURTHER DEFINING UNLAWFUL ASSEMBLY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 269 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.* If five or more persons, being armed with clubs or other dangerous weapons, or if ten or more persons, whether armed or not, are unlawfully, riotously or tumultuously assembled in a city or town, the mayor and each of the aldermen of such city, each of the selectmen of such town, every justice of the peace living in any such city or town, any member of the city, town, or state police or of the metropolitan district police, and the sheriff of the county and his deputies shall go among the persons so assembled, or as near to them as may be with safety, and in the name of the commonwealth command all persons so assembled immediately and peaceably to disperse; and if they do not thereupon immediately and peaceably disperse, each of said magistrates and officers shall command the assistance of all persons there present in suppressing such riot or unlawful assembly and arresting such persons.

SECTION 1A. Said chapter 269 is hereby further amended by striking out section 2, as so appearing, and inserting in place thereof the following section: — *Section 2.* Whoever, being present and being so commanded to assist in arresting such rioters or persons so unlawfully assembled, or in suppressing such riot or unlawful assembly, refuses or neglects to obey such command, or, if required by such magistrate or officer to depart from the place, refuses or neglects so to do, shall be considered

one of the rioters or persons unlawfully assembled, and shall be punished by imprisonment for not more than one year or by a fine of not less than one hundred dollars or more than five hundred dollars, or both.

SECTION 2. Section 6 of said chapter 269, as so appearing, is hereby amended by striking out, in line 5, the word "twelve" and inserting in place thereof the word: — five.

SECTION 3. Section 8 of said chapter 269, as so appearing, is hereby amended by striking out, in line 2, the word "twelve" and inserting in place thereof the word: — five. *Approved August 19, 1965.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 19, 1965.

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

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public safety and convenience requires that the law being Chapter 647 of the Acts of 1965 entitled "An Act Further Defining Unlawful Assembly." and the enactment of which received my approval on August 19, 1965, 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 is, in part to enable municipal and state authorities to restore and maintain order in the event of unlawful and riotous assemblies.

Sincerely,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 20, 1965.

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, 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-seven of the acts of nineteen hundred and sixty-five.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 648. AN ACT ESTABLISHING THE RUTLAND HEIGHTS HOSPITAL FOR THE CARE AND TREATMENT OF PATIENTS SUFFERING FROM CHRONIC AND OTHER DISEASES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which in part is to enable the department of public health to accept forthwith, on behalf of the commonwealth, the conveyance by the federal government of the hospital of the Veterans' Administration in the town of Rutland, in order that it may expedite the establishment

of a hospital facility for the care and treatment of patients suffering from chronic and other diseases, 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 public health is hereby authorized to accept, on behalf of the commonwealth, the conveyance by the United States of America, subject to the terms and conditions provided and authorized by the federal laws in effect and applicable thereto, of all of the right, title and interest of the United States in and to the property known as the Rutland Heights Hospital of the Veterans' Administration in the town of Rutland, including lands of the United States and improvements thereon.

SECTION 2. There shall be established on the property acquired under section one of this act the Rutland Heights Hospital. Said hospital shall be under the control of the department of public health, and shall be for the care and treatment of patients suffering from chronic and other diseases.

SECTION 3. The commissioner of public health may assign to the department of mental health certain specified facilities at the Rutland Heights Hospital to be used by the department of mental health for the care and treatment of mentally retarded children; subject to terms and conditions to be agreed upon by the commissioner of public health and the commissioner of mental health.

SECTION 4. The commissioner of public health may contract with the Veterans' Administration for certain specified services to be furnished at the Rutland Heights Hospital to veterans who may be sent to said hospital by the Veterans' Administration for nursing and medical care, and treatment and other services, subject to terms and conditions to be agreed upon by the commissioner of public health and the Veterans' Administration.

SECTION 5. At the direction of the director of personnel and standardization, persons employed by the United States at the Rutland Heights Hospital on March first, nineteen hundred and sixty-five may be appointed without competitive examination to comparable positions when the Rutland Heights Hospital is acquired by the department of public health from the United States. Such persons shall be deemed to be permanently appointed to such positions provided they pass a qualifying examination to which they shall be subjected by the director of civil service within six months after being so appointed, and provided they thereafter satisfactorily complete their respective probationary periods in accordance with the requirements of section twenty D of chapter thirty-one of the General Laws.

SECTION 6. Upon establishment of the new state hospital, the Rutland Heights Hospital, on the property acquired under section one, the staff and all the employees of the Rutland Hospital, including not more than two hundred and fifty-two permanent employees, shall be employed at said new state hospital, which shall also be under the supervision of the department of public health, and the Rutland Hospital shall be closed. All provisions of law relative to Rutland Hospital shall thereafter apply to the Rutland Heights Hospital. The provisions of law relative to the admission of chronic and other patients to, reception,

custody, care, treatment and support of such persons at, and the discharge of such persons from, the Rutland Heights Hospital, shall not take effect until such hospital is ready for the reception of patients suffering from chronic and other diseases; and such time shall be fixed by proclamation of the governor in accordance with a notification from the department of public health. *Approved August 26, 1965.*

Chap. 649. AN ACT INCREASING THE MAXIMUM WEEKLY BENEFIT UNDER THE EMPLOYMENT SECURITY ACT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide that certain increased benefits under the employment security law will take effect on October third of the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 29 of chapter 151A of the General Laws is hereby amended by striking out subsection (*a*), as most recently amended by section 1 of chapter 438 of the acts of 1963, and inserting in place thereof the following subsection: —

(*a*) An individual in total unemployment and otherwise eligible for benefits shall be paid for each week of unemployment an amount based on the highest quarterly wage of his base period, as provided in the following table:

TOTAL WAGES PAID IN HIGHEST QUARTER.	Weekly Benefit Rate.
$199.99 or less	$10.00
200.00 – $219.99	11.00
220.00 – 239.99	12.00
240.00 – 259.99	13.00
260.00 – 279.99	14.00
280.00 – 299.99	15.00
300.00 – 319.99	16.00
320.00 – 339.99	17.00
340.00 – 359.99	18.00
360.00 – 383.99	19.00
384.00 – 407.99	20.00
408.00 – 431.99	21.00
432.00 – 455.99	22.00
456.00 – 479.99	23.00
480.00 – 505.99	24.00
506.00 – 531.99	25.00
532.00 – 573.99	26.00
574.00 – 615.99	27.00
616.00 – 657.99	28.00
658.00 – 699.99	29.00
700.00 – 741.99	30.00
742.00 – 783.99	31.00
784.00 – 825.99	32.00
826.00 – 867.99	33.00
868.00 – 909.99	34.00
910.00 – 951.99	35.00
952.00 – 993.99	36.00
994.00 – 1,035.99	37.00

TOTAL WAGES PAID IN HIGHEST QUARTER.	Weekly Benefit Rate.
$1,036.00 – $1,077.99	$38.00
1,078.00 – 1,119.99	39.00
1,120.00 – 1,161.99	40.00
1,162.00 – 1,203.99	41.00
1,204.00 – 1,245.99	42.00
1,246.00 – 1,287.99	43.00
1,288.00 – 1,329.99	44.00
1,330.00 – 1,371.99	45.00
1,372.00 – 1,413.99	46.00
1,414.00 – 1,455.99	47.00
1,456.00 – 1,497.99	48.00
1,498.00 – 1,539.99	49.00
1,540.00 or over	50.00

SECTION 2. This act shall take effect on October third, nineteen hundred and sixty-five and shall apply only to those individuals whose benefit years begin on or after said effective date.

Approved August 26, 1965.

Chap. 650. AN ACT AUTHORIZING TEMPORARY BORROWINGS BY THE COMMONWEALTH TO FINANCE PAYMENTS REQUIRED TO BE MADE TO THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY AND OTHERWISE AMENDING THE ACT WHICH ESTABLISHED THE AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, to enable immediate temporary borrowings by the commonwealth to finance payments required to be made to the Massachusetts Bay Transportation Authority, to assess the net cost of service of the authority on the basis of financial periods and to authorize the bonds of the authority to be made payable at one or more banks or trust companies within or without the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 161A of the General Laws, as appearing in section 18 of chapter 563 of the acts of 1964, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

The state treasurer may borrow, from time to time, on the credit of the commonwealth such amounts as may be necessary to make any payments required of the commonwealth under this section or under section thirteen or any payments required of the commonwealth under a guarantee of any bond anticipation notes of the authority and to pay any interest or other charges incurred in borrowing such money, and may issue notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by him. Such interest and other charges shall be included in the assessments under this chapter in proportion to the respective assessments on the cities and towns con-

stituting the authority for the net cost of service of the period to which any such payment relates. No note issued under this paragraph shall mature more than two and one-half years from its date but notes payable earlier may be refunded one or more times, provided that no refunding note shall mature more than two and one-half years from the date of the original loan being refunded. Such notes shall be issued for such maximum term of years, not exceeding two and one-half years, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 2. Section 13 of said chapter 161A, as so appearing, is hereby amended by striking out the last paragraph.

SECTION 3. The fourth paragraph of section 23 of said chapter 161A is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — The authority shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the commonwealth.

SECTION 4. Section 25 of chapter 563 of the acts of 1964 is hereby amended by striking out the last paragraph.

SECTION 5. Said chapter 563 is hereby further amended by striking out section 26 and inserting in place thereof the following section: — *Section 26.* The Massachusetts Bay Transportation Authority shall operate through December thirty-first, nineteen hundred and seventy, on the basis of the following fiscal periods:

(*a*) from August fourth, nineteen hundred and sixty-four through July thirty-first, nineteen hundred and sixty-five;

(*b*) from August first, nineteen hundred and sixty-five through August thirty-first, nineteen hundred and sixty-six;

(*c*) from September first, nineteen hundred and sixty-six through September thirtieth, nineteen hundred and sixty-seven;

(*d*) from October first, nineteen hundred and sixty-seven through October thirty-first, nineteen hundred and sixty-eight;

(*e*) from November first, nineteen hundred and sixty-eight through November thirtieth, nineteen hundred and sixty-nine; and

(*f*) from December first, nineteen hundred and sixty-nine through December thirty-first, nineteen hundred and seventy.

The authority shall operate on a calendar year basis thereafter.

Until the report for the calendar year nineteen hundred and seventy-one, the reports of the authority pursuant to paragraph (*h*) of section five of chapter one hundred and sixty-one A of the General Laws shall be rendered with respect to the fiscal periods prescribed above and shall be rendered on or before the first day of the fourth calendar month following the close of each fiscal period.

The current expenses of the authority from January first, nineteen hundred and sixty-five to December thirty-first, nineteen hundred and sixty-five shall be in accordance with the budget established pursuant to paragraph (*i*) of said section five of said chapter one hundred and sixty-one A for the calendar year nineteen hundred and sixty-five or in accordance with applicable supplementary budgets. Any expenditures under said budget or supplements thereto from January first,

nineteen hundred and sixty-five through July thirty-first, nineteen hundred and sixty-five shall be expenditures for the fiscal period set forth in clause (*a*) of the first paragraph of this section, and any expenditures under the aforesaid budget and supplements thereto from August first, nineteen hundred and sixty-five through December thirty-first, nineteen hundred and sixty-five shall be expenditures for the fiscal period set forth in clause (*b*) of said paragraph.

The authority shall submit to the advisory board on or before November first, nineteen hundred and sixty-five a budget for the current expenses of the authority for the period January first, nineteen hundred and sixty-six through August thirty-first, nineteen hundred and sixty-six and any expenditures under this budget as approved and applicable supplementary budgets shall be expenditures for the fiscal period set forth in said clause (*b*). From September first, nineteen hundred and sixty-six to December thirty-first, nineteen hundred and seventy, both dates inclusive, the current expenses of the authority shall be in accordance with budgets established for the fiscal periods prescribed above or in accordance with applicable supplementary budgets. The budget for each such fiscal period shall be submitted to the advisory board not later than the first day of the second calendar month preceding such fiscal period.

Until nineteen hundred and seventy-two, the net cost of service to be assessed in each calendar year pursuant to sections eight, nine and eleven of said chapter one hundred and sixty-one A shall be the net cost of service for the fiscal period ending with or within the previous calendar year. For this purpose the locations of express service stations shall be determined under said section eight as of the first day of the seventh calendar month (or fraction thereof) included within the fiscal period rather than as of the first day of July of the previous calendar year.

Until nineteen hundred and seventy-one, the last day of December as referred to in section twelve of said chapter one hundred and sixty-one A shall be deemed to refer to the last day of each of the fiscal periods prescribed above.

Until nineteen hundred and seventy-one, references to calendar years in section thirteen of said chapter one hundred and sixty-one A shall be deemed to refer to the fiscal periods prescribed above.

Until nineteen hundred and seventy-one, references to the first day of January in section sixteen of said chapter one hundred and sixty-one A shall be deemed to refer to the first day of the fiscal period next following the notification of the clerk pursuant to that section and any reference to the prior year shall be deemed to refer to the prior fiscal period.

Until the audit for the calendar year nineteen hundred and seventy-one, the audits required by section seventeen of said chapter one hundred and sixty-one A shall be made with respect to the fiscal periods prescribed above.

Notwithstanding the foregoing, the annual limitation of three million dollars and the limitation of seven hundred and fifty thousand dollars for the year nineteen hundred and sixty-four, as prescribed by clause (C) of section twenty-eight of said chapter one hundred and sixty-one A, shall continue to be applicable on a calendar year basis.

Approved August 26, 1965.

Chap. 651. AN ACT AUTHORIZING THE TOWN OF METHUEN TO PAY A CERTAIN SUM OF MONEY TO MAE E. PRESS, AN EMPLOYEE OF ITS WELFARE DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Methuen is hereby authorized to pay to Mae E. Press, an employee of the welfare department of said town, a sum not to exceed six thousand one hundred forty-three dollars and thirty-eight cents as compensation for loss of wages and medical bills resulting from an injury sustained by her on March fifth, nineteen hundred and sixty-three in the municipal town building, while in the performance of her duty as such employee.

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

Approved August 26, 1965.

Chap. 652. AN ACT PROVIDING FOR THE CONSTRUCTION AND EQUIPPING OF A COURT HOUSE IN THE TOWN OF AYER FOR THE FIRST DISTRICT COURT OF NORTHERN MIDDLESEX AND AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO BORROW MONEY THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established a board consisting of the chairman of the county commissioners of Middlesex county, the probation officer of the first district court of northern Middlesex, and a member of a planning board of a town served by said court to be appointed by the governor. Said board is hereby authorized to advise said county commissioners on the location, construction and equipping of a court house to provide suitable and adequate facilities for the first district court of northern Middlesex at a suitable location in the town of Ayer. Said county commissioners, after consultation with and with the consent of the board established hereunder, are hereby authorized to construct and originally equip such court house. Said commissioners may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any land that may be necessary for the purposes of this act, including a sufficient area for the parking of the motor vehicles of persons in attendance upon said court. Said commissioners may expend for the purposes of this act, including the preparation of plans and specifications in connection therewith and for landscaping, such sums as may be necessary not exceeding, in the aggregate, seven hundred and fifty thousand dollars. Any sums received from the federal government for the purposes of this act shall be included in, and considered a part of, the total amount authorized to be expended hereunder.

SECTION 2. For the purposes authorized by section one, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, seven hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, First District Court of Northern Middlesex Court House Loan, Act of 1965. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than five years

from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

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

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

Approved August 26, 1965.

Chap. 653. AN ACT RELATIVE TO THE PAYMENT OF INTEREST ON JUDGMENTS AGAINST THE COMMONWEALTH IN EMINENT DOMAIN CASES.

Be it enacted, etc., as follows:

SECTION 1. Section 37 of chapter 79 of the General Laws, as most recently amended by section 2 of chapter 548 of the acts of 1964, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence: — 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 such judgment is satisfied, except that a judgment against the commonwealth shall not bear interest if it is satisfied within thirty days of such entry.

SECTION 2. This act shall not apply to judgments entered prior to the effective date of this act. *Approved August 26, 1965.*

Chap. 654. AN ACT DESIGNATING A CERTAIN OVERPASS IN THE TOWN OF MILTON AS THE SERGEANT GEORGE F. BERTRAM MEMORIAL OVERPASS.

Be it enacted, etc., as follows:

The overpass in the town of Milton on Squantum street over the Sergeant William G. Walsh Memorial Expressway shall be known and designated as the Sergeant George F. Bertram Memorial Overpass, in memory of George F. Bertram who was killed in action in World War II while a member of the armed forces of the United States. The department of public works shall attach in a conspicuous place thereon a marker bearing said designation. *Approved August 26, 1965.*

Chap. 655. AN ACT PROVIDING FOR CONTINUITY OF OFFICE IN CASE OF THE ABSENCE, DISABILITY, RESIGNATION OR DEATH OF A COMMISSIONER OR HEAD OF A DEPARTMENT.

Be it enacted, etc., as follows:

Chapter 30 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.* If, during the absence or disability of a commissioner or head of an executive or administrative department or of a director or head of a division in a department, his duties are not specially authorized by law to be performed by another person, the commissioner or head of such department shall designate another person in his department to perform the duties of such person in case of and during such absence or disability, but a person so designated shall have no authority to make permanent appointments or removals. Every such designation shall be subject to approval by the governor, and shall remain in force and effect until revoked by the commissioner or head of such department or by the governor; provided, however, that such designation shall continue after the death of such commissioner or head of department until revoked by his successor.

Approved August 26, 1965.

Chap. 656. AN ACT CREATING IN THE CITY OF BOSTON A NEW DEPARTMENT OF HEALTH AND HOSPITALS UNDER THE CHARGE OF A BOARD, INCORPORATING SAID BOARD FOR CERTAIN PURPOSES, ESTABLISHING NEW DIVISIONS IN THE OFFICE OF THE CITY CLERK AND THE HOUSING INSPECTION DEPARTMENT OF SAID CITY, AND TRANSFERRING TO SAID NEW DEPARTMENT AND DIVISIONS THE FUNCTIONS OF, AND ABOLISHING, THE HEALTH AND HOSPITAL DEPARTMENTS OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. There shall be in the city of Boston, hereinafter called the city, a department, known as the Department of Health and Hospitals, hereinafter called the department, which shall be under the charge of a board, known as the Board of Health and Hospitals, hereinafter called the board, consisting of nine members appointed by the mayor. The members initially appointed shall serve according to the terms of their respective appointments, in the case of three members, for a term expiring five years, in the case of three other members, for a term expiring four years, and in the case of three other members, for a term expiring three years, from May first, nineteen hundred and sixty-five. As the term of any member so appointed, or of any subsequent member, expires, his successor shall be appointed by the mayor for a term of three years. Any vacancy in the office of a member shall be filled by the mayor for the unexpired term.

The mayor shall from time to time designate one of the members of the board as chairman and another as vice-chairman. The board shall elect a secretary who need not be a member of the board. The board may from time to time establish and abolish committees of the board and delegate thereto and recall therefrom one or more of the powers of

the board not delegated to the commissioner or a person in the highest rank or next highest rank below that of commissioner.

The members of the board shall serve without compensation, and shall be deemed to be special municipal employees for the purposes of chapter two hundred and sixty-eight A of the General Laws.

SECTION 2. There shall be in the department an officer, known as the Commissioner of Health and Hospitals, hereinafter called the commissioner, who shall have such of the powers, and perform such of the duties, of the board as the board may from time to time have delegated to him and not recalled, including, while so delegated, the powers and duties of a department head with respect to the acquisition and disposal of property, the making of contracts, and the appointment, compensation, indemnification, promotion, transfer, suspension, lowering in rank or compensation, lay off, discharge, removal, or abolition of the office or position of subordinates, including those of the highest rank, and next highest rank, below that of commissioner; provided, however, that no estimate of appropriations required for the department developed by or under the commissioner shall be submitted to the mayor unless and until the same is approved by the board. The commissioner may from time to time delegate to, and recall from, one or more of the persons in the highest rank and the next highest rank below that of commissioner one or more of his powers; but he shall be responsible for the acts done under such delegation.

As soon as convenient after the effective date of this act, and as the term of any commissioner expires, and whenever there shall be a vacancy in the office of the commissioner from any cause, the board shall, with the approval of the mayor, determine the term, not exceeding five years, for which a commissioner shall be appointed; and a commissioner shall be appointed by the mayor for such term from three, or, if agreeable to the mayor, a lesser number of, candidates nominated by the board. The commissioner shall receive such compensation as the board shall from time to time fix with the approval of the mayor. A commissioner may be removed by the mayor but only for cause after a public hearing of which the commissioner shall be given at least seven days' written notice.

SECTION 3. The board: —

(*a*) shall have the general care and control of the hospital provided for by chapter one hundred and thirteen of the acts of eighteen hundred and fifty-eight and of all branches thereof heretofore or hereafter established and of all other public health facilities of the city;

(*b*) shall have the powers and perform the duties from time to time conferred or imposed on it by statute or ordinance;

(*c*) shall have the powers and perform the duties from time to time conferred or imposed on boards of health of cities in the commonwealth by general laws applicable to the city, except the powers and duties conferred or imposed by section twelve of chapter eighty-three, and section one hundred and twenty-seven of chapter one hundred and eleven, of the General Laws, by sections one hundred and twenty-two, one hundred and twenty-three, one hundred and twenty-four and one hundred and twenty-five of said chapter one hundred and eleven in so far as applicable to places of human habitation, and by section five of said chapter one hundred and eleven in so far as related to (*i*) enforcing so much of the state sanitary code as concerns standards of fitness for

places of human habitation, housing and sanitation standards for farm labor camps, and requirements for the disposal of sanitary sewage in unsewered areas and (*ii*) adopting supplemental public health regulations necessary to make and keep all places of human habitation and farm labor camps fit for human habitation and the disposal of sewage in unsewered areas sanitary;

(*d*) shall have the powers and perform the duties conferred or imposed by general or special law upon the board of health of the city, or the health commissioner of the city, including chapter eighty-nine of the acts of eighteen hundred and eighty-nine, as amended, except the powers and duties conferred or imposed by sections thirteen, fourteen, nineteen, twenty, twenty-one and twenty-two of chapter three hundred and eighty-two of the acts of eighteen hundred and eighty-five, as amended, by chapter one hundred and eighty-five of the acts of eighteen hundred and ninety-seven, by chapter two hundred and nineteen of the acts of eighteen hundred and ninety-seven, as amended, by section one hundred and twenty-eight of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended, and by section one hundred and sixteen or any other provision of the Boston Building Code;

(*e*) shall have power to organize and reorganize the department from time to time into such divisions, bureaus and sections as the board may from time to time determine;

(*f*) shall determine, from time to time, the highest rank and the next highest rank below that of commissioner and subject to the provisions of section three A the number of persons to be respectively employed therein;

(*g*) may from time to time delegate to, and recall from, one or more of the persons in such highest or next highest rank one or more of the powers or duties of the board not delegated to the commissioner;

(*h*) may set up educational requirements for all classes and grades of the following positions in the department, which, in the case of positions subject to the civil service law and rules, shall be deemed to be expressly imposed by statute within the meaning of section six A of chapter thirty-one of the General Laws: — physicians, dentists, nurses, social workers, health educators, bacteriologists, biochemists and chemists, nutritionists and dietitians, physical and occupational therapists, dental hygienists and dental assistants, technicians, pharmacists, accountants, budget analysts, librarians who hold certificates issued by the board of library commissioners, and such other positions subject to the civil service law and rules as the director of civil service may from time to time approve;

(*i*) may make rules and regulations for the government of the department and the officers and employees in its service;

(*j*) shall develop annually in October and submit to the mayor an estimate in detail of the appropriations required for the department for the next fiscal year and shall have the power to expend all appropriations made for the purposes of the department;

(*k*) may make, subject to all applicable statutes and ordinances, such contracts as may be necessary or convenient to operate the public health facilities under the general care and control of the board, including the aforesaid hospital and all branches thereof, and execute the health laws, rules and regulations;

(*l*) may, notwithstanding the provisions of chapter two hundred and twenty-two of the acts of nineteen hundred and forty-nine, fix the

charges to be paid for any article furnished, service rendered or work performed by the department; and

(*m*) may adopt, amend and repeal reasonable health regulations not inconsistent with any public health regulation of the state department of public health or with any other provision of law, and prescribe for any violation of a health regulation made under this clause a fine according to the nature of the offense, but not exceeding five hundred dollars.

The civil service law and rules shall not apply to any person holding a rank determined under clause (*f*) to be the highest rank or next highest rank below that of commissioner. The board may waive residence requirements imposed by the civil service law or rules for any position subject to clause (*h*), which is classified under such law and rules. No person holding any office or position in, or receiving compensation or other remuneration from, any medical school or similar educational institution shall hold any professional or administrative office or position under the board except with the express consent of the board given only after the board determines that such dual office holding is in the public interest.

SECTION 3A. Not more than six persons shall be concurrently employed at any time in the highest rank below that of commissioner. Persons employed in such rank shall include a person experienced in medical administration of hospitals, a person experienced in administration of community health services, a person experienced in planning and evaluating medical institutions and programs, and a person experienced in business management of medical institutions.

SECTION 4. Chapter 174 of the acts of 1880 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* The Board of Health and Hospitals for the time being is hereby made a corporation by the name of Trustees of Health and Hospitals of the City of Boston; and said board and its successor shall continue a body corporate for the purposes hereinafter set forth, with all the powers and privileges, and subject to all the duties, restrictions and liabilities in the general laws relating to such corporations.

SECTION 5. Section 2 of said chapter 174 is hereby amended by striking out the first sentence, as appearing in chapter 215 of the acts of 1932, and inserting in place thereof the following sentence: — Said corporation shall have authority to take and hold real and personal estate to an amount not exceeding ten million dollars, which may be given, granted, bequeathed or devised to it, and accepted by the Board of Health and Hospitals for any purpose connected with the public health or with any hospital owned and operated by the city of Boston.

SECTION 6. Said section 2 of said chapter 174 is hereby further amended by adding the following paragraph: —

Said corporation shall, in addition, have authority for any purpose aforesaid to contract with, or to accept grants or gifts from, governments or governmental agencies, charitable foundations, private corporations or individuals, and to hold and expend the funds received under such contracts, grants or gifts.

SECTION 7. There shall be in the office of the city clerk of the city a division, known as the registry division, under the charge of a city registrar appointed by the mayor subject to the civil service law and rules. The city registrar shall have the powers, and perform the duties, of a department head with respect to the acquisition and disposition of

property for such division, the making of contracts therefor, and the appointment, compensation, indemnification, promotion, transfer, suspension, lowering in rank or compensation, lay off, discharge, removal, or abolition of the office or position of subordinates, including not more than three assistant registrars appointed subject to the approval of the mayor. The city registrar shall have custody of all records, books and papers belonging to the city, relating to births, marriages and deaths, shall have the powers and perform the duties from time to time conferred or imposed on clerks of towns in the commonwealth by chapter forty-six, and by section sixteen of chapter sixty-six, of the General Laws. The certificate or attestation of an assistant city registrar shall have the same force and effect as that of the city registrar. The official seal which the city shall provide for use by the city registrar and assistant registrars shall be in the form prescribed by section four of chapter thirty-four of the Revised Ordinances of 1898 as appearing in chapter four of the Ordinances of 1902. The city registrar shall file annually with the city clerk a statement of the number of births, marriages and deaths recorded in his office during the previous year; and said city clerk shall include such statement in his annual report.

SECTION 8. There shall be in the housing inspection department of the city a division, known as the weights and measures division, under the charge of a sealer appointed by the mayor subject to the civil service law and rules. The mayor may likewise subject to the civil service law and rules appoint for such bureau a chief deputy sealer and not exceeding seventeen deputy sealers. The sealer shall have the powers and perform the duties from time to time conferred or imposed by general laws applicable to the city on sealers appointed under section thirty-four of chapter ninety-eight of the General Laws, shall have direction of the deputy sealers, shall keep records showing the work done and the fees earned, in the weights and measures division, and shall daily pay over to the collector-treasurer of the city all fees received by him or the deputy sealers, who shall perform the work respectively assigned to them by the sealer and shall daily pay over to him all fees received by them.

SECTION 9. The health department of the city and the hospital department of the city are hereby respectively abolished. All powers, duties and appropriations of said hospital department and all powers, duties and appropriations of said health department except the powers, duties and appropriations of its registry division and its weights and measures division and except also the powers and duties expressly excluded by section three of this act, are hereby transferred to the Board of Health and Hospitals created by section one of this act; and every person holding in said hospital department and in said health department, exclusive of its registry division and its weights and measures division, an office or position subject to the civil service law and rules shall be transferred without civil service examination or registration to a similar office or position in the department of health and hospitals without impairment of his civil service rights or his retirement, seniority, vacation or sick leave rights; and his services shall be deemed to have been continuous to the same extent as if such abolition had not taken place. The powers, duties and appropriations of the registry division of said health department are hereby transferred to the registry division created by section seven of this act in the office of the city clerk of the city; and every person holding in the registry division of said health

department an office or position subject to the civil service law and rules shall be transferred without civil service examination or registration to the same office or position in the registry division in the office of the city clerk without impairment of his civil service rights or his retirement, seniority, vacation or sick leave rights; and his services shall be deemed to have been continuous to the same extent as if such abolition had not taken place. The powers, duties and appropriations of the weights and measures division of said health department are hereby transferred to the weights and measures division created by section eight of this act in the housing inspection department of the city; and every person holding in the weights and measures division of said health department an office or position subject to the civil service law and rules shall be transferred without civil service examination or registration to the same office or position in the weights and measures division in the housing inspection department without impairment of his civil service rights or his retirement, seniority, vacation or sick leave rights; and his services shall be deemed to have been continuous to the same extent as if such abolition had not taken place.

SECTION 10. Chapter ten of the acts of seventeen hundred and ninety-nine, chapters eleven and one hundred and twenty-five of the acts of eighteen hundred and three, chapters ten and one hundred and twenty-four of the acts of eighteen hundred and nine, chapter forty-four of the acts of eighteen hundred and sixteen, section four of chapter twenty-eight of the acts of eighteen hundred and twenty-four, section forty of chapter four hundred and forty-eight of the acts of eighteen hundred and fifty-four, chapter four of the acts of eighteen hundred and seventy-three, sections three, four, five, six and seven of chapter one hundred and seventy-four of the acts of eighteen hundred and eighty, sections one, three, eleven, twelve, fifteen, sixteen, seventeen, eighteen and twenty-three of chapter three hundred and eighty-two of the acts of eighteen hundred and eighty-five, as amended, section seven of chapter four hundred and fifty of the acts of eighteen hundred and eighty-nine, as amended, chapter three hundred and forty-two of the acts of eighteen hundred and ninety-three, section nineteen of chapter four hundred and forty-nine of the acts of eighteen hundred and ninety-five, as amended, chapter thirty-two and sections six, seven and eight of chapter one hundred and sixty-three of the Special Acts of nineteen hundred and nineteen, and chapter three hundred and twenty-six of the acts of nineteen hundred and forty-three are hereby repealed.

SECTION 11. This act shall take effect upon its acceptance by the mayor and city council of the city of Boston.

Approved August 26, 1965.

Chap. 657. AN ACT RELATIVE TO THE TRANSFER OF ASSETS BY APPLICANTS FOR MEDICAL ASSISTANCE FOR THE AGED.

Be it enacted, etc., as follows:

SECTION 1. Section 18 of chapter 118A of the General Laws, as amended by chapter 591 of the acts of 1964, is hereby further amended by adding the following sentence: — No assistance shall be granted to an applicant who, at any time within one year immediately prior to the filing of an application for such assistance, has made an assignment or

transfer of personal property so as to render himself eligible for such assistance.

SECTION 2. Said chapter 118A is hereby further amended by striking out section 24, as appearing in section 8 of chapter 781 of the acts of 1960, and inserting in place thereof the following section: — *Section 24.* The ownership by an applicant for or a recipient of medical assistance for the aged of an interest in vacant land from which no income is derived, or the ownership of an interest in real estate by an applicant for or recipient of medical assistance for the aged who resides thereon or who, in the opinion of the board, is residing elsewhere than on such real estate because of physical or mental incapacity, shall not disqualify him from receiving such assistance. *Approved August 26, 1965.*

Chap. 658. AN ACT AUTHORIZING THE CITY OF MALDEN TO PAY A CERTAIN SUM OF MONEY TO THE WIDOW OF FREDERICK A. FISHER, A FORMER CONTROLLER OF ACCOUNTS OF SAID CITY.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation, the city of Malden, after appropriation, is hereby authorized to pay to Margaret Fisher, the widow of Frederick A. Fisher, a former controller of accounts of said city, the sum of five hundred seventeen dollars and eighty cents in lieu of vacation leave to which he was entitled for the year nineteen hundred and sixty-three, but which he had not taken before his death on January twenty-fifth, nineteen hundred and sixty-four.

Approved August 26, 1965.

Chap. 659. AN ACT ENLARGING THE TERRITORY WITHIN WHICH THE BOSTON JUVENILE COURT SHALL HAVE AND EXERCISE JURISDICTION.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 76 of the General Laws is hereby amended by striking out the third sentence, added by section 1 of chapter 241 of the acts of 1947, and inserting in place thereof the following sentence: — The Boston juvenile court shall have jurisdiction, concurrent with the municipal court of the city of Boston and the municipal court of the Roxbury district, of complaints hereunder.

SECTION 2. Section 52 of chapter 119 of the General Laws is hereby amended by striking out the definition of "Court", as appearing in the Tercentenary Edition, and inserting in place thereof the following definition: —

"Court", the Boston juvenile court or a district court, except the municipal court of the city of Boston and the municipal court of the Roxbury district.

SECTION 3. Section 63 of said chapter 119 is hereby amended by striking out the last sentence, as appearing in section 1 of chapter 95 of the acts of 1932, and inserting in place thereof the following sentence: — The Boston juvenile court shall have jurisdiction, concurrent with the municipal court of the city of Boston and the municipal court of the Roxbury district, of complaints hereunder.

SECTION 4. Section 1 of chapter 218 of the General Laws is hereby amended by striking out the seventh paragraph under the caption

Suffolk, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph: —

The municipal court of the Roxbury district, held at Roxbury in Boston; wards nineteen, twenty, twenty-one and twenty-two of Boston as they existed on February first, eighteen hundred and eighty-two; excepting cases of juvenile offenders under seventeen and cases of neglected, wayward or delinquent children.

SECTION 5. Said chapter 218 is hereby further amended by striking out section 57, as so appearing, and inserting in place thereof the following section: — *Section 57.* The Boston juvenile court, established by section one of chapter four hundred and eighty-nine of the acts of nineteen hundred and six, shall continue to have and exercise jurisdiction within the same territorial limits as are prescribed for the criminal jurisdiction of the municipal court of the city of Boston, and shall also have and exercise jurisdiction within the territorial limits of wards nineteen, twenty, twenty-one and twenty-two of Boston as they existed on February first, eighteen hundred and eighty-two.

SECTION 6. Said chapter 218 is hereby further amended by striking out section 60, as most recently amended by section 11 of chapter 308 of the acts of 1964, 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 and the municipal court of the Roxbury district, over cases of juvenile offenders under seventeen and 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 7. Notwithstanding any provision of this act to the contrary, the municipal court of the Roxbury district shall retain jurisdiction of all cases of neglected, wayward or delinquent children which are pending therein on the effective date of this act until final disposition thereof. *Approved August 26, 1965.*

Chap. 660. AN ACT PROVIDING FOR THE CONSTRUCTION AND EQUIPPING OF A COURT HOUSE IN THE TOWN OF MILFORD FOR THE THIRD DISTRICT COURT OF SOUTHERN WORCESTER AND AUTHORIZING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO BORROW MONEY THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established a board consisting of the chief of police, town counsel, and town moderator, of the town of Milford, the district attorney for the middle district, or his designee, and the chairman of the county commissioners of Worcester county. Said board shall advise said county commissioners on the location, construction and equipping of a court house to provide suitable and adequate facilities for the third district court of southern Worcester at an appropriate location in the town of Milford. Said county commissioners, after consultation with and with the consent of the board established hereunder, are hereby authorized to construct and originally equip such court house. Said commissioners may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any land

that may be necessary for the purposes of this act, including a sufficient area for the parking of the motor vehicles of persons in attendance upon said court. Said commissioners may expend for the purposes of this act, including the preparation of plans and specifications in connection therewith and for landscaping, such sums as may be necessary, not exceeding, in the aggregate, seven hundred and fifty thousand dollars. Any sums received from the federal government for the purposes of this act shall be included in, and considered a part of, the total amount authorized to be expended hereunder.

SECTION 2. For the purposes authorized by section one, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, seven hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Third District Court of Southern Worcester Loan, Act of 1965. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than five years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

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

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

Approved August 30, 1965.

Chap. 661. AN ACT AUTHORIZING THE INTRODUCTION OF REPRODUCTIONS OF CERTAIN DOCUMENTS IN EVIDENCE IN ANY JUDICIAL OR ADMINISTRATIVE PROCEEDING.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that microfilm documents be admissible in evidence in any judicial or administrative proceeding, 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 233 of the General Laws is hereby amended by striking out section 79E, as most recently amended by chapter 90 of the acts of 1962, and inserting in place thereof the following section: — *Section 79E.* If any business, institution, member of a profession or calling, or any department or agency of government, in the regular course of business or activity, has kept or recorded any memorandum, writing entry, print, representation or combination thereof, of any act, transaction, occurrence or event, and in the regular course of business has caused any or

all of the same to be recorded, copied or reproduced by any photographic, photostatic, microfilm, microcard, miniature photographic, or other process which accurately reproduces or forms a durable medium for so reproducing the original, the original may be destroyed in the regular course of business unless held in a custodial or fiduciary capacity or unless its preservation is required by law. Such reproduction, when satisfactorily identified, shall be as admissible in evidence as the original itself in any judicial or administrative proceeding whether the original is in existence or not and an enlargement or facsimile of such reproduction shall be likewise admissible in evidence if the original reproduction is in existence and available for inspection under direction of the court. The introduction of a reproduced record, enlargement or facsimile, shall not preclude admission of the original. *Approved August 30, 1965.*

Chap. 662. AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF EASTHAM MAY APPROPRIATE FOR MUNICIPAL ADVERTISING PURPOSES AND FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. The town of Eastham may, by a majority vote, appropriate each year a sum not exceeding twenty-five hundred dollars for advertising the advantages of the town and for providing amusements or entertainments of a public character. The money so appropriated by the town shall be expended under the direction of the board of selectmen.

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

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

Approved August 30, 1965.

Chap. 663. AN ACT VALIDATING CERTAIN ACTS AND PROCEEDINGS TAKEN AT THE ANNUAL TOWN MEETING OF THE TOWN OF LUDLOW IN THE YEAR NINETEEN HUNDRED AND SIXTY.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings taken by the town of Ludlow at its annual town meeting held on March twenty-first, nineteen hundred and sixty in voting to accept the provisions of chapter sixty-two of the acts of nineteen hundred and sixty are hereby validated and confirmed in all respects, notwithstanding the failure of said town to comply with the law relative to giving notice of the proposed acceptance of said chapter sixty-two in the call and warrant for said meeting.

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

Approved August 30, 1965.

Chap. 664. AN ACT ELIMINATING THE REQUIREMENT THAT CERTAIN ACCIDENT REPORTS SHALL BE FOR THE SOLE USE OF THE REGISTRAR OF MOTOR VEHICLES AND THE POLICE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to repeal prior to the commencement of the court year a certain act of the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 26 of chapter 90 of the General Laws is hereby amended by striking out the paragraph inserted by chapter 270 of the acts of 1965.

Approved August 30, 1965.

Chap. 665. AN ACT PLACING THE SUPERVISION OF MINK RANCHES UNDER THE DEPARTMENT OF AGRICULTURE.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 6A of chapter 21 of the General Laws, as appearing in section 1 of chapter 631 of the acts of 1953, is hereby amended by adding after the word "thereof", in line 7, the following: — , except that the provisions of section one hundred and five A of chapter one hundred and thirty-one shall be enforced by the department of agriculture.

SECTION 2. Section 105A of chapter 131 of the General Laws, inserted by chapter 424 of the acts of 1950, is hereby amended by striking out the last four sentences and inserting in place thereof the following five sentences: — Each mink ranch shall be listed with the department of agriculture on or before February first of each year, and the premises and the breeding records may be inspected by the commissioner of agriculture or his agents at any reasonable time. The fee for such listing shall be three dollars annually for which fee a certificate shall be issued by the department of agriculture. Such certificate shall be posted in a conspicuous place on the premises at all times. The burden shall be upon the owner of such a ranch to prove that all mink possessed are domesticated as defined above. Whoever violates this section shall be punished by a fine of not more than one hundred dollars.

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

Approved August 30, 1965.

Chap. 666. AN ACT AUTHORIZING THE CITY OF NORTHAMPTON TO PAY CERTAIN SUMS OF MONEY TO CERTAIN RETIRED EMPLOYEES OF SAID CITY.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the city of Northampton is hereby authorized to pay to each of the following named retired employees of said city the several sums set opposite their names, representing additional amounts of pensions or retirement allowances to which they were severally entitled for periods prior to the year nineteen hundred and sixty-three, but which were not paid to them: —

William A. Brisbois	$318.78
Arthur S. Britt	169.56
Christian E. Dieter	377.92
Paul J. Driscoll	560.16
Charles C. Lynch	173.80
Cornelius O'Keefe	492.48
Denis J. Walsh, Sr.	553.38
John W. Zalesky	101.80

Approved August 30, 1965.

Chap. 667. AN ACT RELATIVE TO THE ACCEPTANCE BY THE TOWN OF GREENFIELD OF THE PROVISIONS OF LAW ESTABLISHING MINIMUM ANNUAL COMPENSATION FOR REGULAR POLICE OFFICERS.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of any general or special law, the following question shall be placed upon the official ballot to be used for the election of town officers at the annual town meeting to be held in the town of Greenfield in the year nineteen hundred and sixty-six: — "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 Greenfield shall be not less than fifty-five hundred dollars for the first year of service, six thousand dollars for the second year of service, and sixty-three hundred dollars for the third and each succeeding year of service?" If a majority of the votes in answer to said question is in the affirmative, said section shall thereupon become effective in said town. *Approved August 30, 1965.*

Chap. 668. AN ACT DESIGNATING THE RECEPTION-DETENTION CENTER OF THE DIVISION OF YOUTH SERVICE IN THE CITY OF BOSTON AS THE JUDGE JOHN J. CONNELLY YOUTH CENTER.

Be it enacted, etc., as follows:

The reception-detention center for boys of the division of youth service in the city of Boston shall be known and designated as the Judge John J. Connelly Youth Center. Said division shall erect at said center a suitable tablet or marker bearing said designation.

Approved August 30, 1965.

Chap. 669. AN ACT AUTHORIZING THE COMMISSIONER OF NATURAL RESOURCES TO SELL A CERTAIN PARCEL OF LAND IN THE TOWN OF NATICK TO SILVANO A. MELCHIORRI AND LILLIAN E. MELCHIORRI.

Be it enacted, etc., as follows:

The commissioner of natural resources, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor, to sell and convey to Silvano A. Melchiorri and Lillian E. Melchiorri, husband and wife, all the right, title and interest of the commonwealth in and to the following parcel of land situated in the town of Natick, bounded and described as follows: — Beginning at a point at the Southwesterly corner of West Central Street and Speen Street in said Natick; thence going Southwesterly along said Speen Street 181.5 feet, more or less, to a stone bound; thence turning and running Northwesterly 78°, 48′, 15″ 319.82 feet to a stone bound; thence turning and running Northwesterly 8°, 48′, 45″ 109.62 feet to a stone bound; thence continuing in the same direction for five feet, more or less, to a point on the Southerly side of said West Central Street; thence turning and running Easterly along said West Central Street 347 feet, more or less, to the point of beginning. Said parcel contains .54 acres.

The commissioner may obtain the services of an appraiser to assist him in determining the fair value of said land.

Approved August 30, 1965.

Chap. 670 AN ACT DEFINING DEALERS IN AIRCRAFT AS USED IN THE LAWS RELATIVE TO AERONAUTICS AND PROVIDING FOR THE REGISTRATION OF THE FEDERAL CERTIFICATES OF SUCH DEALERS.

Be it enacted, etc., as follows:

SECTION 1. Section 35 of chapter 90 of the General Laws is hereby amended by adding after paragraph (*p*), added by chapter 292 of the acts of 1947, the following paragraph: —

(*q*) "Dealer in aircraft" or "aircraft dealer", any person who engages in a business a substantial part of which consists of the manufacture, sale, or exchange of aircraft.

SECTION 2. Section 49 of said chapter 90, as amended by chapter 590 of the acts of 1964, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: — Each resident airman, and owner and operator, or owner or operator, of all aircraft and dealer in aircraft shall register the federal certificate of said airman, aircraft or dealer in aircraft in such manner as the commission may by regulation prescribe.

SECTION 3. Said section 49 of said chapter 90 is hereby further amended by striking out paragraphs (*b*) and (*c*), as so appearing, and inserting in place thereof the following two paragraphs: —

(*b*) Subject to the limitations of 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. Every person who is a dealer in aircraft shall register his federal dealer's aircraft registration certificate with the commission. 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. The commission may charge for the registration of each federal dealer's aircraft registration certificate the sum of forty dollars, and twenty dollars for each aircraft in his possession operated solely for the purpose of sale or demonstration. 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, an aircraft, or a dealer in aircraft.

SECTION 4. Paragraph (*e*) of said section 49 of said chapter 90, as so appearing, is hereby amended by striking out clause (4) and inserting in place thereof the following clause: —

(4) an aircraft engaged principally in federally certificated scheduled airline operation having a certificate of public convenience and necessity issued by the Civil Aeronautics Board of the United States or its successor;. *Approved August 30, 1965.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, September 7, 1965.

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

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 670 of the Acts of 1965 entitled "An Act Defining Dealers in Aircraft as used in the Laws relative to Aeronautics and Providing for the Registration of the Federal Certificates of Such Dealers." and the enactment of which received my approval on August 30, 1965, 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:

By reason of the technical flaw in the existing law, fees which would otherwise be collected by the statute are being evaded. Consequently, the above mentioned bill should take immediate effect.

Sincerely,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, September 7, 1965.

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

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 671. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO PAY A SUM OF MONEY TO FRANCIS BLANCHARD ON ACCOUNT OF INJURIES SUSTAINED BY HIM ON THE PREMISES OF THE FITCHBURG VOCATIONAL SCHOOL.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation, the city of Fitchburg may appropriate and pay a sum, not exceeding four thousand dollars, to Francis Blanchard, on account of injuries sustained by him,

resulting in the loss of an eye, due to an accident which occurred on February eleventh, nineteen hundred and fifty-nine on the premises of the Fitchburg Vocational School and while he was a student at said school. *Approved August 30, 1965.*

Chap. 672. AN ACT AUTHORIZING THE CITY OF FALL RIVER TO BORROW MONEY OUTSIDE ITS DEBT LIMIT FOR THE PURPOSE OF CONSTRUCTING A PUBLIC WORKS OPERATIONAL CENTER AND AN INCINERATOR.

Be it enacted, etc., as follows:

SECTION 1. The city of Fall River may, within a period of five years from 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, three million five hundred thousand dollars, to construct, originally equip and furnish a public works operational center and to construct an incinerator for the disposal of waste, refuse and garbage, including the cost of surveys, engineering fees, architects' fees, legal fees, plans and supervision incidental to said project and also the repayment of any advances of federal funds for surveys and planning thereof. Said city may issue bonds or notes therefor which shall bear on their face the words, Fall River Garage and Incinerator Loan, Act of 1965. 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 for by chapter forty-four of the General Laws, but shall, except as provided herein, be subject to the provisions of said chapter forty-four excluding, however, the limitations contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its acceptance by the city of Fall River. *Approved August 30, 1965.*

Chap. 673. AN ACT FURTHER EXTENDING THE TIME WITHIN WHICH AN ACT MAKING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-SIX PRIOR TO FINAL ACTION ON THE GENERAL APPROPRIATION BILL FOR SAID YEAR SHALL BE OPERATIVE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 579 of the acts of 1965 is hereby amended by striking out the first sentence, as amended by section 1 of chapter 607 of the acts of 1965, and inserting in place thereof the following sentence: — Notwithstanding any provision of law to the contrary, the provisions of House Bill numbered 3939, as amended and passed to be engrossed by the House of Representatives, making appropriations for the fiscal year nineteen hundred and sixty-six for the maintenance of departments, boards, commissions, institutions, and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements, and for certain permanent improvements, are hereby incorporated herein by reference and shall be effective on the passage of this act; provided, that expenditures thereunder shall be limited to the

amounts made available by allotment by the governor upon recommendation of the commissioner of administration; and provided, further, that said commissioner is hereby directed to limit the amount so allotted to those appropriation accounts essential for the maintenance of services during the months of July, August and September.

SECTION 2. Said chapter 579 is hereby further amended by striking out section 2, as amended by section 1A of said chapter 607, and inserting in place thereof the following section: — *Section 2.* This act shall cease to be operative upon the enactment into law of the general appropriation bill for the fiscal year nineteen hundred and sixty-six or on September thirtieth, nineteen hundred and sixty-five, whichever is the earlier, and all action taken under this act shall apply against said appropriation act.

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

Approved August 31, 1965.

Chap. 674. AN ACT FURTHER EXTENDING THE TIME WITHIN WHICH CERTAIN SEWERAGE PROJECTS AND WORKS IN THE METROPOLITAN SEWERAGE DISTRICT MAY BE UNDERTAKEN AND COMPLETED.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 2 of chapter 645 of the acts of 1951, as appearing in section 1 of chapter 649 of the acts of 1958, is hereby amended by striking out, in line 8, the word "sixty-five" and inserting in place thereof the word: — sixty-eight.

SECTION 2. The authorization contained in section two of chapter six hundred and forty-nine of the acts of nineteen hundred and fifty-eight, relative to expending any balances of the bond funds mentioned therein which remain unexpended, is hereby extended to June thirtieth, nineteen hundred and sixty-eight.

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

Approved September 1, 1965.

Chap. 675. AN ACT ESTABLISHING THE OFFICE OF FIRST ASSISTANT CHIEF PROBATION OFFICER IN CERTAIN COURTS.

Be it enacted, etc., as follows:

Section 83 of chapter 276 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 272 of the acts of 1957, and inserting in place thereof the following sentence: — In a probation office of any court, other than the municipal court of the city of Boston, having two or more probation officers, one may be designated as chief probation officer; in any such probation office having six or more probation officers, for each six such officers, one may be designated as assistant chief probation officer; and in any such probation office having three or more assistant chief probation officers, one may be designated first assistant chief probation officer.

Approved September 1, 1965.

Chap. 676. AN ACT REGULATING THE IDENTITY AND QUANTITY OF COMMODITIES OTHER THAN FOOD WHICH ARE PACKAGED FOR SALE AT RETAIL.

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by striking out section 181, as most recently amended by chapter 244 of the acts of 1960, and inserting in place thereof the following section: — *Section 181.* Subject to the variations, tolerances and exemptions provided for by section one hundred and eighty-two, no person shall himself or by his agent or servant sell or offer for sale food in package form unless the net quantity of the contents is plainly and conspicuously marked on the outside of the package in terms of weight, measure or numerical count. No person shall himself or by his agent or servant sell or offer for sale at retail any meat, poultry or edible fish, except soft shell clams and oysters, in package form unless there is plainly and conspicuously marked on the outside of such package the price per pound of the contents and the total sales price. The first sentence of this section shall not apply to retail sales of food made from bulk if the quantity is weighed, measured or counted at the time of such sale by the retailer, nor to the sale of milk, cream or buttermilk in glass jars, as provided by section fifteen of chapter ninety-eight.

Any commodity put up or packaged in any manner in advance of sale at retail shall bear on the outside of the package a plain and conspicuous declaration of the identity and the net quantity of the contents. The declaration of identity shall identify such commodity by its common or usual name, description, generic term, or the like, unless such commodity may be easily identified through the wrapper or container. The declaration of quantity shall disclose the net quantity of the commodity. The term "net quantity" as used in this section shall mean the quantity of the commodity in the package, exclusive of wrappers and other material packed with such commodity, except that the declaration of quantity on an aerosol package shall disclose the net quantity of the commodity, including the propellant. The declaration of quantity shall be expressed in terms of such weight, measure or count, or a combination of such weight, measure or count, as are firmly established by general consumer usage and trade custom and convey accurate information relative to the quantity or amount of the commodity. If there is no established consumer usage and trade custom with respect to the terms used in such declaration of quantity, the declaration shall, if the commodity is solely liquid, be in terms of liquid measure; otherwise, in terms of weight, except that if a commodity is packaged in an aerosol container, the commodity, including the propellant, shall be in terms of weight, and if the commodity is cloth or yard goods, the declaration shall be in terms of linear measure.

The director of standards and necessaries of life shall enforce this section and sections one hundred and eighty-two to one hundred and eighty-four, inclusive. *Approved September 1, 1965.*

Chap. 677. AN ACT AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF MENTAL HEALTH AND THE SUPERINTENDENTS OF EACH INSTITUTION TO ENDORSE AND DEPOSIT CHECKS BELONGING TO PATIENTS.

Be it enacted, etc., as follows:

Section 39 of chapter 123 of the General Laws, as most recently amended by section 6 of chapter 126 of the acts of 1954, is hereby further amended by adding the following sentence: — The superintendent of each state hospital or the commissioner, if he deems it to be for the best interest of the patient, may endorse for deposit only in the account entitled "Patients' Funds", checks not exceeding two hundred dollars in value, belonging to patients committed to the state hospitals or to the custody of the department who are unable, or refuse to endorse such checks for the purpose of depositing them in such account.

Approved September 1, 1965.

Chap. 678. AN ACT ESTABLISHING A DIVISION OF FAIRS WITHIN THE DEPARTMENT OF AGRICULTURE.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 20 of the General Laws, as appearing in section 1 of chapter 674 of the acts of 1954, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The commissioner shall organize the department into divisions, including a division of dairying and animal husbandry, a division of livestock disease control, a division of plant pest control, a division of fairs, a division of markets, and such other divisions as he may from time to time determine, and shall assign to said divisions their functions.

SECTION 2. Chapter 128 of the General Laws is hereby amended by striking out section 16, as amended by section 32 of chapter 490 of the acts of 1941, and the caption preceding said section, and inserting in place thereof, under the caption DIRECTOR OF THE DIVISION OF PLANT PEST CONTROL, the following section: — *Section 16.* The director of the division of plant pest control and his assistants may at all times enter any public or private grounds in the performance of any duties required by sections seventeen to thirty-one, inclusive.

SECTION 3. Said chapter 128 is hereby further amended by inserting after section 38, under the caption DIRECTOR OF THE DIVISION OF FAIRS, the following section: —

Section 38A. The director of the division of fairs shall supervise the establishment and holding of fairs for the encouragement or extension of agriculture.

Approved September 1, 1965.

Chap. 679. AN ACT RELATIVE TO THE ACCELERATED HIGHWAY PROGRAM.

Be it enacted, etc., as follows:

SECTION 1. The state department of public works, hereinafter called the department, and the metropolitan district commission, hereinafter

called the commission, are hereby authorized and directed to expend a sum, not to exceed three hundred and twenty million dollars, for projects for the laying out, construction, reconstruction, resurfacing, relocation or improvement of highways, parkways, bridges, grade crossing eliminations and alteration of crossings at other than grade, and for construction of needed improvements on other through routes not designated as state highways and without acceptance by the commonwealth of responsibility for maintenance; provided, that any portion of the sum authorized herein may be used in conjunction with county, city or town funds, and for traffic safety devices on state highways, parkways and on roads constructed under the provisions of section thirty-four of chapter ninety of the General Laws, and for traffic studies; provided, further, that when dwellings or other structures are removed the excavations or cellar holes remaining shall be filled in and brought to grade within one month.

Funds authorized in this section shall, except as otherwise specifically provided in this act, be subject to the provisions of the last paragraph of section one of chapter seven hundred and eighteen of the act of nineteen hundred and fifty-six, the first paragraph of section six of said chapter seven hundred and eighteen, and sections seven and nine of said chapter seven hundred and eighteen.

SECTION 2. Pursuant to the provisions of section one, the department is hereby authorized and directed to expend a sum, not less than sixty million dollars, for projects in the following four areas: not less than fifteen million dollars of said sum shall be expended in the area west of the Connecticut river, including therein any bridges across said river with their approaches and connections; not less than fifteen million dollars in the area lying between the Connecticut river and the easterly boundary line of Worcester county; not less than fifteen million dollars in the area comprising Essex, Middlesex and Norfolk counties and not less than fifteen million dollars in the area comprising Bristol, Plymouth, Barnstable, Dukes and Nantucket counties.

SECTION 3. No payment in excess of twenty thousand dollars by way of purchase of real estate or any interest therein shall be made, and no settlement in excess of twenty thousand dollars shall be made out of court for damages recoverable under chapter seventy-nine of the General Laws, in excess of the amount recommended by the real estate review board established by section six of chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six, by reason of a purchase or taking under this act or under chapter eight hundred and twenty-two of the acts of nineteen hundred and sixty-three. Each recommendation of said real estate review board shall be in writing and shall be accompanied by a written statement indicating the reasons for such recommendations.

No settlement, by reason of a taking under this act or under said chapter eight hundred and twenty-two in excess of twenty thousand dollars and in excess of the recommendation of the real estate review board, shall be made by agreement of the parties during or after trial except with the written approval of the court; provided, that settlements in excess of the recommendation of the board may be made without such approval if the settlement does not exceed the amount of any verdict or finding which may have been rendered, together with interest and costs.

The department is hereby ordered and directed to file reports of all payments in excess of ten thousand dollars for damages resulting from a taking or for a purchase under this act or under said chapter eight hundred and twenty-two with the clerk of the house of representatives and with the clerk of the senate not later than ninety days after payment. Such reports shall contain the amount of the payment, an affidavit that the amount was not in excess of the amount recommended by the board if payment in excess of said amount is prohibited hereunder, by whom and in what manner settled, the name of the owner or owners of the land involved, and a description of said land sufficient to identify it.

SECTION 4. Pursuant to the provisions of section one, the commission is hereby authorized and directed to expend a sum, not to exceed fifteen million dollars, for projects of the commission in the area set forth in the "Master Highway Plan for the Boston Metropolitan Area", as established and defined in Exhibit B of House Document No. 1767 of the year nineteen hundred and forty-eight, and including the project authorized by chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-four.

SECTION 5. Pursuant to the provisions of section one of this act, the department is hereby authorized and directed to apportion the sum of fifteen million dollars among the several cities and towns, each city and town to receive the amount set forth in the schedule for each city and town in section five A of chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six.

The department shall certify said apportionment to the comptroller, and such sums approved by the department not exceeding five million dollars shall be made available for distribution on or before December first, nineteen hundred and sixty-five; a maximum of not more than ten million dollars on or before December first, nineteen hundred and sixty-six; and the entire sum authorized by this section on or before December first, nineteen hundred and sixty-seven. The sums received by each city and town hereunder shall be used only for the purposes for which said city or town may borrow money within its debt limit under clause (5) of section seven of chapter forty-four of the General Laws, or for the construction under section thirty-four of chapter ninety of the General Laws of town highways of a type equal to that currently used by said town as approved by the department, or for the erection or maintenance of traffic lights; provided, however, that such sums shall not be available for the construction, surfacing or resurfacing of off-street parking areas.

Said sums may be expended by a city or town for the aforesaid purposes in addition to any federal funds allocated to such city or town and available for such expenditure; provided, that such city or town may elect to expend any part of the sum allocated to it at any time prior to June thirtieth, nineteen hundred and sixty-eight. Any unexpended balances remaining on said June thirtieth shall be refunded to the department forthwith, to be applied as refunds of amounts expended under this section.

SECTION 6. The department shall accept any federal funds available for projects authorized in section one of this act and such federal funds when received shall be credited to the Highway Fund. To meet a portion of the expenditures authorized by section one of this act there is hereby appropriated from the Highway Fund the sum of two hundred million dollars.

SECTION 7. In anticipation of the receipt of the federal funds authorized to be expended from the Highway Fund pursuant to section five, the state treasurer may borrow, from time to time, on the credit of the commonwealth, such sums of money as may be necessary for the purpose of meeting payments authorized by this act, and may issue and renew as hereinafter provided, notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer.

Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth; provided, that the total amount of such notes, outstanding at any one time, shall not exceed fifty million dollars, and the final maturity of such notes whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-nine. All payments on account of principal on such notes shall be repaid from the Highway Fund; provided, that notwithstanding any provision of this act, such notes shall be general obligations of the commonwealth.

SECTION 8. Any amounts made available by this act, or heretofore made available by section one of chapter eight hundred and twenty-two of the acts of nineteen hundred and sixty-three, shall be available for expenditure until June thirtieth, nineteen hundred and seventy.

SECTION 9. In anticipation of the issue of bonds authorized in section ten, the state treasurer may borrow, from time to time, on the credit of the commonwealth, such sums of money as may be necessary for the purpose and may issue and renew as hereinafter provided, notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer.

Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth; but the final maturity of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-nine. Notwithstanding the provisions of this act such notes shall be general obligations of the commonwealth.

SECTION 10. To meet a portion of the expenditures necessary in carrying out the provisions of section one of this act, or to refinance notes issued as provided in section nine of this act, the state treasurer shall upon request of the governor, 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 from time to time, but not exceeding, in the aggregate, the sum of one hundred and twenty million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Highway Improvement Loan, Act of 1965, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer

it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and eighty-nine. All interest payments and payments on account of principal on such bonds shall be payable from the Highway Fund; provided, that notwithstanding the foregoing, such bonds shall be general obligations of the commonwealth.

SECTION 11. The department and the commission shall include in the notice required under the provisions of section seven C of chapter seventy-nine of the General Laws a statement informing the owner of property taken under the provisions of said chapter for the purpose of constructing any project authorized by this act of his rights for pro tanto payment under the provisions of section eight A of said chapter. The department and the commission shall, notwithstanding the limitations of said section eight A, make available for payment within three months of the date of notice of taking such funds as may be required under the provisions of said section.

SECTION 12. Section 33 of chapter 90 of the General Laws is hereby amended by striking out subdivisions (1) through (6), inclusive, and inserting in place thereof the following subdivisions: —

(1) For the registration of every nongasoline driven automobile used for the transportation of goods, wares or merchandise except an electric motor truck or an electric commercial automobile, twenty dollars, or, in the case of an electric motor truck or an electric commercial automobile so used, ten dollars, and of every gasoline driven automobile so used, six dollars, for every one thousand pounds or fraction thereof of the gross weight of such vehicle plus the maximum load to be carried thereon, but in no event less than eighty dollars in the case of a non-gasoline driven automobile so used or twenty-four dollars in the case of a gasoline driven automobile so used.

(2) For the registration of every nongasoline driven tractor which is a part of a semi-trailer unit used for the transportation of property, twenty dollars for every one thousand pounds or fraction thereof of the weight of the tractor and of the weight of the heaviest semi-trailer with which such tractor is combined and operated, plus the maximum load to be carried by such semi-trailer and tractor, and for the registration of every gasoline driven tractor which is a part of a semi-trailer unit so used, six dollars for every one thousand pounds or fraction thereof of the weight of such tractor and of the weight of the heaviest semi-trailer with which such tractor is combined and operated, plus the maximum load to be carried by such semi-trailer and tractor, but in no event less than one hundred and sixty dollars in the case of a non-gasoline driven tractor which is a part of a semi-trailer unit, or less than forty-eight dollars if gasoline driven.

(3) For the registration of every semi-trailer, thirty dollars.

(4) For the registration of every heavy-duty platform trailer, six dollars for every one thousand pounds or fraction thereof of the weight of such vehicle plus the maximum load to be carried, but in no event less than sixty dollars.

(5) For the registration of every trailer for which a fee is not otherwise provided in this section, six dollars for every one thousand pounds

or fraction thereof of the weight of such trailer and the maximum load to be carried thereon.

(6) For the registration of every nongasoline driven tractor not a part of a semi-trailer, twenty dollars for every one thousand pounds or fraction thereof of the weight of the tractor and its equipment, but in no event less than forty dollars, and for the registration of every gasoline driven tractor not a part of a semi-trailer unit, six dollars for every one thousand pounds or fraction thereof of the weight of the tractor and its equipment, but in no event less than twenty-four dollars; except that the fee to be collected for the registration of a farm tractor not a part of a semi-trailer unit shall be eight dollars if the tractor is used exclusively for agricultural purposes. The provisions of subdivisions (1) to (6) shall not apply to any vehicle the fee for the registration of which is hereinbefore provided for in this section. The aforesaid weight shall mean the weight of such vehicle when fully equipped for the road. The registrar of motor vehicles may establish rules for determining the gross weight, including load, for which any vehicle shall be registered under subdivisions (1) to (6).

SECTION 13. Subdivision (7) of said section 33 of said chapter 90 is hereby amended by striking out, in line 2, as appearing in section 1 of chapter 571 of the acts of 1959, the word "twelve" and inserting in place thereof the word: — twenty-four. *Approved September 2, 1965.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, September 2, 1965.

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

DEAR MR. SECRETARY: I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 679 of the Acts of 1965 entitled "An Act Relative to the Accelerated Highway Program." and the enactment of which received my approval on September 2, 1965, 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:

There is an urgent need for the construction of new highways and bridges and for the improvement of existing ones, so as to relieve the existing traffic congestion, in the interest of highway safety and of a sound economy, together with the fact that a deadline of October, 1972 exists, under the 1956 Federal Aid Act, for the completion by the Commonwealth, of its interstate highway system.

Sincerely,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, September 2, 1965.

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 six hundred and seventy-nine of the acts of nineteen hundred and sixty-five.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 680. AN ACT RELATIVE TO THE ACCEPTANCE OF THE VETERANS PENSION LAW, SO CALLED, IN SO FAR AS IT RELATES TO EMPLOYEES OF A HOUSING AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make forthwith certain corrective changes in an act of the current year further defining the retirement rights of certain veterans employed by housing authorities, which act took effect on August twenty-second, 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 498 of the acts of 1965 is hereby amended by inserting after section 4 the following section: —

Section 4A. Section 59 of said chapter 32, as most recently amended by section 1 of chapter 511 of the acts of 1963, is hereby further amended by adding after the word "committee", in line 9, the words: — ; or, in the case of a housing authority, the housing authority.

SECTION 2. Section 5 of said chapter 498 is hereby amended by striking out, in line 5, the words "which accepts" and inserting in place thereof the words: — in which the housing authority accepts.

SECTION 3. This act shall take effect as of August twenty-second, nineteen hundred and sixty-five. *Approved September 7, 1965.*

Chap. 681. AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT, ENLARGE AND IMPROVE ITS RECREATIONAL FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to construct recreational facilities within the metropolitan parks district, and to enlarge and improve existing facilities, in such manner and at such locations as it may determine, and in a manner designed to serve all parts of the metropolitan parks district equally in proportion to the need; provided, that projects constructed as herein authorized shall not be subject to section thirty A of chapter seven of the General Laws.

SECTION 2. The metropolitan district commission shall charge reasonable fees wherever feasible to cover costs of operation and maintenance of its facilities and may enter into leases or other agreements relating to the operation of its facilities with public or other bodies or individuals, upon such terms and conditions as it may deem just and expedient. The terms of such leases or agreements may include the right to charge fees as herein authorized, and full and complete information regarding

any and all such leases and agreements and the operations resulting therefrom shall be a matter of public record and shall, at all times, be available upon reasonable request.

SECTION 3. The metropolitan district commission, acting so far as may be in consultation with the proper local boards, may, on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, in fee or otherwise, or acquire by purchase, gift or devise, such public or private lands, water rights, rights of way, easements or other interests in land as it may deem necessary or desirable for carrying out the provisions of this act; provided, that nothing in this act shall be construed to limit existing rights of any city or town in relation to water supply purposes, or in any way obstruct such rights.

SECTION 4. To meet the expenditures necessary in carrying out the construction and improvements authorized in section one, the state treasurer shall, upon request of the governor, 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, from time to time, but not exceeding, in the aggregate, the sum of three million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Metropolitan District Commission Recreational Loan, Act of 1965, 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 5. This act shall take effect upon its passage.

Approved September 7, 1965.

Chap. 682. AN ACT DIRECTING THE DIRECTOR OF CIVIL SERVICE TO CONDUCT AN EXAMINATION FOR MOTOR VEHICLE EXAMINER, REGISTRY OF MOTOR VEHICLES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to correct an injustice resulting from the change in the experience or age requirements for eligibility in the taking of the motor vehicle examiner, registry of motor vehicles examination which was held on June twenty-sixth, 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. The director of civil service is hereby authorized and directed to conduct an open competitive examination for motor vehicle

examiner, registry of motor vehicles, at some convenient time, in his discretion, but no later than September thirtieth, nineteen hundred and sixty-five, and notwithstanding any rule to the contrary regulating the experience or age requirements of applicants for motor vehicle examiner, registry of motor vehicles, all applicants who meet all other requirements shall be eligible to take said test and shall be eligible for certification and appointment, whether or not they have two years or more of satisfactory, full-time paid experience in which the investigation of accidents involving motor vehicles was the major duty, provided they have not passed their fiftieth birthday.

SECTION 2. Notwithstanding any law, rule or regulation to the contrary, the director of civil service shall not establish a list from the examination conducted on June twenty-sixth, nineteen hundred and sixty-five for motor vehicle examiner, registry of motor vehicles, until the time provided by law for establishment of a list for the examination provided in section one has elapsed at which time the director shall merge the results of both examinations and shall then establish a list from all the marks in the same manner as if both tests were held on the same date. *Approved September 7, 1965.*

Chap. 683. AN ACT INCREASING THE MINIMUM AND MAXIMUM DAMAGES RECOVERABLE IN ACTIONS FOR DEATH.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 229 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 306 of the acts of 1962, and inserting in place thereof the following sentence: — A person who (1) by his negligence causes the death of a person in the exercise of due care, or (2) by wilful, wanton or reckless act causes the death of a person under such circumstances that the deceased could have recovered damages for personal injuries if his death had not resulted, or (3) operates a common carrier of passengers and by his negligence causes the death of a passenger, or (4) operates a common carrier of passengers and by his wilful, wanton or reckless act causes the death of a passenger under such circumstances that the deceased could have recovered damages for personal injuries if his death had not resulted, shall be liable in damages in the sum of not less than five thousand nor more than fifty thousand dollars, to be assessed with reference to the degree of his culpability and distributed as provided in section one; except that (1) the liability of an employer to a person in his employment shall not be governed by this section, (2) a person operating a railroad shall not be liable for negligence in causing the death of a person while walking or being upon such railroad contrary to law or to the reasonable rules and regulations of the carrier, and (3) a person operating a street railway or electric railroad shall not be liable for negligence for causing the death of a person while walking or being upon that part of the street railway or electric railroad not within the limits of a highway.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-six, and shall apply only to actions for death resulting from injuries sustained or accidents occurring on or after said date.

The provisions of law applicable to actions for death, as in effect from time to time prior to the effective date of this act, shall continue to be applicable to such actions resulting from injuries which were sustained or accidents which occurred prior to the effective date of this act, in accordance with such provisions as in effect at the time the injury was sustained or the accident occurred. *Approved September 7, 1965.*

Chap. 684. AN ACT AUTHORIZING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO EXTEND ITS MASS TRANSPORTATION FACILITIES IN THE CITIES OF BOSTON, SOMERVILLE, MEDFORD, EVERETT AND MALDEN, AND AUTHORIZING THE REMOVAL OF CERTAIN OF ITS ELEVATED STRUCTURES BETWEEN THE CITY OF BOSTON AND THE CITY OF EVERETT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable the Massachusetts Bay Transportation Authority to proceed forthwith with the construction of the mass transportation facilities set forth in this act in order to relieve traffic congestion as soon as possible and to take maximum advantage of federal aid under the Urban Mass Transportation Act of 1964, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The Massachusetts Bay Transportation Authority, hereinafter called the Authority, subject to the approval of the advisory board, established by section seven of chapter one hundred and sixty-one A of the General Laws, may construct and equip an extension of the existing Washington street tunnel in and through the cities of Boston, Somerville, Medford, Everett and Malden, consisting of a mass transportation facility partly in a subway or tunnel, partly on the surface, and partly elevated, extending in a northwesterly direction from Washington street tunnel near Haymarket square, under Accolon way between the North Station building and the North Station Industrial building, under the lands of the commonwealth under the existing bed of the Charles river, and through the Boston and Maine Railroad yards in the Charlestown area of the city of Boston, and thence along the western division of said railroad and land of the commonwealth, to a point near the former site of the state prison, and may also construct and equip an addition to the Washington street tunnel in the city of Boston, consisting of a rapid transit line partly in subway, partly on the surface and partly elevated, extending from the Washington street tunnel along the right-of-way of the Boston and Albany Railroad and the New York, New Haven and Hartford Railroad in said city to the Forest Hills station on said line.

The Authority may, for the purposes of this act, use or take land of the commonwealth without compensation therefor, and may acquire, either by purchase or by eminent domain under chapter seventy-nine of the General Laws, such portion of the properties of said railroad and other properties in said cities where the mass transportation facility is to be built as the Authority may determine to be necessary for said mass transportation facility and its appurtenances. After the acquisition of such railroad properties neither such railroad nor the Authority shall be

responsible for the maintenance or repair of the bridges over that portion of the properties of such railroads acquired by the Authority, but said bridges shall thereafter be maintained and repaired by the state department of public works, except that any of said bridges presently under the jurisdiction of the metropolitan district commission shall thereafter be maintained and repaired by said commission.

After the use by the Authority of the extension constructed under this section begins, the Authority shall proceed without delay to remove, above its foundations, its elevated structures located between Haymarket square in the city of Boston and the Everett terminal in the city of Everett, including the structure located on the Charlestown bridge, so called, presently used by the main line elevated trains, but excluding any structural members incorporated in the drawbridge structure of said bridge which specially support or serve said main line elevated trains, and to put the surface of the public ways disturbed by such removal into as good condition as the adjacent surface of said ways, to restore to good condition sidewalks affected by such removals and to repair any damage done by such removals to any building to which said elevated structures are affixed.

The cost to the Authority of removing such elevated structures and of restoring public ways, sidewalks and buildings as aforesaid, less the amount received by the Authority from the sale of the structures as salvage or otherwise, shall be included in the cost of the work authorized by this act.

The Authority is hereby authorized to enter into agreements with the Boston and Maine Railroad and the Boston and Albany Railroad providing for such joint use of their tracks and rights-of-way in the cities of Boston, Somerville, Everett, Medford and Malden, as is deemed necessary for joint use of the facilities by said railroads and the Authority.

Approved September 9, 1965.

Chap. 685. AN ACT MAKING CERTAIN CORRECTIVE AND OTHER CHANGES IN THE BUSINESS CORPORATION LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to make certain corrective and other changes in chapter one hundred and fifty-six B of the General Laws, as appearing in section one of chapter seven hundred and twenty-three of the acts of nineteen hundred and sixty-four, which takes effect on October first, 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. Section 2 of chapter 156B of the General Laws, as appearing in section 1 of chapter 723 of the acts of 1964, is hereby amended by striking out clause (*b*) and inserting in place thereof the following clause: —

(*b*) "articles of organization" of a corporation shall mean its articles of organization, including any special act of incorporation, as from time to time amended by any of the following amendments:

(1) a certificate of a vote adopting the provisions of this chapter filed pursuant to section five;

(2) a certificate of a vote establishing a series filed pursuant to section twenty-six;

(3) articles of amendment filed pursuant to section seventy-two or section seventy-three;

(4) restated articles of organization filed pursuant to section seventy-four;

(5) articles of consolidation or merger filed pursuant to section seventy-eight, section seventy-nine, section eighty-two or section eighty-three;

(6) articles of dissolution filed pursuant to section one hundred; and

(7) a certificate as to the revival of a corporation filed pursuant to section one hundred and eight.

SECTION 1A. Section 3 of said chapter 156B, as so appearing, is hereby amended by striking out, the first time it occurs in line 3, the word "or" and inserting in place thereof the word: — either; and by striking out, in line 13, the words "now have or may hereafter" and inserting in place thereof the words: — on October first, nineteen hundred and sixty-five, have or may thereafter.

SECTION 1B. Section 4 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 8, the word "previous" and inserting in place thereof the word: — prior.

SECTION 2. Section 6 of said chapter 156B, as so appearing, is hereby amended by striking out the last sentence.

SECTION 3. Said chapter 156B is hereby further amended by striking out section 8, as so appearing, and inserting in place thereof the following section: —

Section 8. (*a*) 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.

(*b*) Whenever, with respect to any action to be taken by the stockholders of a corporation as to which a vote of each class of stock outstanding and entitled to vote thereon is required by this chapter, the articles of organization or by-laws provide that two or more classes of stock shall vote as a single class, the provisions of the articles of organization or by-laws shall control, provided, however, that no such provision shall deprive any class or series of stock whose rights would be adversely affected by such action of any right to a separate vote which such class or series may have under section seventy-one or section seventy-four.

SECTION 4. Subsection (*b*) of section 11 of said chapter 156B, as so appearing, is hereby amended by inserting before the word "under", in line 9, the word: — name.

SECTION 5. Subsection (*c*) of said section 11 of said chapter 156B, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — 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.

SECTION 6. Subsection (*d*) of said section 11 of said chapter 156B, as so appearing, is hereby amended by striking out in line 1, the word "filing".

SECTION 7. The first paragraph of section 12 of said chapter 156B, as so appearing, is hereby amended by inserting after the word "officers", in line 6, the words: — and a resident agent as provided in section forty-nine.

SECTION 8. The second paragraph of said section 12 of said chapter 156B, as so appearing, is hereby amended by inserting after the word "signed", in line 1, the words: — under the penalties of perjury.

SECTION 9. Subsection (*c*) of section 13 of said chapter 156B, as so appearing, is hereby amended by inserting after the word "corporation", in line 10, the following: —

; (5) the name and business address of the resident agent, if any, of the corporation.

SECTION 10. Section 17 of said chapter 156B, as so appearing, is hereby amended by inserting after the first sentence the following sentence: — Not later than the time of giving notice of the meeting of stockholders next following the making, amending or repealing by the directors of any by-law, notice thereof stating the substance of such change shall be given to all stockholders entitled to vote on amending the by-laws.

SECTION 11. Said chapter 156B is hereby further amended by striking out section 23, as so appearing, and inserting in place thereof the following section: — *Section 23.* Shares of stock issued in accordance with section twenty-one shall, except for unpaid instalments on instalment stock issued pursuant to section nineteen, be fully paid stock and not liable to any further call or assessment thereon.

SECTION 12. Section 26 of said chapter 156B, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — 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 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 or purchase fund provisions, conversion rights and conditions under which the several series shall have separate voting rights or no voting rights.

SECTION 13. Said chapter 156B is hereby further amended by striking out section 27, as so appearing, and inserting in place thereof the following section: —

Section 27. (*a*) 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.

(*b*) Every certificate issued after September thirtieth, nineteen hundred and sixty-five by a corporation for shares of stock at a time when such shares 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 the restriction noted conspicuously on the certificate and shall also set forth on the face or back of the certificate either

(1) the full text of the restriction, or

(2) a statement of the existence of such restriction and a statement that the corporation will furnish a copy thereof to the holder of such certificate upon written request and without charge.

(*c*) Every stock certificate issued after September thirtieth, nineteen hundred and sixty-five by a corporation at a time when it is authorized to issue more than one class or series of stock shall set forth upon the face or back of the certificate either

(1) 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

(2) a statement of the existence of such preferences, powers, qualifications and rights, and a statement that the corporation will furnish a copy thereof to the holder of such certificate upon written request and without charge.

SECTION 13A. Section 29 of said chapter 156B, as so appearing, is hereby amended by inserting after the word "lost", in lines 4, 5, and 9, in each instance, the word: — , mutilated.

SECTION 14. Said chapter 156B is hereby further amended by striking out section 31, as so appearing, and inserting in place thereof the following section: — *Section 31.* Every corporation shall, once in every five years, publish once each week for three successive weeks in a newspaper of general circulation in Boston, and also in a newspaper of general circulation in the county where the corporation has its principal office, a list of all dividends which have remained unclaimed for two years or more and the names and last known addresses of the persons to whose credit such dividends stand.

SECTION 15. Section 32 of said chapter 156B, as so appearing, is hereby amended by striking out the first and second sentences and inserting in place thereof the following two sentences: — 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 for inspection by its stockholders at its principal office or an office of its transfer agent or of its clerk or of its resident agent. Said copies and records need not all be kept in the same office.

SECTION 16. Section 36 of said chapter 156B, as so appearing, is hereby amended by inserting after the word "clerk", in line 3, the words: — or an assistant clerk.

SECTION 17. Said chapter 156B is hereby further amended by striking out section 39, as so appearing, and inserting in place thereof the following section: — *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 at a meeting shall constitute a quorum.

SECTION 18. Section 41 of said chapter 156B, as so appearing, is hereby amended by striking out, in lines 16 and 17, the word "providing" and inserting in place thereof the word: — proving.

SECTION 19. Section 43 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 3 and in line 4, the word "assent" and inserting in place thereof, in each instance, the word: — consent.

SECTION 20. Said chapter 156B is hereby further amended by striking out sections 47, 48, and 49, as so appearing, and inserting in place thereof the following three sections: —

Section 47. Except as reserved to the stockholders pursuant to section fifty-four, the business of every corporation shall be managed by 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. Except as otherwise provided in sections fifty and fifty-two or in the articles of organization, the directors shall be elected at the annual meeting of the stockholders by such stockholders as have the right to vote thereon. 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. Any elections of directors by stockholders shall be by ballot if so requested by any stockholder entitled to vote thereon. Unless required by the by-laws, no director need be a stockholder.

Section 48. The officers of every corporation shall consist of a president, a treasurer and a clerk and such other officers as the corporation by its by-laws shall authorize. Except as otherwise provided in the by-laws, 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, and the president shall be elected by the directors at their first meeting following the annual meeting of the stockholders. All other officers and agents shall be chosen or appointed in the manner provided in the by-laws or, in the absence of such provision, as may be determined by the directors. Any elections of officers by stockholders shall be by ballot if so requested by any stockholder entitled to vote thereon. Unless otherwise provided in the by-laws, the president shall be a director. Unless required by the by-laws, no officer need be a stockholder. The clerk shall be a resident of the commonwealth unless the corporation shall have a resident agent appointed pursuant to section forty-nine. Any officer may be required to give a bond for the faithful performance of his duties in such form and with such sureties as the by-laws may prescribe or as the directors may determine. The clerk or an assistant clerk shall record all proceedings of the stockholders in a book to be kept therefor and, unless another officer is designated in the by-laws, shall also record all proceedings of the directors in a book to be kept therefor.

Section 49. Any corporation may by vote of its directors appoint a resident agent as its true and lawful attorney upon whom all lawful processes in any action or proceeding against such corporation may be served. Such resident agent shall be either an individual who is a resident of and has a business address in the commonwealth, a corporation organized under the laws of the commonwealth or a corporation organized under the laws of any other state of the United States which

has complied with the provisions of sections three and five of chapter one hundred and eighty-one and which has an office in the commonwealth. Such appointment shall become effective upon the filing in the office of the state secretary of a certificate, signed under the penalties of perjury by the clerk or an assistant clerk of the corporation, setting forth the name and business address of the resident agent and a copy of the vote of the directors appointing him as such. Such corporation may by like vote revoke any such appointment or appoint a new resident agent, which revocation or appointment shall become effective upon the filing with the state secretary of a certificate, signed under the penalties of perjury by its clerk or an assistant clerk, setting forth a copy of the vote of the directors revoking such prior appointment or appointing such new resident agent and, in the case of the appointment of a new resident agent, the name and business address of such agent. In the event of any change in the business address of the resident agent of any corporation, a certificate setting forth the new business address of such resident agent, signed under the penalties of perjury by such resident agent, shall be filed with the state secretary within five days of such change. Any resident agent of a corporation may resign as such agent by filing with the state secretary a certificate, signed under the penalties of perjury by such agent, setting forth the fact of his resignation and the effective date thereof, which shall be not less than thirty days after the date of the filing of such certificate, and stating that a copy of such certificate has been mailed, postage prepaid, to the corporation at the address of the principal office of the corporation in the commonwealth currently on file with the state secretary or, if that office is also the office of the resident agent, at the address most recently furnished to such agent by the corporation as the address to which copies of all processes served upon him as such agent are to be forwarded. A resident agent may also be appointed by vote of the incorporators, in which event the name and business address of such resident agent shall be set forth pursuant to section twelve in the form on which the articles of organization of the corporation are filed with the state secretary and such appointment shall become effective when the articles of organization are filed in accordance with section six. Any such appointment by the incorporators may be revoked by vote of the directors, in the manner provided in this section.

SECTION 20A. Section 50 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 2, the word "officers" and inserting in place thereof the words: — president, treasurer and clerk.

SECTION 21. Clause (*a*) of section 51 of said chapter 156B, as so appearing, is hereby amended by inserting after the word "stockholders", in line 1, the words: — , including persons elected by directors to fill vacancies in the board or in such offices, .

SECTION 22. Section 53 of said chapter 156B, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — Any corporation which omits to file a certificate as aforesaid within thirty days after such change has been made or shall fail to have either a clerk of the corporation who is a resident of the commonwealth or a resident agent appointed pursuant to section forty-nine shall forfeit not more than five hundred dollars to be recovered in the manner described by section one hundred and thirteen.

SECTION 22A. Section 55 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 5, the word "its" and inserting in place thereof the word: — their.

SECTION 23. Said chapter 156B is hereby further amended by striking out section 59, as so appearing, and inserting in place thereof the following section: — *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 consent thereto is signed by all the directors and such written consent is filed with the records of the meetings of the directors. Such consent shall be treated as a vote for all purposes.

SECTION 24. Section 61 of said chapter 156B, as so appearing, is hereby amended by inserting after the word "corporation", in line 7, the words: — existing at the time of such distribution.

SECTION 25. Section 62 of said chapter 156B, as so appearing, is hereby amended by striking out, in lines 6 and 7 and in lines 14 and 15, the words "in an amount equal to the debts and contracts of" and inserting in place thereof, in each instance, the words: — for any damage caused.

SECTION 26. Section 63 of said chapter 156B, as so appearing, is hereby amended by striking out, in lines 4, 5, and 6, the words "for all the debts and contracts of the corporation but only to a creditor who has relied upon such false representation and only" and inserting in place thereof the words: — to a creditor of the corporation who has relied upon such false representation.

SECTION 27. Section 67 of said chapter 156B, as so appearing, is hereby amended by adding the following two paragraphs: —

No indemnification shall be provided for any person with respect to any matter as to which he shall have been adjudicated in any proceeding not to have acted in good faith in the reasonable belief that his action was in the best interests of the corporation.

The absence of any express provision for indemnification shall not limit any right of indemnification existing independently of this section.

SECTION 28. Said chapter 156B is hereby further amended by striking out section 71, as so appearing, and inserting in place thereof the following section: — *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, 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. If any such amendment would adversely affect the rights of any class of stock, the vote of two thirds of such class, voting separately, shall also be necessary to authorize such amendment. For this purpose any series of a class which is adversely affected in a manner different from other series of the same class shall, together with any other series of the same class adversely affected in the same manner, be treated as a separate class.

SECTION 29. The first paragraph of section 74 of said chapter 156B, as so appearing, is hereby amended by striking out the first two sen-

tences and inserting in place thereof the following two sentences: — 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, 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 or section seventy-one and is authorized in accordance with the provisions of section seventy-one.

SECTION 30. Section 75 of said chapter 156B, as so appearing, is hereby amended by adding the following sentence: — 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, in the manner provided in section thirty-six.

SECTION 31. Subsection (*b*) of section 78 of said chapter 156B, as so appearing, is hereby amended by striking out paragraph (6) and inserting in place thereof the following paragraph: —

(6) The manner of converting the shares of each of the constituent corporations into shares or securities of the resulting or surviving corporation, or the cash or other consideration to be paid or delivered in exchange for shares of each constituent corporation; 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

SECTION 32. Subsection (*c*) of said section 78 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 8, the words "the stockholders of".

SECTION 32A. The third paragraph of subsection (*d*) of said section 78 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 1, the words "agreement of", — and by striking out, in line 4, the word "agreement" and inserting in place thereof the words: — consolidation or merger.

SECTION 33. Subsection (*e*) of said section 78 of said chapter 156B, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words "filing of the articles of consolidation or merger with the state secretary file a copy thereof" and inserting in place thereof the words: — effective date of the consolidation or merger file a copy of the articles of consolidation or merger.

SECTION 33A. Subsection (*c*) of section 79 of said chapter 156B, as so appearing, is hereby amended by striking out, in lines 28 and 29, the words "agreement of"; and by striking out, in line 32, the word "agreement" and inserting in place thereof the words: — consolidation or merger.

SECTION 34. Subsection (*d*) of said section 79 of said chapter 156B, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words "filing of the articles of consolidation or merger with the state secretary file a copy thereof" and inserting in place thereof the words: — effective date of the consolidation or merger file a copy of the articles of consolidation or merger.

SECTION 35. Section 80 of said chapter 156B, as so appearing, is hereby amended by inserting before the word "Upon", in line 1, the letter (*a*); — by striking out, in line 15, the word "and"; and by inserting before the word "The", in line 31, the letter: — (*b*).

SECTION 36. Section 81 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 3, the letter "(*i*)" and inserting in place thereof the figure: — (1), — and by striking out, in line 10, the letters "(*ii*)" and inserting in place thereof the figure: — (2).

SECTION 37. Subsection (*b*) of section 82 of said chapter 156B, as so appearing, is hereby amended by striking out, in lines 2 and 11, the word "paragraph" and inserting in place thereof, in each instance, the word: — subsection.

SECTION 38. Subsection (*e*) of said section 82 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 7, the words "filing of the articles of" and inserting in place thereof the words: — effective date of the; and by inserting after the word "filed", in line 12, the words: — and the effective date of the merger.

SECTION 38A. Subsection (*d*) of section 83 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 15, the words "agreement of"; and by striking out, in line 19, the word "agreement" and inserting in place thereof the word: — merger.

SECTION 39. Subsection (*f*) of said section 83 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 14, the words "filing of the articles of" and inserting in place thereof the words: — effective date of the; — and by adding after the word "filed", in line 20, the words: — and the effective date of the merger.

SECTION 40. Section 86 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 7, the letter "(*i*)" and inserting in place thereof the number: — (1); — and by striking out, in line 9, the letters "(*ii*)" and inserting in place thereof the number: — (2).

SECTION 41. Section 95 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 6, the words "hereinabove provided" and inserting in place thereof the words: — provided in this chapter.

SECTION 42. Section 97 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 2, the word "section" and inserting in place thereof the word: — chapter.

SECTION 43. Section 98 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 2 and in line 3, the word "section" and inserting in place thereof, in each instance, the word: — chapter.

SECTION 44. Said chapter 156B is hereby further amended by striking out sections 99, 100, 101, and 102, as so appearing, and inserting in place thereof the following four sections: —

Section 99. A petition for dissolution of a corporation may be filed in the supreme judicial court in the following cases: —

(*a*) A corporation which desires to close its affairs may authorize the filing of such a petition by a vote of a majority of each class of its stock outstanding and entitled to vote thereon;

(*b*) Such a petition may be filed 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:

(1) the directors are deadlocked in the management of corporate affairs, and the shareholders are unable to break the deadlock; or

(2) 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 100. Any corporation may be voluntarily dissolved in the following manner:

(*a*) Dissolution may be authorized (1) by the vote of two thirds of each class of its stock outstanding and entitled to vote thereon; or (2) by compliance with provisions of its articles of organization.

(*b*) Within thirty days of the date of such authorization, notice that dissolution of the corporation has been duly authorized shall be mailed by the corporation to all known creditors at their respective post office addresses according to the records of the corporation and to the commissioner of corporations and taxation, and shall be published 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, if no such newspaper is published in said city or town, in the county in which such principal office is located.

(*c*) After the giving of such notice, articles of dissolution shall be submitted to the state secretary. Such articles shall be signed by the president or vice president and by the clerk or an assistant clerk under the penalties of perjury, and shall set forth: —

(1) The name of the corporation and the post office address of its principal office in the commonwealth;

(2) The name and post office address of each of the directors and officers of the corporation;

(3) A statement that dissolution of the corporation was duly authorized in the manner required by this section, and of the date on which such action was taken;

(4) A statement that notice of the proposed dissolution of the corporation was duly given in the manner required by this section;

(5) Any other provisions deemed necessary by the corporation for its dissolution; and

(6) The effective date of the dissolution.

(*d*) The state secretary shall not receive for filing articles of dissolution of any corporation unless such articles are accompanied by a certificate of the commissioner of corporations and taxation that all taxes due and payable by the corporation to the commonwealth have been paid or provided for.

(*e*) Such articles of dissolution shall constitute an amendment of the articles of organization, and the dissolution of the corporation shall

become effective when said articles are filed with the state secretary 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 dissolution shall become effective upon such later date, and 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.

(*f*) At any time before the filing of articles of dissolution the corporation may authorize the abandonment of the dissolution proceedings by the same corporate action with respect to such abandonment as is required by this section for the authorization of a dissolution. If notice of dissolution shall have been given in the manner required by subsection (*b*), then within thirty days after the date of such abandonment notice thereof shall be given by the corporation in the same manner as provided in subsection (*b*).

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 state secretary is satisfied that a corporation has become inactive and that its dissolution would be in the public interest, the state secretary may apply to the supreme judicial court for its dissolution, and the court, after notice by mail or otherwise as it may order, and in all cases to the commissioner of corporations and taxation, may decree such dissolution subject to the provisions of sections one hundred and two, one hundred and four, and one hundred and eight. The state secretary 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.

Section 102. Every corporation whose corporate existence for other purposes is terminated (1) by dissolution under the provisions of section ninety-nine, one hundred, or one hundred and one, (2) by the expiration of the period for its duration limited by its articles of organization, or (3) in any other manner, shall nevertheless be continued as a body corporate for three years after the time when its existence is terminated, 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 make distribution to its stockholders of any assets remaining after the payment of its debts and obligations, 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 45. Section 103 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 15, the words "six hundred and fifteen" and inserting in place thereof the words: — sixty-one.

SECTION 46. Section 104 of said chapter 156B, as so appearing, is hereby amended by striking out, in lines 1 to 4, inclusive, the words "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" and inserting in place thereof the words: — existence of the

corporation for other purposes is terminated (1) by dissolution under the provisions of section ninety-nine, one hundred, or one hundred and one, (2) by the expiration of the period for its duration limited by its articles of organization, or (3).

SECTION 47. Section 107 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 1, the words "or annulled" and inserting in place thereof the words: — under the authority of section ninety-nine or one hundred and one.

SECTION 48. Section 108 of said chapter 156B, as so appearing, is hereby amended by striking out, in lines 3 and 4, the words "sections ninety-nine, one hundred and one hundred and one" and inserting in place thereof the words: — section ninety-nine or one hundred and one or after the effective date of articles of dissolution filed under authority of section one hundred, — and by adding at the end the following sentence: — A certificate filed by the state secretary pursuant to this section shall constitute an amendment of the articles of organization of the corporation, effective when filed.

SECTION 49. Section 109 of chapter 156B, as so appearing, is hereby amended by striking out, in line 7, line 8, line 11, line 18, and line 21, the numbers "1.", "2.", "3.", "4." and "5." and inserting in place thereof the numbers: — (1), (2), (3), (4) and (5), respectively.

SECTION 50. Section one hundred and ten of said chapter one hundred and fifty-six B, as so appearing, is hereby repealed.

SECTION 51. Section 112 of said chapter 156B, as so appearing, is hereby amended by striking out the last sentence.

SECTION 52. Section 113 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 3, the word "sections" and inserting in place thereof the word: — section.

SECTION 53. Subsection (*b*) of section 114 of said chapter 156B, as so appearing, is hereby amended by striking out paragraph (5) and inserting in place thereof the following paragraph: —

(5) For filing any other articles of amendment, twenty-five dollars.

SECTION 54. Said section 114 of said chapter 156B is hereby further amended by striking out subsections (*f*) and (*g*) and inserting in place thereof the following three subsections: —

(*f*) The fee for filing articles of dissolution under section one hundred shall be twenty-five dollars.

(*g*) The fee for filing all other certificates, statements or reports required by this chapter 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 any certificate relating to a resident agent of a corporation filed under section forty-nine.

(*h*) 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 55. The first sentence of section 2 of chapter 156 of the General Laws, as amended by section 5 of chapter 723 of the acts of 1964, is hereby further amended by inserting after the word "town", in line 13, the words: — ; provided, however, that the provisions of

section seventeen of this chapter shall remain available to all corporations which were subject to this chapter immediately prior to the effective date of chapter one hundred and fifty-six B of the General Laws; and provided, further, than any amendment to the articles of organization of any such corporation adopted prior to such date shall be effected by filing articles of amendment, and any rights of dissenting stockholders arising from the adoption of such amendment or from a vote of the stockholders to sell, lease or exchange all the property of any such corporation adopted prior to such date, shall be enforced, in accordance with the provisions of this chapter.

SECTION 56. The last paragraph of section 37 of chapter 223 of the General Laws, as most recently amended by section 71 of chapter 750 of the acts of 1962, is hereby further amended by inserting after the word "clerk", in line 3, the words: — , resident agent appointed pursuant to section forty-nine of chapter one hundred and fifty-six B.

SECTION 57. This act shall take effect on October first, nineteen hundred and sixty-five. *Approved September 9, 1965.*

Chap. 686. AN ACT INCREASING THE SALARY OF THE CLERK OF THE FOURTH DISTRICT COURT OF EASTERN MIDDLESEX.

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 9, as appearing in chapter 725 of the acts of 1962, reading "fourth district court of eastern Middlesex," and in *Class IV* by inserting after line 11, as so appearing, reading "second district court of eastern Middlesex," the following line: — fourth district court of eastern Middlesex,.

Approved September 9, 1965.

Chap. 687. AN ACT PROVIDING FOR DISSOLUTION OF THE TRANSIT MUTUAL INSURANCE COMPANY AND THE ACQUISITION OF ITS PROPERTY, ASSETS AND LIABILITIES BY THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the Transit Mutual Insurance Company, a mutual insurance corporation established under the laws of the commonwealth, is hereby authorized by vote of a majority of its members to transfer all of its property, real and personal, and all of its assets and liabilities to the Massachusetts Bay Transportation Authority and to dissolve said corporation as of a date to be set forth in said vote, and on such date the Massachusetts Bay Transportation Authority, without further conveyance or action and by virtue of this act, shall be vested with the ownership, control and custody of all such property and assets of the Transit Mutual Insurance Company and shall assume all liabilities and obligations of that company.

The Massachusetts Bay Transportation Authority shall establish and maintain such reserves for claims, losses and liabilities of the Transit Mutual Insurance Company, assumed by the Massachusetts Bay

Transportation Authority and outstanding at the time of such transfer, as it may deem necessary from time to time. That portion of the assets of the Transit Mutual Insurance Company transferred to the Massachusetts Bay Transportation Authority, which is in excess of the amount maintained by the Massachusetts Bay Transportation Authority as reserves for claims, losses and liabilities outstanding at the time of the transfer, shall be treated as income of the Massachusetts Bay Transportation Authority.

The Massachusetts Bay Transportation Authority may provide for payment to its employees of the compensation provided by chapter one hundred and fifty-two of the General Laws either by insurance with an insurer or as a self-insurer under the provisions of said chapter.

Approved September 9, 1965.

Chap. 688. AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL CERTAIN LAND OF THE COMMONWEALTH IN THE TOWN OF FRAMINGHAM TO TRINITY MENTAL HEALTH ASSOCIATION, INC.

Be it enacted, etc., as follows:

The commissioner of mental health, in the name and on behalf of the commonwealth, is hereby authorized to sell and convey, by a deed approved as to form by the attorney general, to Trinity Mental Health Association, Inc., a corporation organized under chapter one hundred and eighty of the General Laws, for the purpose of enabling said corporation to establish and maintain a community mental health center thereon, a certain parcel of land located on the northerly side of Fountain street in the town of Framingham, bounded and described as follows: —

Beginning at a point on the northerly side of Fountain Street, which point is fifty-three and ninety-five one hundredths (53.95) feet east of a stone bound; thence turning and running by Lot D, N 03° 30′ 30″ W six hundred sixty and five tenths (660.05) feet to a point; thence turning and running by Lot D, N 86° 29′ 30″ E, five hundred (500.00) feet to a point; thence turning and running by Lot D, S 14° 28′ 29″ E one hundred eighty and eighteen one hundredths (180.18) feet to a point; thence turning and running by Lot D, S 02° 29′ 46″ W four hundred three and eighty-nine one hundredths (403.89) feet to a point; thence turning and running by the northerly side line of Fountain Street S 86° 29′ 30″ W four hundred ninety-two and three one hundredths (492.03) feet to the point of beginning. Containing 7.75 acres more or less.

Meaning and intending to convey a portion of the premises conveyed to the Commonwealth of Massachusetts by the United States of America by deed dated January 4, 1955 and more specifically a portion of Parcel 3 as described in the aforementioned deed duly recorded with South Middlesex Registry of Deeds in Book 8387, Page 236.

The aforementioned parcel of land shall not be conveyed by the commonwealth to said corporation unless said corporation first obtains a waiver of the applicable restrictions relative to the conveyance of said land imposed upon the commonwealth by the United States of America.

Approved September 9, 1965.

Chap. 689. AN ACT REDEFINING THE WORD "AMBULANCE" UNDER THE MOTOR VEHICLE LAWS.

Be it enacted, etc., as follows:

Section 1 of chapter 90 of the General Laws is hereby amended by striking out the definition of "Ambulance", inserted by chapter 35 of the acts of 1965, and inserting in place thereof the following definition: —

"Ambulance", a motor vehicle equipped and used exclusively for the transportation of sick, injured or wounded persons, or a motor vehicle operated by a society incorporated under the laws of the commonwealth for the prevention of cruelty to animals, or for the care and protection of harmless or suffering animals, and used exclusively for the transportation of stray and neglected, sick, injured or wounded animals.

Approved September 9, 1965.

Chap. 690. AN ACT PROVIDING FOR THE SUBMISSION TO THE VOTERS OF THE TOWN OF LUNENBURG OF CERTAIN QUESTIONS RELATIVE TO SCHOOL BUILDING CONSTRUCTION IN SAID TOWN.

Be it enacted, etc., as follows:

There shall be printed upon a ballot which shall be used at the special town meeting to be held in the town of Lunenburg on September eighteenth, nineteen hundred and sixty-five or on such other Saturday in the year nineteen hundred and sixty-five as the selectmen may determine the following two questions: —

QUESTION NO. 1.

Shall $830,000 be appropriated for constructing, originally equipping and furnishing a new 16-room elementary school on town-owned land off Pratt street and to meet such appropriation $100,000 be transferred from the Stabilization Fund and the town treasurer, with the approval of the selectmen, be authorized to borrow $730,000 under chapter 645 of the acts of 1948, as amended, provided that the total authorized borrowing shall be reduced by any matching Stabilization Fund payment; and the existing school building committee originally established under Article 5 of the warrant for the annual town meeting in the year 1964, be authorized to enter into contracts on behalf of the town for such construction, originally equipping, and furnishing of said school building, and to do any and all matters incidental thereto?

YES.	
NO.	

If two thirds or more of the votes cast in answer to said question are in the affirmative, then the town shall be deemed and taken to have authorized the carrying out of the provisions contained in said question.

QUESTION NO. 2.

In the event that affirmative action by a two thirds vote is not taken on Question No. 1, shall a seven member school building committee

be appointed by the selectmen and the town moderator as a substitute for the existing school building committee to make a new study of school construction needs and report back to the town on or before the next annual town meeting?

YES.	
NO.	

If a majority of votes cast in answer to said question is in the affirmative, then it shall be deemed and taken that the existing school building committee shall cease to function and that the selectmen shall appoint a new seven member school building committee.

Approved September 9, 1965.

Chap. 691. AN ACT MAKING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-SIX PRIOR TO FINAL ACTION ON THE GENERAL APPROPRIATION BILL FOR SAID YEAR.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain appropriations previously authorized by chapter six hundred and seventy-three of the acts of the current year and for certain new activities and projects, the sums set forth in this act are hereby made available from the General Fund, 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 set forth in sections three to twenty-three, inclusive, of House bill numbered 3939, as amended and passed to be engrossed by the House of Representatives.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Education.

Massachusetts Board of Regional Community Colleges.

Item		
1361-00	Massachusetts Bay community college, including not more than fifty-three permanent positions	$347,928

Department of Public Health.

Bureau of Preventive Disease Control.

2003-01	For the service of the bureau and for the operation of certain clinics in the out-patient department of certain general hospitals, including not more than seventy-four permanent positions	$113,500
	For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:	
2023-00	Rutland Heights hospital, as authorized by chapter six hundred and forty-eight of the acts of the current year, including not more than ninety-one permanent positions, to be in addition to the two hundred and fifty-two permanent employees of the Rutland hospital authorized to be employed at the Rutland Heights hospital in accordance with the provisions of section six of said chapter six hundred and forty-eight	$543,000

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

Approved September 15, 1965.

Chap. 692. AN ACT ESTABLISHING THE PROCEDURE FOR ISSUING COMPLAINTS, SUMMONSES AND WARNINGS TO VIOLATORS OF AUTOMOBILE LAWS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 90C of the General Laws is hereby amended by striking out the definition of "Audit Sheet", as appearing in section 2 of chapter 789 of the acts of 1962, and inserting in place thereof the following definition: —

"Audit sheet", a sheet of paper which shall contain a list of the issuance and disposition of each citation in each citation book in such form as the registrar shall approve, and which shall include but need not be limited to the following information: — the police department or organization to which the citation book was issued, the offense, the name and address of the offender, the name of the issuing officer and the disposition.

SECTION 2. Said section 1 of said chapter 90C is hereby further amended by striking out the definition of "Citation", as amended by section 1 of chapter 637 of the acts of 1963, and inserting in place thereof the following definition: —

"Citation", a notice upon which a police officer shall record an occurrence involving one or more automobile law violations by the person cited. Each citation shall be numbered consecutively in such form as the registrar shall approve and shall consist of the following parts: — (1) the original, to be given, mailed or delivered to the offender as provided in this chapter; (2) a request for a complaint, which shall be a copy of the original and which when completed and signed shall direct the application for a complaint to the appropriate district court or to a justice of the peace authorized to issue complaints under chapter two hundred and eighteen; (3) the registry of motor vehicles record, which shall be a copy of the original and the reverse side of which shall be an abstract of the court record in accordance with the provisions of section twenty-seven of chapter ninety; (4) the police record, which shall be a copy of the original, the reverse side of which shall record the disposition of the charge and shall be retained by the police department or organization; (5) a copy of the original which shall be retained by the police officer who makes out the citation. The citation to be given to the offender shall have printed thereon a statement that the person cited therein shall, if he so requests in writing to the appropriate court within twenty-four hours of the alleged violation, be granted a hearing on said violation before any process shall issue, as provided in section thirty-five A of chapter two hundred and eighteen.

SECTION 3. Said chapter 90C is hereby further amended by striking out section 2, as most recently amended by chapter 501 of the acts of 1965, and inserting in place thereof the following section: — *Section 2.* Each police chief shall issue citation books to each permanent full-time police officer of his department whose duties may or will include traffic duty or traffic law enforcement, or directing or controlling traffic, and to such other officers as he at his discretion may determine. Each police chief shall obtain a receipt on a form approved by the registrar from such officer to whom a citation book has been issued. Each police chief shall also maintain citation books at police headquarters for the record-

ing of automobile law violations by police officers to whom citation books have not been issued.

Any police officer assigned to traffic enforcement duty shall record the occurrence of automobile law violations upon a citation, filling out the citation and each copy thereof as soon as possible and as completely as possible and indicating thereon whether a complaint shall be applied for, or whether a written warning shall be issued. Said police officer shall inform the offender of the violation and shall give the original of the citation to the alleged offender.

A failure to give the original of the citation to the offender at the time and place of the violation shall constitute a defence in any trial for such offense, except where the violator could not have been stopped, or where the court finds that some other circumstance, not inconsistent with the purpose of this section, namely, to cause violators of automobile law to be brought uniformly to justice, justifies the failure. In such case the automobile law violation shall be recorded upon a citation as soon as possible after such violation and the citation shall be delivered to the offender or mailed to him at his residential or mail address or to the address appearing on his license or registration.

At or before the completion of his tour of duty a police officer to whom a citation book has been issued and who has recorded the occurrence of an automobile law violation upon a citation shall deliver to his police chief or to the person duly authorized by him all remaining copies of such citation duly signed, except the police officer's copy which shall be retained by him. If the police officer has directed that an application for a complaint be filed, said police chief or person authorized by him shall deposit the parts of the citation designated as the request for a complaint, together with a duly executed application for a complaint and the registry of motor vehicles record, with the court having jurisdiction over the offense at a time no later than two days after the date of the citation, Sundays and legal holidays excepted. If the police officer has directed that a written warning be issued, the part of the citation designated as the registry of motor vehicles record shall be forwarded forthwith by the police chief or person authorized by him to the registrar of motor vehicles and shall be kept by the registrar in his main office. If the registrar receives three such written warnings to the same offender within a period of twelve months, he shall forthwith suspend the license or right to operate of such person for a period of seven days, from which suspension there shall be a right of appeal in accordance with the provisions of section twenty-eight of chapter ninety; provided, however, that such an appeal shall stay the operation of such suspension. The decision of the board of appeals on motor vehicle policies and bonds shall be final on such an appeal.

If a police officer arrests any person without a warrant for any automobile law violation, such arrest shall be noted on the request for the complaint.

If a citation is spoiled, mutilated or voided, it shall be endorsed with a full explanation thereof by the police officer voiding such citation, and shall be returned to the registrar forthwith and shall be duly accounted for upon the audit sheet for the citation book in which said citation had been included.

Nothing in this chapter shall prevent a person other than a police officer from applying for a criminal complaint for an automobile law

violation, and such person need not show that the alleged offender has been issued a citation in connection with such offense.

SECTION 4. Said chapter 90C is hereby further amended by striking out section 4, as amended by chapter 540 of the acts of 1964, and inserting in place thereof the following section: — *Section 4.* If any person summoned to appear before a court for an automobile law violation fails without good cause to appear at the time and place specified on said summons, and has failed to comply with the provisions of section four A, the clerk of court to which said summons was returnable shall immediately notify the registrar who shall suspend any motor vehicle license issued to such person, and such person shall not be eligible for reinstatement of his license until he shall have appeared before said court and answered to the charge made against him.

SECTION 5. Said chapter 90C is hereby further amended by inserting after section 6 the following section: —

Section 6A. Whoever knowingly falsifies a citation or copies thereof or a record of the issuance of same, or disposes of such citation, copy, or record, in a manner other than as required in this chapter, or attempts so to falsify or dispose, or attempts to incite or procure another so to falsify or dispose shall be punished by a fine of not more than five hundred dollars or by imprisonment for a term not to exceed one year, or both.

SECTION 6. Chapter 90 of the General Laws is hereby amended by inserting after section 22C, inserted by chapter 393 of the acts of 1965, the following section: —

Section 22D. Notwithstanding the provisions of section twenty-two, the registrar shall not suspend or revoke any license issued under this chapter solely because of an automobile law violation, as defined in section one of chapter ninety C, and he shall reinstate any such license which he has previously suspended or revoked solely because of an automobile law violation, if the holder of such license has been found not guilty of such automobile law violation by a court of competent jurisdiction.

SECTION 7. This act shall take effect on January first, nineteen hundred and sixty-six. *Approved September 20, 1965.*

Chap. 693. AN ACT ESTABLISHING THE DATE FOR HOLDING THE PRELIMINARY ELECTION IN THE CITY OF LAWRENCE IN THE CURRENT YEAR.

Be it enacted, etc., as follows:

SECTION 1. The preliminary election in the city of Lawrence in the current year shall be held on Monday, the fourth day of October, notwithstanding any provision of law to the contrary.

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

Approved September 20, 1965.

Chap. 694. AN ACT ESTABLISHING THE HISTORIC YARMOUTHPORT DISTRICT AND THE HISTORIC YARMOUTHPORT DISTRICT COMMISSION IN THE TOWN OF YARMOUTH.

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 and places in a district of historic, cultural or literary significance through the development and maintenance of appropriate settings and appearance of such buildings and to preserve and maintain such district as a landmark compatible with the historic, cultural and literary tradition of the town of Yarmouth and as a reminder of old Yarmouthport as it existed in the early days of Cape Cod.

SECTION 2. *Establishment of the District.* — There is hereby established in the town of Yarmouth a district to be known as the Historic Yarmouthport District, hereinafter called the district, bounded and described as follows: —

Beginning at a point approximately six hundred feet southerly from Route 6A where the New York, New Haven & Hartford Railroad crosses the boundary line dividing the towns of Yarmouth and Barnstable; thence Easterly by the northern boundary line of the property of the New York, New Haven & Hartford Railroad to a point one thousand seven hundred feet east of the intersection of Summer Street and the said Railroad; thence Northerly by an Old Cart Way to White Rock Road; thence Easterly along the northerly side of White Rock Road to a point where said White Rock Road intersects Union Street; thence Northerly along the easterly side line of Union Street to a point two hundred feet south of Route 6A; thence Easterly by a line parallel to and two hundred feet south of said Route 6A to White's Brook; thence Northerly along White's Brook across Route 6A to a point two hundred feet northerly from said Route 6A; thence Westerly by a line parallel to and two hundred feet northerly of said Route 6A to Old Church Street; thence Northerly by the easterly side of Old Church Street to Center Street; thence Northerly by the easterly side of Center Street to a point opposite the northerly side line of Ancient Cemetery; thence Westerly across Center Street and continuing westerly by the northerly side of Ancient Cemetery to the Marsh and Bog; thence Westerly along the southerly line of the Marsh and Bog to the easterly side of Whart Lane; thence Northerly and Westerly by the southern boundary line of the Marsh to the boundary line between the towns of Barnstable and Yarmouth; thence Southerly along said boundary line between the towns of Barnstable and Yarmouth to the point of beginning.

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

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

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

"Erected", shall include the words "built", "constructed", "reconstructed", "restored", "altered", "enlarged" and "maintained".

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

SECTION 4. *Establishment and Organization of Historic Yarmouthport District Commission.* — There is hereby established the Historic Yarmouthport District Commission, hereinafter called the commission, consisting of five members, of whom four shall be residents of the district and one shall be an architect who need not be a resident of the district.

The initial members of the commission shall be appointed by the selectmen of the town of Yarmouth for terms expiring, in the case of the architect, at the end of one year, and in the case of the other members at the end of one, two, three and four years, respectively, from the first day of January following such appointments. Thereafter the architect shall be appointed annually by said selectmen.

Upon the expiration of the term of any of the members, other than that of the architect, the vacancy shall be filled by the election of a successor at a meeting of resident property owners of the district held at the call of the selectmen one to two months before such expiration, and in accordance with such rules and regulations as the selectmen may prescribe. The term of members so elected shall be four years.

Any vacancy occurring before the end of the term of any member appointed or elected to the commission shall be filled by the selectmen by appointment for the remainder of the unexpired term.

The commission shall elect a chairman and a secretary from its membership. In the case of the absence of the chairman from any meeting, the members present shall elect a temporary chairman.

Three members of the commission shall constitute a quorum.

Any member may be removed for cause by the selectmen of the town of Yarmouth upon written charges and after a public hearing.

SECTION 5. *Limitations.* — No building, structure or part thereof, except as provided under section six, shall be erected within the district unless and until an application for a certificate of appropriateness as to the exterior architectural features, 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.

No building, structure or any part thereof within the 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.

No occupational, commercial or other sign, except as provided under section six, and no billboard shall be erected or displayed on any lot or the exterior of any building or structure within the 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.

Except in cases excluded by section six, no permit shall be issued by the building inspector for any building or structure to be erected within the district, unless the application for said permit shall be accompanied either by a certificate of appropriateness or a certificate that no exterior architectural feature is involved has been issued under section nine.

No permit shall be issued by the building inspector for the demolition or removal of any building or structure within the district unless the application for said permit shall be accompanied by a permit issued under section nine.

SECTION 6. *Exclusions.* — Nothing in this act shall be construed to prevent the ordinary maintenance and such repairs as do not change any exterior architectural feature of any building or structure within the district; nor shall anything in this act be construed to prevent the erection, construction, reconstruction, restoration, alteration or demolition of any such existing 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, restoration, alteration or demolition of any such feature under a permit issued by the building inspector prior to the effective date of this act.

The following structures and signs may be erected or displayed within the 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 of Yarmouth; 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 do not substantially derogate from the intent and purposes of this act may from time to time be excluded from the provisions of section five.

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 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 an R-1 one family dwelling district as defined in the zoning by-laws of the town of Yarmouth.

The exterior color of any building or structure within the 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, including the town of Yarmouth, who desires to erect, move or demolish or remove or change the exterior color features of any building or structure within the district, or to erect or display within the district any sign or billboard for

which a certificate of appropriateness is required under 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 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 by its rules.

The commission shall determine promptly 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 thereon.

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, not less than seven days prior to said hearing, mail a copy of said notice to the applicant, to owners of property abutting the premises to be affected 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 sixty 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 sixty 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 pass upon: —

(*a*) The appropriateness of exterior architectural features of buildings and structures to be erected within the district.

(*b*) The demolition or removal of any building or structure or any part thereof, within the 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.

(*c*) The appropriateness of the erection or display of occupational, commercial or other signs and billboards within the district wherever a certificate of appropriateness for any such sign or billboard is required under 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 district generally, failure to approve an application will involve a substantial hardship to the applicant and whether such application may be approved without substantial detriment to the public welfare and without substantial

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

In passing upon appropriateness, the commission shall consider, among other things, the historical value and significance of the 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 buildings and structures in the immediate surroundings. The commission shall consider settings, relative size of buildings and structures, but shall not consider detailed designs, interior arrangement and other building features not subject to public view. The commission shall not make any recommendations or requirements except for the purpose of preventing changes in exterior architectural features obviously incongruous to the purposes set forth in this act.

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.

SECTION 10. *Appeals.* — Any person aggrieved by the 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, 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 Barnstable. 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 provision 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 Barnstable 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. *Severability of Provisions.* — The provisions of this act

shall be deemed to be severable; and in case any 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 part.

SECTION 13. This act shall take effect upon its acceptance by the town of Yarmouth. *Approved September 20, 1965.*

Chap. 695. AN ACT RELATIVE TO THE LIABILITY FOR THE CHARGES OF CARING FOR CERTAIN INFANTS BORN TO UNWED MOTHERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by striking out section 67A, as most recently amended by section 1 of chapter 601 of the acts of 1949, and inserting in place thereof the following section: — *Section 67A.* If an infant weighing five and one half pounds or less at birth is born in a hospital, the superintendent or other person in charge of such hospital shall file immediately in the case of such an infant born to an unwed mother with the state department of public health, and in the case of any other such infant with the board of health of the town in which the mother of such infant resides, a written report stating the name and location of the hospital, name and address of the parents and the date of delivery, and the sex and color of child.

If an infant weighing five and one half pounds or less at birth is born in a place other than a hospital, the physician having charge of the birth of such infant shall as soon as possible after the birth occurs, by telephone, if possible, notify in the case of such an infant born to an unwed mother the state department of public health, and in the case of any other such infant the board of health of the town in which the mother resides, stating the name of the parents and the address where the infant was born. In addition thereto, such physician shall, within twenty-four hours after such birth, file a written report with said department or said board, as the case may be, in such form and containing such information as the state department of public health shall prescribe.

SECTION 2. Said chapter 111 is hereby further amended by striking out section 67C, as most recently amended by section 1 of chapter 573 of the acts of 1963, and inserting in place thereof the following section: — *Section 67C.* Expenses for the care and hospitalization of an infant weighing five pounds or less at birth shall be paid by the parents or guardian or any person bound by law to maintain such infant, if he or they are able to pay. If he or they are unable to pay, such expenses, within ceiling rates established by the department, shall in the case of such an infant born to an unwed mother be paid by the commonwealth, subject to notice as hereinafter provided, and in the case of any other such infant by the board of health of the town wherein the mother of such infant resides, subject to notice and reimbursement as hereinafter provided. No payments shall be made by the commonwealth or by a town for such expenses incurred more than thirty days prior to the receipt by the department or by such board of health of a written notice or a telephone request, confirmed in writing, from the superintendent or other person in charge of such hospital. Any payments made hereunder by the commonwealth or by the town may be recovered in con-

tract from the parent, guardian or other person bound by law to maintain such infant, if such person is able to pay.

The commonwealth shall reimburse the town wherein the mother resides for one half of all expenses incurred by such town under this section. *Approved September 20, 1965.*

Chap. 696. AN ACT EXTENDING THE TIME FOR AN APPEAL FROM A CLASSIFICATION OF A CORPORATION BY THE COMMISSIONER OF CORPORATIONS AND TAXATION.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 58 of the General Laws, as most recently amended by section 1 of chapter 490 of the acts of 1958, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

Any person aggrieved by any classification made by the commissioner under any provision of chapters fifty-nine and sixty-three or by any action taken by the commissioner under authority of this section may, on or before April thirtieth of said year or the thirtieth day after such list is sent out by the commissioner, whichever is later, file an application with the state tax commission, in chapters fifty-eight to sixty-five B, inclusive, called the commission, on a form approved by it, stating therein the classification claimed; provided, however, that no such application may be filed by a person other than a board of assessors unless (1) the classification complained of is different from that appearing in the list for the next preceding year, or (2) said person on or before January fifteenth filed with the commissioner a request, on a form approved by the commission, seeking a particular classification, and such request was not allowed by the commissioner in the preparation of the list.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-six. *Approved September 20, 1965.*

Chap. 697. AN ACT RELATIVE TO THE FEES FOR CERTAIN PERMITS AND CERTIFICATES ISSUED BY THE DIVISION OF MARINE FISHERIES.

Be it enacted, etc., as follows:

Chapter 130 of the General Laws is hereby amended by striking out section 83, as appearing in section 1 of chapter 598 of the acts of 1941, and inserting in place thereof the following section: — *Section 83.* For the purpose of defraying the cost of issuing certain certificates and permits and the inspection thereof, the following fees shall be paid to the director by the person to whom the same is issued for any calendar year or part thereof:

Dealer's shellfish certificates for approved shucking plant	$10.00
Dealer's shellfish certificates for other than approved shucking plant	3.00
Dealer's shipping certificates	20.00
Digger's shipping certificates	4.00

Master digger's permits in contaminated area	$20.00
Digger's permits in contaminated area	3.00
Bait permits in contaminated area	3.00
Wholesale fish dealer's certificates	20.00
Bed certificates, shellfish	3.00
Others, miscellaneous	3.00
Duplicates, replacing originals	3.00

Approved September 20, 1965.

Chap. 698. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS AND THE GLOUCESTER HOUSING AUTHORITY TO EXERCISE CERTAIN POWERS IN REGARD TO CERTAIN TIDELANDS OF GLOUCESTER HARBOR.

Be it enacted, etc., as follows:

SECTION 1. Provided that pertinent portions of the Gloucester Housing Authority's Urban Renewal Plan for the Gloucester Waterfront Urban Renewal Area, designated as Project No. Mass. R–33 June 13, 1963 and duly approved under the Federal Housing Act of 1949 and chapter one hundred and twenty-one of the General Laws, are recorded in the Essex South District Registry of Deeds, the recording of a copy of this section therein shall vest all right, title and interest of the commonwealth in and to the tidelands within said area of the city of Gloucester in the Gloucester Housing Authority, hereinafter called the Authority. Such recording shall include reference data to said pertinent plan, portions recorded previously, or therewith.

Said area is described in detail in said plan and comprises generally the land, flats and tidewaters shoreward of the Harbor Commissioner's Line, as indicated on map titled Re-survey of Wharf Lines of Gloucester Harbor, Plane Table Sheets Nos. 1 & 2 dated May 1922, on file in Mass. D.P.W. Division of Waterways office, lying in the area Westerly of the Easterly boundary of land of Merrimack-Essex Electric Co. at Vincent's Cove and Easterly of the Westerly boundary of land of Philip B. Reed at the Town landing.

SECTION 2. The pertinent portions of said plan to be recorded shall include:

1. Statement of purposes and objectives.
2. Legal description of the perimeter boundary of the area.
3. Project actions.
4. Controls for land use and buildings.
5. General building requirements for wharves and piers.

SECTION 3. Within thirty days of recording of a copy of section one, the Authority shall send notice and certified copies of both recordings, with recording data, to the state department of public works, hereinafter called the department. Upon receipt of such notice, the department, at the expense of the Authority, shall procure a title examination to determine the right, title and interest of the commonwealth in the area vesting in the Authority under this act and also a real estate expert to appraise the value of same. The Authority shall pay the commonwealth for the right, title and interest so vesting such compensation as, after consideration of such appraisal, may be recommended by the department and determined by the governor to be just compensation therefor.

SECTION 4. From the time a copy of section one is filed in Essex South registry of deeds until January first, nineteen hundred and seventy-two, 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 the 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 of said filing and January first, nineteen hundred and seventy-two 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 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 5. 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 6. 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 four. *Approved September 20, 1965.*

Chap. 699. AN ACT PROVIDING THAT MOSQUITO INFESTED AREAS OR AREAS LIKELY TO PRODUCE MOSQUITOES MAY BE DECLARED PUBLIC NUISANCES.

Be it enacted, etc., as follows:

Section 5B of chapter 252 of the General Laws is hereby amended by striking out the first sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence: — The board of health of a city or town not included in an area designated by an identifying name for the purposes of section five A or the commissioners appointed to make improvements on behalf of a mosquito control project under such a name, as provided in said section, may determine any area infested by mosquitoes, or likely to produce mosquitoes within the limits of any such city or town or of such project, to be a public nuisance, and the board of health or the commissioners, as the case may be, may abate such nuisance in such manner as may be approved by the board, and may maintain such works as may be necessary to prevent its recurrence. *Approved September 20, 1965.*

Chap. 700. AN ACT PROVIDING FOR THE ISSUANCE OF ONE NUMBER PLATE TO BE DISPLAYED ON VEHICLES OWNED OR CONTROLLED BY MANUFACTURERS, DEALERS, REPAIRMEN, OWNER-REPAIRMEN, TRANSPORTERS AND FARMERS.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 90 of the General Laws, as most recently amended by section 1 of chapter 483 of the acts of 1955, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence: — The registrar shall, upon payment of the fee provided in section thirty-three, furnish at his office to each manufacturer, dealer, repairman, owner-repairman, transporter and farmer whose vehicles are registered in accordance with this section, such number of number plates as he may request in writing of suitable design having displayed upon them the register number which is assigned to the vehicles of such manufacturer, dealer, repairman, owner-repairman, transporter or farmer, with a different letter or letters or mark on each number plate, and, in addition, the registrar shall furnish to every transporter with each number plate a corresponding certificate of registration.

SECTION 2. Section 6 of said chapter 90 is hereby amended by striking out the first sentence, as amended by section 2 of chapter 436 of the acts of 1939, and inserting in place thereof the following sentence: — Every motor vehicle or trailer registered under this chapter when operated in or on any way in this commonwealth shall have its register number displayed conspicuously thereon by the number plates furnished by the registrar in accordance with section two or five or by temporary number plates authorized by the registrar as hereinafter provided, one number plate to be attached at the front and one at the rear of said motor vehicle, and one number plate to be attached at the rear of said trailer, but if the registrar issues but one number plate it shall be attached to the rear of the vehicle so that it shall always be plainly visible.

SECTION 3. Subdivision (7) of section 33 of said chapter 90 is hereby amended by striking out the fifth paragraph, as appearing in section 1 of chapter 571 of the acts of 1959, and inserting in place thereof the following paragraph: —

For the registration of motor vehicles or trailers owned by or under the control of a manufacturer, dealer, repairman, owner-repairman, or farmer, including one or more number plates as requested in writing by the applicant for registration, six dollars for the registration and six dollars for each number plate furnished by the registrar. For the registration of motor vehicles under the control of a transporter, including one or more number plates and registration certificates as requested in writing by the applicant for registration, six dollars for the registration and seven dollars for each number plate and corresponding certificate of registration furnished by the registrar. *Approved September 20, 1965.*

Chap. 701. AN ACT AUTHORIZING CERTAIN RETARDED CHILDREN ATTENDING SPECIAL CLASSES FOR THE MENTALLY RETARDED TO CONTINUE WITH SUCH CLASSES AFTER AGE SIXTEEN.

Be it enacted, etc., as follows:

Section 46 of chapter 71 of the General Laws is hereby amended by inserting after the first paragraph the following paragraph: —

Any child who has attended a special class for the instruction of the mentally retarded under this section shall be permitted to continue to attend such class upon reaching age sixteen, if his parent or guardian so requests. *Approved September 20, 1965.*

Chap. 702. AN ACT PROVIDING FOR THE PAYMENT OF A CERTAIN SUM OF MONEY TO JOHN W. SEELEY, A COMMERCIAL MOTOR VEHICLE INVESTIGATOR IN THE DEPARTMENT OF PUBLIC UTILITIES, FOR CERTAIN SERVICES AS ACTING SUPERVISING INVESTIGATOR OF COMMERCIAL MOTOR VEHICLES IN SAID DEPARTMENT.

Be it enacted, etc., as follows:

The state treasurer is hereby authorized and directed to pay to John W. Seeley, an employee of the department of public utilities, the sum of one hundred twenty-seven dollars and forty cents, representing the difference between the salary he received for the period between February ninth, nineteen hundred and sixty-four and May eighth, nineteen hundred and sixty-four, both dates inclusive, as a commercial motor vehicle investigator and the salary he should have received as acting supervising investigator of commercial motor vehicles for said period. *Approved September 20, 1965.*

Chap. 703. AN ACT PROVIDING THAT CERTAIN ELECTED PUBLIC OFFICIALS SHALL BE GRANTED LEAVES OF ABSENCE WITHOUT PAY FROM CERTAIN OTHER OFFICES AND POSITIONS DURING THE TERMS FOR WHICH THEY WERE ELECTED.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to permit certain public officers or employees elected to public office to serve without loss of certain rights relative to their employment, 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 46E of chapter 31 of the General Laws is hereby amended by adding the following paragraph: —

Any person holding an elective state office, or the mayor of any city elected to said office by the people, who holds a permanent office or position in the classified civil service or the labor service or who is employed on a permanent basis by any public authority which is supported in whole or in part by public money shall, upon his written request, made to the appointing authority, be granted a leave of absence without pay from such office, position or employment for all or such

portion of the term for which he was elected as he may at any time, or from time to time, designate, and he shall not be suspended or discharged, and shall suffer no loss of civil service rights, as a result of such election.

SECTION 2. This act shall not apply to any office or position to which the federal standards for a merit system of personnel administration apply, and for which there is federal reimbursement.

(This Bill, returned by the governor, to the House of Representatives, the branch in which it originated, with his objections thereto, was passed by the House of Representatives, September 15, 1965, and, in concurrence, by the Senate, September 20, 1965, the objections of the governor, notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

Chap. 704. AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO CONSTRUCT A WATER RETENTION AREA FOR FLOOD CONTROL AND OTHER PURPOSES IN THE WATERSHED OF THE PINE TREE BROOK IN THE TOWN OF MILTON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the construction of flood control and other works of improvement within the watershed area of the Pine Tree Brook in the town of Milton and immediately to authorize agreements with the federal government and the town of Milton to provide for the payment of the cost of such construction by the federal government and said town, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. The water resources commission, hereinafter called the commission, in order to facilitate the performance of its duties, powers and obligations, is hereby authorized and directed to enter into and execute with the United States Department of Agriculture an agreement or contract, in accordance with the provisions of the Watershed Protection and Flood Prevention Act, for the construction of certain works of improvement in the watershed area of the Pine Tree Brook in the town of Milton, hereinafter called the town, for the purpose of flood prevention and related purposes, including water retention structures and flood walls for the storage of water and channel modification and water resources utilization, which project shall be designated as the Pine Tree Brook Watershed Project.

SECTION 2. The commission, acting for and in behalf of the commonwealth, may enter into an agreement with the town for the commission to be the contracting authority to construct the works of improvement described in section one; provided, however, that the town shall provide all lands, water rights, rights of way, and easements, public or private, necessary for accomplishing any purpose mentioned in this act and shall deposit funds in advance with the state treasurer to the credit of the commission for payment of all nonfederal costs of the projects authorized under this act. Funds so deposited shall be held in a special account and expended by the commission without further appropriation. Any

unexpended balances remaining in the special account upon the completion of the works shall be returned to the town.

SECTION 3. The agreements entered into as authorized by section two shall set forth the sums to be paid by the federal government on account of the construction of the works of improvement allocated to flood control or other flood retardation works, and such other sums as the federal government is to pay on account of other works to be included in the overall project and authorized by said Watershed Protection and Flood Prevention Act. Federal funds deposited in the treasury of the commonwealth shall be placed in a special account to the credit of the commission and shall be disbursed without further appropriation to pay for federal obligations provided for in the agreements between the United States Soil Conservation Service and the commission and for no other purposes. Any unexpended balances remaining in the account upon completion of the project shall be returned to the federal government.

SECTION 4. The town shall be responsible for any damages or costs incurred as a result of the acquisition of the lands, water rights, rights of way, or other easements, public or private, and the ownership of the property and rights so acquired shall remain in the name of the town.

SECTION 5. Upon completion of the structures, flood walls and channel modifications named in section one, the town shall assume the responsibility for the maintenance and operation of the works in a manner satisfactory to the commission.

SECTION 6. The commission or its duly authorized agents shall have the right to enter upon any lands for the purpose of making surveys, test pits and borings, and may take, or otherwise acquire, the right temporarily to occupy any lands necessary for the construction of any works or for any other purposes authorized by this act.

Approved September 21, 1965.

Chap. 705. AN ACT TO AUTHORIZE SAVINGS BANKS, CO-OPERATIVE BANKS, AND TRUST COMPANIES TO PARTICIPATE WITH NATIONAL BANKING ASSOCIATIONS OR SAVINGS AND LOAN ASSOCIATIONS IN MAKING LOANS INSURED BY THE FEDERAL HOUSING ADMINISTRATOR.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to promote forthwith the financing and development of housing throughout 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 first sentence of section 51 of chapter 167 of the General Laws is hereby amended by striking out clause (*b*), as most recently amended by section 3 of chapter 263 of the acts of 1965, 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 domestic insurance companies authorized to transact life insurance, trust companies, savings banks or co-operative banks described herein, national banking associations and savings and loan associations provided that such institutions are authorized so to do, 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 and 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 and seventy; and (6) the balance of amounts invested in any such loan outstanding at any one time from any such corporation secured by a mortgage of a single leasehold interest shall not exceed two per cent of the deposits of such corporation.

SECTION 2. Said section 51 of said chapter 167 is hereby further amended by striking out the sentence amended by section 4 of said chapter 263 and inserting in place thereof the following sentence: — A savings bank, co-operative bank or trust company may also, in participation with one or more other such corporations, domestic insurance companies authorized to transact life insurance, national banking associations or savings and loan associations if such associations are authorized so to do, make or acquire any of the loans referred to in clause (*b*) which are secured by mortgages on real property held in fee simple.

Approved September 21, 1965.

Chap. 706. AN ACT AUTHORIZING THE CITY OF QUINCY TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION AND OPERATION OF A FACILITY FOR THE DISPOSAL OF GARBAGE OR REFUSE BY INCINERATION, COMPOSTING OR ANY OTHER SANITARY MEANS.

Be it enacted, etc., as follows:

SECTION 1. The city of Quincy may contract for the construction and operation, for a period not exceeding twenty years, of a facility for the incineration, composting, or disposal by any other sanitary means of garbage or refuse collected in said city, notwithstanding any provision

of the first paragraph of section four of chapter forty of the General Laws to the contrary. Such contract shall provide that such facility shall be constructed and operated on land owned by said city, and for said purpose said city may take land in said city by eminent domain or acquire the same by purchase, gift or devise. Except as herein otherwise expressly provided, the provisions of general and special laws and ordinances applicable to the collection, disposal, incineration, composting, transportation or dumping of garbage or refuse in the city of Quincy shall be applicable to any contract entered into or the establishment of a site for the construction and operation of a facility under the provisions of this act.

SECTION 2. This act shall take effect upon its acceptance by the city of Quincy. *Approved September 21, 1965.*

Chap. 707. AN ACT RELATIVE TO THE PROCEDURE FOR CERTIFYING HISTORIC LANDMARKS BY THE MASSACHUSETTS HISTORICAL COMMISSION.

Be it enacted, etc., as follows:

Chapter 9 of the General Laws is hereby amended by striking out section 27, added by section 1 of chapter 697 of the acts of 1963, and inserting in place thereof the following section: — *Section 27.* The commission may request the chairman to examine certain sites and structures in the commonwealth and to make recommendations concerning their historical significance. Any such site or structure deemed by the commission to be of substantial historical significance to the commonwealth may, with the written consent of the person or persons claiming ownership, and such others having recorded interests as the commission shall deem necessary, be certified by the commission as an historic landmark and a list of such certified historic landmarks shall be maintained and published annually by the state secretary. In the case of landmarks owned by the commonwealth, such consent may be given by the governor. In the case of landmarks owned by a city such consent may be given by its manager or, if there is no manager, its mayor, with the approval of its city council, and in the case of landmarks owned by a town, by its selectmen. No such certification shall take effect until a notice of such certification has been recorded in the registry of deeds in the county where such certified landmark is situated. The commission may establish standards for the care and management of such certified landmarks, and may withdraw such certification for failure to maintain such standards provided that a notice of such withdrawal is recorded as aforesaid. No certified historic landmark shall be altered in such a manner as would seriously impair its historical values without permission of the commission, except that persons having recorded interests who have not given written consent to the certification and those claiming under them shall not be required to obtain such permission. Before granting such permission the commission shall hold a public hearing. The commission may grant such permission or may withhold permission for any period up to one year during which time the commission shall consult with civic groups, public agencies and interested citizens to ascertain what action, if any, ought to be

taken to preserve such landmark, and shall make recommendations for its preservation to the commonwealth or its political subdivisions, to historical societies or to other interested civic organizations. The superior court shall have jurisdiction in equity to enforce the provisions of this section and, on petition of any party in interest, may alter, amend or revoke the order of the commission.

Approved September 21, 1965.

Chap. 708. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO CO-OPERATE WITH THE UNITED STATES IN THE RELOCATION OF STATE HIGHWAY ROUTE 8 IN THE TOWN OF SANDISFIELD IN ORDER TO EXPEDITE THE CONSTRUCTION OF THE FARMINGTON RIVER FLOOD CONTROL PROJECT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to immediately authorize the department of public works to relocate state highway route 8 to expedite the construction of the Farmington river flood control project, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, hereinafter called the department, is hereby authorized to make all contracts and agreements and do all other things necessary to co-operate with the United States in the relocation of state highway route 8, now located in the town of Sandisfield, within the area of the Farmington river flood control project, authorized by the Congress of the United States under the Flood Control Act of 1960.

SECTION 2. The department, on behalf of the commonwealth, is hereby authorized to take, under the provisions of chapter seventy-nine of the General Laws, such lands or rights therein as may from time to time be required, to relocate and reconstruct highways, roads and streets, including bridges and approaches and other structures incidental thereto, and do all other work necessary therefor, and to enter on private lands for said purposes.

SECTION 3. For the purposes authorized by this act, the department may use any funds which may be available for the construction and maintenance of state highways, and all reimbursements from the United States for sums so expended shall be received by the state treasurer and shall be expended upon the order or approval of the department without specific appropriation.

SECTION 4. For the purpose of carrying out the work herein authorized, the department may enter into any contracts necessary therefor, to carry out and perform any of the work herein authorized, the cost thereof to be paid by the department from the funds authorized herein.

SECTION 5. The department is hereby authorized to abandon any land or rights in land which may have been taken or acquired by it for highway purposes and which are within the area of said project, provided that the United States or the Metropolitan District of Hartford County, Connecticut, has acquired the title to the abutting land.

Approved September 27, 1965.

Chap. 709. AN ACT AUTHORIZING JAMES A. MCCARTHY TO CONTINUE TO SERVE AS ASSISTANT TO SUPERVISOR OF ELECTIONS IN THE DEPARTMENT OF THE STATE SECRETARY AFTER REACHING AGE SEVENTY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow James A. McCarthy to continue to serve as assistant to supervisor of elections, in the division of elections in the department of the state secretary after reaching age seventy on August eleventh, 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. Notwithstanding any provision of law to the contrary, James A. McCarthy may continue to serve as assistant to supervisor of elections, in the division of elections in the department of the state secretary after reaching age seventy, subject, however, to the will of the state secretary.

SECTION 2. This act shall take effect as of August thirty-first, nineteen hundred and sixty-five. *Approved September 27, 1965.*

Chap. 710. AN ACT PROVIDING THAT THE BOARD OF RATE SETTING ESTABLISH THE RATES TO BE CHARGED BY COUNTIES IN CONVALESCENT OR NURSING HOMES, OR REST HOMES.

Be it enacted, etc., as follows:

SECTION 1. Section 82 of chapter 111 of the General Laws is hereby amended by striking out the third and fourth sentences and inserting in place thereof the following three sentences: — Where a county has maintained a tuberculosis hospital or sanatorium and such institution is not to be included in the contractual arrangements for care of tuberculous patients under section seventy-eight, or where, after the passage of time, contractual arrangements under section seventy-eight are not continued, the commissioners or trustees may after being licensed under section seventy-one convert such hospital into a chronic disease hospital, or a convalescent or nursing home, or a rest home, or the institution may be discontinued and the property liquidated in accordance with law. The county commissioners or trustees may with the approval of the department adopt such rules and regulations concerning the operation of their institutions as chronic disease hospitals, convalescent or nursing homes, or rest homes as they deem necessary. The county commissioners or trustees shall determine the admission policy of such institutions and the rate or rates to be charged, provided that such a convalescent or nursing home, or rest home, shall, with respect to the rate or rates to be charged publicly aided patients, be subject to the provisions of section thirty L of chapter seven, except that the right of appeal to the board of rate setting for a determination of a rate for such convalescent or nursing home, or rest home, may be exercised at any time.

SECTION 2. In the case of any county institution authorized to be converted into a convalescent or nursing home or a rest home under section eighty-two of chapter one hundred and eleven of the General

Laws, as amended by section one of this act, the county commissioners or in the case of Bristol county the trustees of the Bristol county tuberculosis hospital, if they believe that the rates established therefor under section thirty L of chapter seven of the General Laws are inadequate or unreasonable, may, notwithstanding the contrary provisions of said section thirty L, file an appeal therefrom within sixty days after the effective date of this act or after the date of issue of an original license to operate such county institution as a convalescent or nursing home or a rest home, whichever is the later. *Approved September 27, 1965.*

Chap. 711. AN ACT RELATIVE TO THE ELIGIBILITY OF THE QUABBIN REGIONAL SCHOOL DISTRICT TO RECEIVE A MATCHING STABILIZATION FUND PAYMENT UNDER THE PROVISIONS OF THE SCHOOL BUILDING ASSISTANCE LAW.

Be it enacted, etc., as follows:

The Quabbin Regional School District, consisting of the towns of Barre, Hardwick, Hubbardston and Oakham shall, if it otherwise qualifies to receive a matching stabilization fund payment from the commonwealth under the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, in connection with the construction of a regional school, be eligible to receive such stabilization fund payment, notwithstanding the fact that the amount which may be appropriated by the town of Hubbardston from its stabilization fund in the year nineteen hundred and sixty-five was not contained therein on December thirty-first, nineteen hundred and sixty-four. *Approved September 27, 1965.*

Chap. 712. AN ACT TRANSFERRING THE FUNCTIONS OF THE VETERANS' BONUS COMMISSION TO THE STATE TREASURER.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and seventeen of the acts of nineteen hundred and fifty-nine is hereby repealed.

SECTION 2. Notwithstanding the provisions of any general or special law to the contrary, all the rights, powers and duties exercised by the commissioner of veterans' services as director of the Veterans' Bonus Commission, in continuing the functions of said commission, are hereby transferred to the state treasurer, and he shall exercise all the rights, powers and duties of the said commission.

The state treasurer may expend for clerical assistance in handling the applications of certain residents who served in the armed forces of the United States during hostilities in Korea, and for such other expenses, such sums as may be appropriated therefor.

Approved September 27, 1965.

Chap. 713. AN ACT PLACING THE OFFICE OF BUILDING INSPECTOR OF THE TOWN OF STONEHAM UNDER THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The office of building inspector of the town of Stoneham shall be subject to the civil service law and rules. The tenure of office of the incumbent thereof shall, upon the effective date of this act, be unlimited, subject, however, to said law 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 Stoneham. *Approved September 27, 1965.*

Chap. 714. AN ACT PROVIDING FOR A LEARNER'S PERMIT TO BE ISSUED BY THE BOARD OF RADIO AND TELEVISION TECHNICIANS.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by striking out section 87RRR, inserted by section 2 of chapter 604 of the acts of 1963, and inserting in place thereof the following section: — *Section 87RRR.* Except as otherwise provided, no person shall engage in the business of or act as a radio and television technician directly or indirectly, unless he is licensed; provided, however, that the board may, upon payment of a fee of two dollars, issue a learner's permit to an applicant who submits a written statement made under oath by a licensed master technician certifying that such person is employed by him and will work directly under his supervision and that he will be jointly responsible with him for work done by the applicant. Any such learner's permit shall be valid only while the holder is employed by the master technician who submitted such certificate, and in no event for more than three years.

Nothing contained in this section shall be construed so as to authorize a licensed radio and television technician to perform any work or services which may only be performed by persons licensed under chapter one hundred and forty-one.

The board shall make no rules or regulations which will be in conflict with the provisions of chapter one hundred and forty-one or with any rule or regulation adopted thereunder. *Approved September 27, 1965.*

Chap. 715. AN ACT ESTABLISHING THE WHITMAN DEVELOPMENT AND INDUSTRIAL CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. In this act, unless the context otherwise requires, the following words shall have the following meanings: —

"Corporation", the Whitman Development and Industrial Corporation, created by section two.

"Financial institution", any banking corporation or institution, trust company, savings bank, co-operative bank, savings and loan association, insurance company, or related corporation, partnership, foundation or other institution engaged primarily in lending or investing funds.

"Members", the persons named in section two, their associates, successors and assigns.

SECTION 2. Edward E. Jacobs, Victor C. Davis, Ward C. Benson, Jr., Helen E. Culbert, Ruth A. Butler, Clinton G. Bradshaw, Joseph L. Burns, Elbert O. Clayton, Richard H. Colvin, Jr., Donald J. Dunbar, J. Howard Duval, Walter F. Gibbons, Thomas M. Harding, Louis Homonoff, Edward P. Kirby, J. Warren Malley, John J. McLaughlin, Sr., John J. McLaughlin, Jr., Basil S. Milonas, George R. Parrott, C. Robert Pratt, Harry Rosen, Herbert L. Shepherd, Bruce F. Smith, W. Leo Welch, their associates, successors and assigns are hereby constituted a body corporate under the name of Whitman Development and Industrial Corporation.

SECTION 3. The corporation shall be a membership corporation, with its membership limited to thirty-five members. Any vacancy which occurs in the membership of the corporation shall be filled by appointment or election in accordance with the by-laws of the corporation. The principal office of the corporation shall be located in the town of Whitman.

SECTION 4. The purposes of the corporation shall be to promote, stimulate, develop and advance the business prosperity and economic welfare of the town of Whitman, and the citizens thereof; to encourage and assist, through loans, investments or other business transactions, the location of new business and industry in the town of Whitman, to rehabilitate and assist existing business and industry; and to stimulate and assist in the expansion of all kinds of business activity which will tend to promote the business development and maintain the economic stability of the town of Whitman, provide maximum opportunities for employment, encourage thrift, and improve the standard of living of its citizens; and similarly to endeavor to increase and diversify industry and employment.

In furtherance of such purposes and in addition to the powers conferred on it by the provisions of chapters one hundred and fifty-five and one hundred and eighty of the General Laws, the corporation shall, subject to the restrictions and limitations of this act, 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 and to give clear title thereto.

(*b*) To loan money on bonds secured by mortgage on real or personal property.

(*c*) To erect, construct, alter, maintain and improve commercial, industrial or civic buildings or buildings used for civic or charitable purposes of every description on any lands of the corporation or upon other lands, and to rebuild, alter and improve industrial, civic or charitable buildings or buildings used for civic or charitable purposes thereon.

(*d*) To purchase, subscribe to, acquire, hold and to sell, assign, mortgage, hypothecate or otherwise dispose of the shares of the capital

stock or preferred stock, bonds and other evidences of indebtedness of any corporation, domestic or foreign; and while owners or holders thereof to exercise all the rights and powers of ownership including the right to vote thereon for any purpose; and to issue in exchange for such stock, bonds and other evidences of indebtedness, its own bonds and other obligations.

(*e*) To buy, acquire, hold, use, employ, develop, mortgage, convey, lease and dispose of patent rights, letters patent, copyrights, trade names, labels, processes, devices, inventions, trademarks, formulae, goodwill and other rights, and to pay therefor in cash or property or to issue in exchange therefor bonds and other obligations.

(*f*) To enter into any arrangement for union of interest, co-operation, joint venture, reciprocal concession, or otherwise, with any person engaged in or about to engage in any business or transaction in the town of Whitman, which the corporation is authorized to engage in and to lend money with security to guarantee the contracts or otherwise assist any person, persons or company or corporation when necessary for the accomplishment of the purposes herein provided for.

(*g*) To receive stocks, bonds, donations, gifts and to otherwise raise money for the above outlined purposes.

(*h*) To elect, appoint and employ officers, agents and employees; to make contracts and incur liabilities for any of the purposes of the corporation.

(*i*) To borrow money from any financial institution, and to issue therefor its bonds, debentures, notes or other evidences of indebtedness, whether secured or unsecured, and to secure the same by mortgage, pledge, deed of trust or other lien on its property, franchises, rights and privileges of every kind and nature or any part thereof or interest therein.

(*j*) To co-operate with and avail itself of the facilities of the department of commerce and development and any similar governmental agencies; and to co-operate with, and assist, and otherwise encourage any industrial organization in the town of Whitman in the promotion, assistance and development of the business prosperity and economic welfare of such area.

(*k*) To do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

SECTION 5. Notwithstanding any rule at common law or any such other provision of any general or special law, or any provision in their respective charters, agreements of association, articles of organization, or trust indentures, all domestic corporations organized for the purpose of carrying on business within the commonwealth, including without implied limitation electric or gas companies as defined in section one of chapter one hundred and sixty-four of the General Laws, railroad corporations as defined in section one of chapter one hundred and sixty of the General Laws, financial institutions and, subject to approval, if necessary, by a court of competent jurisdiction, trustees are hereby authorized to acquire, purchase, hold, sell, assign, transfer, or otherwise dispose of any bonds, securities, or other evidences of indebtedness of the corporation and to make contributions to the corporation. In making contributions thereto, no financial institution shall expend, in the aggregate, in any one year an amount greater than one half of one per cent of its total or gross earnings or income for the next preceding fiscal

year; and provided, further, that such contributions may be made over a period not to exceed five years.

Any contribution made under this section to the corporation shall be in addition to any contributions authorized by section sixty-eight of chapter one hundred and sixty-eight of the General Laws, section thirty-five of chapter one hundred and seventy of the General Laws, and by other provisions of general or special law.

SECTION 6. The corporation shall not be subject to the provisions of chapter sixty-three of the General Laws, nor to any taxes based upon or measured by income. The securities and evidences of indebtedness issued by the corporation, and income therefrom, shall at all times be free from taxation by the commonwealth. Real property owned by the corporation shall not be subject to taxation by the city or town in which it is located until ten years from the date of its acquisition or until such property is leased, rented or otherwise disposed of, whichever is first.

SECTION 7. The provisions of chapter one hundred and ten A of the General Laws shall not apply to the bonds, debentures, notes, evidences of indebtedness, or any other securities of this corporation.

SECTION 8. The period of duration of the corporation shall be seventy-five years, subject, however, to the right of the members to dissolve the corporation prior to the expiration of said period. Upon the dissolution of the corporation all assets shall be paid over to a non-sectarian charitable organization selected by the attorney general.

Approved September 27, 1965.

Chap. 716. AN ACT REVIVING BLOODY BROOK CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. Bloody Brook Corporation, a corporation dissolved on June twentieth, nineteen hundred and fifty-six, by decree of the supreme judicial court for Suffolk County, shall be revived, in accordance with the provisions of section two.

SECTION 2. The commissioner of corporations and taxation shall file in the office of the secretary of state a certificate in such form as he may prescribe reviving said corporation. He may subject the revival of said corporation to such terms and conditions, as in his judgment the public interest requires, including more specifically and without limiting the foregoing the filing of all returns and documents required by law to be filed in the commonwealth by domestic business corporations and the payment of all taxes, interest and penalties and fees found to be due the commonwealth. Upon the filing of said certificate, said corporation shall stand revived with the same powers, duties and obligations as if it had not been dissolved, except as otherwise provided in said certificate; and all acts and proceedings of its officers, directors and stockholders or members, acting or purporting to act as such, which would have been legal and valid but for such dissolution, shall, except as aforesaid, stand ratified and confirmed. *Approved September 27, 1965.*

Chap. 717. AN ACT FURTHER EXTENDING THE TIME WITHIN WHICH AN ACT MAKING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-SIX PRIOR TO FINAL ACTION ON THE GENERAL APPROPRIATION BILL FOR SAID YEAR SHALL BE OPERATIVE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 579 of the acts of 1965 is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 673 of the acts of 1965, and inserting in place thereof the following sentence: — Notwithstanding any provision of law to the contrary, the provisions of House Bill numbered 3939, as amended and passed to be engrossed by the House of Representatives, making appropriations for the fiscal year nineteen hundred and sixty-six for the maintenance of departments, boards, commissions, institutions, and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements, and for certain permanent improvements, are hereby incorporated herein by reference and shall be effective on the passage of this act; provided, that expenditures thereunder shall be limited to the amounts made available by allotment by the governor upon recommendation of the commissioner of administration; and provided, further, that said commissioner is hereby directed to limit the amount so allotted to those appropriation accounts essential for the maintenance of services during the months of July, August, September and October.

SECTION 2. Said chapter 579 is hereby further amended by striking out section 2, as most recently amended by section 2 of said chapter 673, and inserting in place thereof the following section: — *Section 2.* This act shall cease to be operative upon the enactment into law of the general appropriation bill for the fiscal year nineteen hundred and sixty-six or on October thirty-first, nineteen hundred and sixty-five, whichever is the earlier, and all action taken under this act shall apply against said appropriation act.

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

Approved September 30, 1965.

Chap. 718. AN ACT RELATIVE TO THE HOLDING OF THE PRELIMINARY ELECTION IN THE CITY OF PEABODY IN THE CURRENT YEAR.

Be it enacted, etc., as follows:

SECTION 1. The preliminary election in the city of Peabody in the current year shall be held on such date as may be determined by the board of registrars of voters; provided, that the date so determined shall be no nearer the date of the regular city election than the third Tuesday prior to the date of said regular city election; and provided, further, that unless a determination of a date pursuant to the authority herein granted shall have been made by said board prior to October first of the current year, the said preliminary election shall be held on October fifth of the current year.

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

Approved September 30, 1965.

Chap. 719. AN ACT AUTHORIZING THE CITY OF HOLYOKE TO SELL AND CONVEY CERTAIN LAND ACQUIRED FOR PARK PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of general or special law, the city of Holyoke, by its mayor, may sell at public auction or private sale, and convey, subject to a reservation of a right to enter upon said property at any and all times for the proper maintenance, protection and repair of all its utilities, whether above or below ground, a certain parcel of land in said city acquired for park purposes, now under the jurisdiction of its parks and recreation commission, bounded and described as follows: —

Beginning at a point on the northeasterly side of old Ross Avenue, said point being one hundred sixty-three and seventy-four hundredths feet northwesterly from the northwesterly side of Maple street; thence, southerly along the arc of a one thousand ninety-two and ninety-six one hundredths feet radius, a distance of fifty-six and eight-tenths feet, more or less, to a point; thence, N 54° 01′ 19″ W a distance of one hundred fifty-four and five tenths feet, more or less, to a point; thence, northwesterly along the arc of a three hundred ten feet radius, a distance of one hundred eleven and thirty-six one hundredths feet to a point; thence, N 33° 26′ 19″ W a distance of two hundred twenty-one and forty-one one hundredths feet to a point on the southeasterly side of Elm Street Extension; thence, N 39° 50′ 41″ E along said side of Elm Street, a distance of thirty-one and thirty-two one hundredths feet to a point; thence, N 34° 07′ 41″ E and along said side line of Elm street, a distance of one hundred ninety-nine and nineteen one hundredths feet to a point; thence, northeasterly and southerly along the arc of a twenty-seven foot radius, a distance of sixty-two and forty-four one hundredths feet to a point on the westerly side of relocated Ross avenue; thence, S 13° 22′ 19″ E along said westerly side of said Ross avenue, a distance of three hundred eighty-one and sixty-eight one hundredths feet to a point; thence, continuing southerly along said side of said street along the arc of a one thousand ninety-two and ninety-six one hundredths feet radius, a distance of one hundred ten and twenty one hundredths feet, to the point of beginning.

Said described area includes Parcel "B", 13,869 square feet, more or less, and Parcel "C", which contains 1.3 acres more or less, as said parcels are shown on a plan entitled: "City of Holyoke, Ross Avenue Abandonment, E. A. Maher, City Engineer, Scale 1″ = 40′, Jan. 12, 1961, Revised 3/64 by S. W. Deck." Said parcel of land includes (*a*) one-half of the abandoned portion of Ross avenue between Elm street and Maple street in said city, and (*b*) that portion of Elmwood Park which was separated from the main body of said park by the relocation of said Ross avenue.

SECTION 2. This act shall take effect upon its acceptance during the year nineteen hundred and sixty-five or nineteen hundred and sixty-six by the city of Holyoke and by a majority vote of the parks and recreation commission of said city. *Approved October 5, 1965.*

Chap. 720. AN ACT DESIGNATING A CERTAIN BRIDGE OVER ROUTE 44 IN THE TOWN OF MIDDLEBOROUGH AS THE PRIVATE FIRST CLASS VERNON N. HAYNES BRIDGE.

Be it enacted, etc., as follows:

The railroad bridge over Everett street and state highway route 44 in the town of Middleborough shall be known and designated as the Private First Class Vernon N. Haynes bridge, in memory of Vernon N. Haynes, who was killed in action while a member of the armed forces of the United States in World War II. A suitable marker bearing said designation shall be attached thereto by the department of public works.

Approved October 6, 1965.

Chap. 721. AN ACT DESIGNATING THE VERNON STREET BRIDGE OVER ROUTE 25 IN THE TOWN OF MIDDLEBOROUGH AS THE PRIVATE WILLIAM L. SUKEFORTH BRIDGE.

Be it enacted, etc., as follows:

The Vernon street bridge over state highway route 25 in the town of Middleborough shall be known and designated as the Private William L. Sukeforth bridge, in memory of William L. Sukeforth, who was killed in action while a member of the armed forces of the United States in World War II. A suitable marker bearing said designation shall be attached thereto by the department of public works.

Approved October 6, 1965.

Chap. 722. AN ACT DESIGNATING A CERTAIN BRIDGE OVER ROUTE 25 IN THE TOWN OF MIDDLEBOROUGH AS THE SERGEANT RUSSELL W. TRIPP BRIDGE.

Be it enacted, etc., as follows:

The bridge on state highway route 25 over Pine street in the town of Middleborough shall be known and designated as the Sergeant Russell W. Tripp bridge, in memory of Russell W. Tripp, who was killed in action while a member of the armed forces of the United States in World War II. A suitable marker bearing said designation shall be attached thereto by the department of public works.

Approved October 6, 1965.

Chap. 723. AN ACT AUTHORIZING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO EXTEND ITS RAPID TRANSIT FACILITIES IN THE CITIES OF BOSTON AND QUINCY AND THE TOWNS OF BRAINTREE, HINGHAM, HULL, SCITUATE AND WEYMOUTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable the Massachusetts Bay Transportation Authority to proceed forthwith with the construction of the rapid transit line set forth in this act in order to relieve traffic congestion as soon as possible and to take maximum advantage of federal aid under the Urban Mass Transportation Act of 1964, therefore it is hereby declared to be

an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The Massachusetts Bay Transportation Authority, hereinafter called the Authority, may, subject to the approval of the advisory board established by section seven of chapter one hundred and sixty-one A of the General Laws, construct and equip a rapid transit line from the South Station area of the city of Boston and over or under the Fort Point channel or from a point southerly thereof, along the former route of the Old Colony Division of the New York, New Haven and Hartford Railroad through the city of Boston, the city of Quincy and the towns of Braintree, Hingham, Hull, Scituate and Weymouth and as a part thereof may construct and equip a bridge over the Neponset River between the cities of Boston and Quincy over the lands of the commonwealth, to replace the present railroad bridge over said river. The Authority may, for the purpose of this act, use or take land of the commonwealth without compensation therefor, and may acquire, either by purchase or by eminent domain under chapter seventy-nine of the General Laws, such portion of the properties of said railroad and other properties as the Authority may determine to be necessary for said rapid transit line and its appurtenances. After the acquisition of such railroad properties neither such railroad nor the Authority shall be responsible for the maintenance or repair of the bridges over that portion of the properties of such railroads acquired by the Authority, but said bridges shall thereafter be maintained and repaired by the state department of public works, except that any of said bridges presently under the jurisdiction of the metropolitan district commission shall thereafter be maintained and repaired by said commission. *Approved October 11, 1965.*

Chap. 724. AN ACT INCREASING THE LEISURE TIME ACTIVITIES ALLOWANCE UNDER THE OLD AGE ASSISTANCE LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to increase forthwith the allowance for leisure time activities under the old age assistance law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 118A of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by chapter 549 of the acts of 1964, 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 eleven dollars and fifty cents 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.

SECTION 2. This act shall take effect on November first, nineteen hundred and sixty-five. *Approved October 11, 1965.*

Chap. 725. AN ACT PROVIDING THAT THE DIRECTOR OF CIVIL SERVICE AND THE WELFARE COMPENSATION BOARD SHALL NOT BE SUBJECT TO THE PROVISIONS OF THE STATE ADMINISTRATIVE PROCEDURE ACT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to permit certain changes in salary ranges of employees in programs relating to positions under the Welfare Compensation Plan, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 1 of chapter 30A of the General Laws is hereby amended by striking out paragraph (2), as amended by chapter 511 of the acts of 1959, and inserting in place thereof the following paragraph: —

(2) "Agency" includes any department, board, commission, division or authority of the state government, or subdivision of any of the foregoing, or official of the state government, authorized by law to make regulations or to conduct adjudicatory proceedings, but does not include the following: the legislative and judicial departments; the governor and council; military or naval boards, commissions or officials; the department of correction; the youth service board and the division of youth service in the department of education; the parole board; the division of industrial accidents of the department of labor and industries; the division of child guardianship of the department of public welfare; the division of civil service; and the director of civil service and the welfare compensation board. *Approved October 11, 1965.*

Chap. 726. AN ACT PROVIDING THAT CERTAIN SERVICE IN THE ARMED FORCES IN EXCESS OF FOUR YEARS BE COUNTED AS CREDITABLE SERVICE UNDER THE RETIREMENT AND CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. Section 25 of chapter 708 of the acts of 1941, as most recently amended by section 1 of chapter 580 of the acts of 1964, is hereby further amended by inserting after the word "States", in line 8, the words: — or unless such service in excess of four years was rendered prior to July first, nineteen hundred and sixty-four.

SECTION 2. The first sentence of the third subparagraph of paragraph (*h*) of subdivision (1) of section 4 of chapter 32 of the General Laws, as most recently amended by section 2 of said chapter 580, is hereby further amended by inserting after the word "States", in line 10, the words: — or unless such service in excess of four years was rendered prior to July first, nineteen hundred and sixty-four.

SECTION 3. Section 58A of said chapter 32 is hereby amended by inserting after the word "States", in line 15, as appearing in section 3 of said chapter 580, the words: — or unless such service in excess of four years was rendered prior to July first, nineteen hundred and sixty-four.

SECTION 4. This act shall take effect as of July first, nineteen hundred and sixty-four. *Approved October 11, 1965.*

Chap. 727. AN ACT AUTHORIZING THE BOARD OF SELECTMEN IN TOWNS TO ACT ON BEHALF OF TOWNS WITH RESPECT TO CERTAIN ANNUITIES.

Be it enacted, etc., as follows:

Section 95A of chapter 32 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 2 of chapter 656 of the acts of 1963, and inserting in place thereof the following paragraph: — For the purpose of promoting the public good, and in consideration of the long and meritorious service of any official or employee who was retired or pensioned under the provisions of any noncontributory retirement law or who was qualified for retirement under the provisions of any such law but died before being retired, and who had no rights under any such law to elect that benefits thereunder be paid to a survivor, a county, a city or a town which accepts this section, in the manner hereinafter provided, shall grant an annuity to his surviving spouse, so long as such spouse survives and does not remarry, or, if there is no surviving spouse, to a legal guardian for the benefit of any surviving child who is unmarried and under age eighteen, in such amount as it may determine, but not to exceed one half of the regular annual compensation received by such official or employee or two thousand dollars, whichever is less; provided, that such official or employee had been permanently employed on a full-time basis by such county, city or town for not less than fifteen years; and provided, further, that such spouse or child is not receiving a retirement allowance or pension under the provisions of any general or special law; and provided, further, that any annuity granted hereunder to such spouse or for the benefit of any such child is less than twelve hundred dollars, it may be increased to an amount not exceeding twelve hundred dollars. In the case of a town, the board of selectmen shall, subject to subsequent disapproval or modification by the town meeting, grant such annuity and determine the amount. *Approved October 11, 1965.*

Chap. 728. AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO CONTRIBUTE FUNDS TO THE CAMBRIDGE REDEVELOPMENT AUTHORITY FOR THE GRANTING OF RELOCATION PAYMENTS TO PARTIES DISPLACED FROM PROJECT AREAS.

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge may raise and appropriate money, or incur debt, or agree with the Cambridge Redevelopment Authority to raise and appropriate money or incur debt, for the contribution or grant to said Authority of such sums as said city may from time to time determine for the granting of relocation payments, as hereinafter defined, by said Authority; provided, that the total amount of such appropriation in any one year by said city shall not exceed one-fourth of one per cent of the average of the assessors' valuations of the taxable property of said city for the three preceding years, reduced and otherwise determined as provided in section ten of chapter forty-four of the General Laws. Such debt may be outside the limit of the indebtedness prescribed in said section ten, and shall be payable within twenty years and otherwise subject to sections sixteen to twenty-seven, inclusive, of said chapter forty-four; provided, further, that the total amount of such indebtedness outstanding at any one time shall not exceed one-half of

one per cent of the average of the assessors' valuations of the taxable property for the three preceding years, reduced and otherwise determined as provided in said section ten. The term "relocation payments" is hereby defined as payments made by said Authority in accordance with its regulations, which regulations shall be subject to the approval of the division of urban renewal in the department of commerce and development as reimbursement or compensation for the reasonable and necessary moving expenses, and any actual, direct loss of personal property, except goodwill or profit suffered by individuals, families, business concerns and nonprofit organizations, resulting from displacement from any land assembly and redevelopment project area or urban renewal project area made necessary by acquisition of real property by said Authority, but shall not include reimbursement or compensation for any expenses or losses for which reimbursement or compensation would be otherwise made.

SECTION 2. This act shall take effect upon its acceptance by the city of Cambridge. *Approved October 18, 1965.*

Chap. 729. AN ACT PROVIDING FOR THE APPOINTMENT OF AN ADDITIONAL COURT OFFICER FOR THE NORFOLK COUNTY PROBATE COURT.

Be it enacted, etc., as follows:

Section 30 of chapter 217 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 605 of the acts of 1965, and inserting in place thereof the following sentence: — The judges of probate for the counties of Suffolk, Middlesex and Norfolk may appoint three officers, the judges of probate for the counties of Essex and Plymouth may appoint two officers, and the judges of probate for Worcester county may appoint one officer to attend the sessions of the probate court and court of insolvency of their respective counties.

Approved October 18, 1965.

Chap. 730. AN ACT REPEALING THE LAW ESTABLISHING THE KENWOOD WATER DISTRICT.

Be it enacted, etc., as follows:

Chapter five hundred and ninety-eight of the acts of nineteen hundred and fifty-one is hereby repealed, and the Kenwood Water District established thereunder is hereby abolished.

Approved October 18, 1965.

Chap. 731. AN ACT EXTENDING THE TIME WITHIN WHICH THE CITY OF LEOMINSTER MAY BORROW MONEY TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 337 of the acts of 1961 is hereby amended by striking out, in line 3, the word "five" and inserting in place thereof the word: — eight.

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

Approved October 19, 1965.

Chap. 732. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO SELL AND CONVEY CERTAIN PARK LAND TO SPRINGFIELD BOYS' CLUB.

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield is hereby authorized to sell and convey to Springfield Boys' Club, a corporation duly established under the laws of the commonwealth, for the purpose of enabling said corporation to establish a clubhouse, and upon such terms and conditions as may be agreed upon by said city and said corporation, a certain parcel of park land in said city, bounded and described as follows:— Beginning at a point in the southerly side of Carew Street distant two hundred forty-eight and eighty-five one hundredths feet southwesterly of the southwesterly corner of Mayo Street and Carew Street; thence South 32° 31′ 15″ East along other land of George M. Hendee Park and other land of John L. Sullivan Playground a distance of five hundred forty-three and ninety-nine one hundredths feet to a point; thence South 60° 06′ 00″ West along other land of John L. Sullivan Playground a distance of six hundred feet to land of Paul M. Desrosiers; thence North 32° 31′ 15″ West along land of Paul M. Desrosiers, Cleophe Desrosiers, James J. and Beatrice Burke, the easterly end of Algonquin Street, lands of Mary L. Pappas and of Grace R. Sugrue a distance of five hundred forty-three and ninety-nine one hundredths feet to the southerly side of Carew Street; thence North 60° 06′ 00″ East along the southerly side of Carew Street a distance of six hundred feet to the point of beginning. Containing seven and four hundred ninety-three one thousandths acres of land.

SECTION 2. This act shall take effect upon its acceptance by the city of Springfield. *Approved October 19, 1965.*

Chap. 733. AN ACT AMENDING CERTAIN PROVISIONS OF THE CHARTER OF THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 8 of chapter 280 of the acts of 1932 is hereby amended by striking out clause (*d*) and inserting in place thereof the following clause: —

(*d*) For the office of member of the school committee at large, by and from the qualified voters of the entire city.

SECTION 2. Section 15 of said chapter 280, as amended by section 3 of chapter 611 of the acts of 1958, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

At the biennial election to be held in the year nineteen hundred and sixty-seven, there shall be elected six members of the school committee, three of whom shall serve for two years and three of whom shall serve for four years and biennially thereafter three members of the school committee shall be elected to serve for terms of four years.

SECTION 3. Said chapter 280 is hereby further amended by striking out section 16, as amended by section 4 of said chapter 611, and inserting in place thereof the following section: — *Section 16.* If a person nomi-

nated for the office of mayor, city clerk, councilman at large, councilman from a ward or member of the school committee dies before the municipal election at which his name would have gone on the ballot, no election shall be held for such office until the completion of the proceedings as hereinafter provided. Any votes that may be cast for such office prior to the completion of such proceedings shall be null and void. After such death, the city council shall forthwith cause warrants to be issued for a new preliminary election for such nomination. The person receiving the highest number of votes at such new preliminary election and the survivor of the two candidates originally nominated shall be the sole candidates for that office, and the same proceedings shall be thereafter had in all respects as hereinbefore provided for such office, which shall be repeated until an election to such office is completed; provided, that if the deceased person was the only nominee for such office, then the two persons receiving the highest number of votes at such new preliminary election shall be the sole candidates for that office.

If it shall appear that there is otherwise no choice for any elective office at any municipal election, the city council shall forthwith cause warrants to be issued for a new election for such office; and the same proceedings shall be had in all respects as hereinbefore provided for such office, which shall be repeated until an election to such office is completed.

If the person elected mayor shall refuse to accept the office or shall die before qualifying, there shall be a vacancy in such office from the beginning of the term for which such person was elected, and in the event of such vacancy or any other vacancies which shall occur, more than six months prior to the expiration of the term for which he was elected, or if any such events occur in the case of a member of the city council or a member of the school committee, the city council shall forthwith cause warrants to be issued for a new election, and the same proceedings shall be had in all respects as hereinbefore provided, for the election of a successor to fill the vacancy so existing and shall be repeated until an election is completed.

If such vacancy occurs within the period of six months prior to the expiration of the term for which an officer was elected, the vacancies shall be filled in the following manner:

(*a*) If the vacancy is in the office of the mayor, the then president of the city council shall automatically become mayor until such time as a person is elected mayor for the next succeeding term and the person so elected shall assume office immediately upon qualification and shall serve during the remainder of the unexpired term in addition to the term for which he was elected.

(*b*) If the vacancy is in the office of a member of the city council from a ward, the person elected to fill such seat for the next succeeding term shall assume office immediately upon qualification and shall serve during the remainder of the unexpired term in addition to the term for which he was elected.

(*c*) If the vacancy is in the office of a councilman at large, the person receiving the highest number of votes for councilman at large at the election to fill the next succeeding term, other than an incumbent councilman, shall assume office immediately upon qualification and shall serve during the remainder of the unexpired term in addition to the term for which he was elected.

(*d*) If the vacancy is in the office of member of the school committee, the person receiving the highest number of votes for such office at the election to fill the next succeeding term, other than an incumbent member of the school committee, shall assume office immediately upon qualification and shall serve during the remainder of the unexpired term in addition to the term for which he was elected.

If a vacancy occurs in the office of the city clerk, the mayor shall appoint, subject to the confirmation or rejection of the city council, some qualified person to serve until the next regular biennial municipal election, at which time the person elected to fill the next succeeding term shall assume office immediately upon qualification and shall serve during the remainder of the unexpired term in addition to the term for which he was elected.

SECTION 4. Section 17 of said chapter 280, as amended by section 6 of said chapter 611, is hereby further amended by inserting after the fifth sentence the following two sentences: — He may call special meetings of the school committee, when in his opinion the interests of the city require it, by causing written notices, stating the time of holding such meetings and signed by the mayor, to be delivered in hand to each member, or left at his usual dwelling place, at least six hours before the time of such meetings. He shall from time to time communicate to the school committee such information and recommend such measures as the business and interests of the city may in his opinion require.

SECTION 5. Section 37 of said chapter 280, as amended by section 11 of said chapter 611, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: — The school committee shall consist of the mayor who shall be chairman of the board and six other persons elected as provided in section fifteen. Except as in this section otherwise provided, the members of the committee shall serve without compensation.

SECTION 6. The following two questions shall be placed upon the official ballot to be used in the city of Pittsfield at the city election in the current year: —

Question 1. Shall the school committee of the city of Pittsfield consist of the mayor, ex officio, and six members elected at large?

YES.	
NO.	

Question 2. Shall vacancies in the city council and school committee of the city of Pittsfield be filled by special election?

YES.	
NO.	

If a majority of the votes in answer to question 1 are in the affirmative, sections one, two and five shall thereupon take effect; and the terms of all members of the school committee who were elected prior to the biennial city election to be held in the year nineteen hundred and sixty-seven shall expire on the first Monday of January, nineteen hundred and sixty-eight. If a majority of the votes in answer to question 2 are in the affirmative, section three shall thereupon take effect.

SECTION 7. Sections four and six shall take effect upon the passage of this act. *Approved October 20, 1965.*

Chap. 734. AN ACT ESTABLISHING THE WEST NORTHFIELD WATER DISTRICT IN THE TOWN OF NORTHFIELD.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Northfield, liable to taxation in said town and residing within the territory comprised within the following boundary lines, to wit: — Beginning at the intersection of the Vermont-Massachusetts state line and the Boston & Maine Railroad west line and running southerly on this line to its intersection with the Caldwell Road; thence running westerly on the north side of the Caldwell Road, crossing the Mount Hermon Road, extending this line 600 feet from the center of the Mount Hermon Road westerly at 280°; thence from this point in a northeasterly direction to the Vermont-Massachusetts line, a point 600 feet westerly on this line from the center of the Mount Hermon Road; thence following the Massachusetts-Vermont line easterly, to the point of beginning, shall constitute a water district, and are hereby made a body corporate by the name of the West Northfield Water District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of the district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. For the purposes aforesaid, the district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, and may take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or acquire by lease, purchase or 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 Northfield and not already appropriated for the purposes of a public supply, and the water and flowage rights connected with any such water sources; and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, processing, purifying and preserving the purity of the water and for conveying the same to any part of the district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the department of public health, and that the location and arrangement of all dams, reservoirs, springs, wells, pumping, purification and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The district may construct and maintain on the lands acquired and held under this act proper dams, wells, springs,

reservoirs, standpipes, tanks, pumping plants, buildings, processing plants, fixtures and other structures, including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct pipe lines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroad, railways, and public and 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 Northfield. The district shall not enter upon, or construct or lay any conduit, pipe or other works within, the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. The district may enter upon any lands for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from the district under said chapter seventy-nine or said chapter eighty A; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred and twenty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, West Northfield Water District Loan, Act of 1965. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such a district.

SECTION 5. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four; and, when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under this act, shall with-

out further vote be assessed upon the district by the assessors of the town of Northfield annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 6. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to section nine.

SECTION 7. Whenever a tax is duly voted by the district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same on property within the district in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act if, in the judgment of the board of water commissioners hereinafter provided for, after a hearing, due notice whereof shall have been given, such estate is so situated that it will receive no aid in the extinguishment of fire from the said system of water supply, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be supplied with water from said system in any ordinary or reasonable manner; but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by said board of water commissioners to said assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 8. Any meeting of the voters of the territory included within the district set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the district to be held prior to the qualification of a majority of the water commissioners, shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting, the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the water commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the district.

SECTION 9. The district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act

shall have been accepted or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in the district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board of water commissioners, but in no event shall it be later than fifteen months subsequent to the date on which the water commissioners were first elected. All the authority granted to the district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district. The treasurer shall not be a water commissioner, and shall give bond to the district in such an amount as may be approved by said water commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said water commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by the district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its water works except upon a written order of said water commissioners or a majority of them.

SECTION 10. Said board of water commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. If in any year there should be a deficit, the water commissioners shall in the following year fix the rate so as to meet such deficit together with the estimated operating costs, including interest and debt. Said water commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

SECTION 11. The district may adopt by-laws, prescribing by whom and how meetings of the district may be called, notified, and conducted; and, upon the application of ten or more legal voters in the district, meetings may also be called by warrant as provided in section eight. The district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with any other provision of law, and may choose such other officers not provided for in this act as it may deem necessary or proper.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, well, standpipe, aqueduct, pipe or other property owned or used by the district for any of the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year, or both.

SECTION 13. Upon a petition in writing addressed to said board of water commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on the district and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said water commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 14. This act shall take full effect upon its acceptance by a majority vote of the voters of the territory included within the district established by section one present and voting thereon, by the use of a check list, at a district meeting called, in accordance with section eight, within four years after its passage. *Approved October 20, 1965.*

Chap. 735. AN ACT RELATIVE TO COMPUTATION OF LENGTH OF SERVICE OF CERTAIN MUNICIPAL EMPLOYEES FOR VACATION PURPOSES.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 111G the following section: —

Section 111G½. In any city or town in which the provisions of section one hundred and eleven apply and which accepts this section, any employee thereof who has worked for five years but less than ten years, in the aggregate, shall be granted an annual vacation of three weeks without loss of pay, and any employee thereof who has worked for ten years, in the aggregate, or more shall be granted an annual vacation of four weeks without loss of pay. *Approved October 21, 1965.*

Chap. 736. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO CONVEY CERTAIN LAND IN THE TOWN OF HOPKINTON TO SAID TOWN IN CONSIDERATION OF THE CONVEYANCE BY SAID TOWN 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 town of Hopkinton to exchange certain land in said

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

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter five hundred and fifty-seven of the acts of nineteen hundred and forty-seven, in consideration of the conveyance to the department of natural resources, for the purposes set forth in chapter one hundred and thirty-two A of the General Laws, by the town of Hopkinton of a certain parcel of land in said town situated on the southwesterly side of Wood street and designated as the Engine House on a plan entitled "Commonwealth of Massachusetts, Metropolitan Water Works, Cedar Swamp and Whitehall Pond, Land Plans, Scale 50 feet to an inch, 1913, Division B, Sheet 7", which plan is on file with said department, said department is hereby authorized to convey to said town, for the purpose of constructing a fire station, 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 said town, bounded and described as follows: — Beginning at a stone bound on the Northeasterly side of Wood street at the Southeasterly corner of right of way as shown on plan hereinbefore mentioned; thence running N. 27° 1′ 30″ E. one hundred sixty-one and 75/100 (161.75) ft. by said right of way to a point; thence turning and running S. 3° 40′ 15″ W. by parcel of land marked "Heirs of Wilbur S. Gamage", sixty-four (64.00) ft.; thence turning and running N. 82° 03′ 30″ E. for a distance of forty-seven (47) ft.; thence turning and running N. 7° 23′ 30″ E. by land of Heirs of Wilbur S. Gamage for a distance of forty-four (44) ft.; thence turning and running S. 74° 6′ 00″ E. by other land of the Commonwealth of Massachusetts, nineteen and 28/100 (19.28) ft.; thence turning and running S. 3° 56′ 00″ E. for a distance of one hundred twenty and 70/100 (120.70) ft. by land of Heirs of Wilbur S. Gamage, as shown on said plan, to a point; thence running S. 10° 24′ W. for a distance of twenty-one and 67/100 (21.67) ft. by land of Heirs of Wilbur S. Gamage, as shown on said plan, to the Northeasterly side of Wood Street; thence turning and running along the Northeasterly side of Wood Street in an arc whose radius equals 293.93 ft. for a distance of one hundred eleven and 31/100 (111.31) ft., as shown on said plan; thence continuing along the Northeasterly side line of Wood Street, as shown on said plan, for a distance of thirty-five and 24/100 (35.24) ft. to the point of beginning, meaning and intending to convey the parcel of land marked

"0.62 A.W.D., Area of Land
0.44 A.W.D., Area of Mill Pond
1.06 A.W.D., Total Area", as shown on said plan.

Approved October 25, 1965.

Chap. 737. AN ACT RELATIVE TO THE POWERS OF THE EXECUTIVE COMMITTEE OF THE METROPOLITAN AREA PLANNING COUNCIL.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 113 of chapter 6 of the General Laws, as appearing in section 2 of chapter 668 of the acts of

1963, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — The executive committee shall be responsible for the supervision of the executive director and for the preparation of an annual budget, to be submitted to the council for its consideration, for the disbursement of council funds, and for the performance of such other duties as may be assigned by the council.

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

Approved October 25, 1965.

Chap. 738. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO SELL AND CONVEY A PARCEL OF LAND IN THE BREAKHEART RESERVATION IN THE TOWNS OF SAUGUS AND WAKEFIELD TO THE NORTHEAST METROPOLITAN REGIONAL VOCATIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to sell and convey to the Northeast Metropolitan Regional Vocational School District in or within thirty days from the effective date of this act at a price of fifty thousand dollars for the purpose of constructing and maintaining thereon a regional vocational school and the facilities necessary and appurtenant thereto a certain parcel of land situated in Wakefield, Middlesex County, Massachusetts, described as follows:

Beginning in the northeasterly line of the new highway known as Farm Street at the point of intersection of said line with the northwesterly line of the Right of Way of the New England Power Company, which point is 25.00 feet more or less northwesterly along said Farm Street from the town line between Wakefield and Saugus; thence Northwesterly along said northeasterly line of said Farm Street by three courses measuring 75.00 feet more or less, 396.43 feet, and 244.00 feet more or less to a point in said northeasterly line of said Farm Street which point is North 58° 34′ 09″ East 160.00 feet more or less from a concrete bound set in the northeasterly line of the street formerly known as Nahant Street and now known as Old Nahant Street; thence North 58° 34′ 09″ East 428.00 feet more or less to a concrete bound; thence North 74° 59′ 02″ East 332.00 feet to a drill hole set in ledge; thence North 20° 41′ 45″ West 542.20 feet to a concrete bound; thence North 40° 11′ 23″ East 443.52 feet to a concrete bound; thence North 19° 45′ 47″ West 999.25 feet to a concrete bound; thence Westerly 375.29 feet to a concrete bound; thence North 53° 47′ 59″ East 355.80 feet to a concrete bound; thence North 48° 20′ 59″ East 140.40 feet to a concrete bound; thence Northeasterly 204.00 feet more or less to a concrete bound; thence North 80° 24′ 52″ East 265.29 feet; thence North 85° 54′ 31″ East 300.45 feet; thence North 41° 26′ 12″ West 63.62 feet; thence North 46° 29′ 52″ West 63.33 feet; thence North 15° 39′ 38″ East 120.00 feet; thence approximately South 75° East 1020.00 feet more or less to the northwesterly boundary of the Right of Way of New England Power Company; thence Southwesterly along the northwesterly bound of said Right of Way of New England Power Company 3590.00 feet more or less to the point of beginning.

Said land shall be conveyed subject to the following reservation: — reserving to the metropolitan district commission an easement and right

of way in, over and upon the premises herein conveyed for foot and vehicular passage through the granted premises, extending from the existing entrance from Farm Road, Wakefield, over land now or formerly of New England Provision Co., Inc., into Breakheart Reservation either as the same is presently located and existing, or at the election and expense of the grantee, to be located, laid out and paved in the same manner and the same width as the existing roadway through the granted premises, which relocated right of way shall in any event connect with the continuation of the existing roadway now on the remaining portion of said Breakheart Reservation.

The monies received by the metropolitan district commission under the provisions of this act shall be credited on the books of the commonwealth to a separate fund and shall be expended subject to appropriation and the laws relating to state finances for the purpose of acquiring additional land by said commission for park purposes, and may be used in conjunction with funds available or which may become available under any state or federal law for similar purposes. *Approved October 25, 1965.*

Chap. 739. AN ACT PROVIDING FOR THE REDIVISION OF THE TERRITORY OF THE CITY OF WALTHAM INTO NINE WARDS, AND RELATIVE TO THE MEMBERSHIP OF THE CITY COUNCIL OF SAID CITY

Be it enacted, etc., as follows:

SECTION 1. The city council of the city of Waltham may, prior to the first day of December, nineteen hundred and sixty-five, make a redivision of the territory of said city into nine wards. The boundaries of such wards shall be so arranged that the wards shall contain as nearly as can be ascertained and as may be consistent with well defined limits to each ward, an equal number of voters according to the voting list of the year nineteen hundred and sixty-four; provided, however, that the number of voters in the ward having the greatest number thereof shall not exceed the number of voters in the ward having the smallest number by more than fifteen per cent.

SECTION 2. If the city council of the city of Waltham redivides the territory of said city into nine wards as provided in section one, and if said city council provides that the new wards shall be in effect for the purposes of any municipal election, as provided in section four of chapter fifty-four of the General Laws, then at such election one member of said city council shall be elected from each ward by and from the qualified voters thereof and the remaining six members shall be elected by and from the qualified voters of the city, notwithstanding any provision of section one of chapter three hundred and eighty-seven of the acts of nineteen hundred and fifty-five to the contrary.

SECTION 3. This act shall, upon its passage, take effect as of December thirty-first, nineteen hundred and sixty-four, and the city clerk of the city of Waltham shall report the results of the special enumeration taken in the current year as if the wards established by the city council under the provisions of section one were in existence on January first, nineteen hundred and sixty-five.

SECTION 4. Except as provided in this act, sections one to four, inclusive, of chapter fifty-four of the General Laws shall apply to any redivision made under the provisions of this act.

Approved October 25, 1965.

Chap. 740. AN ACT FORBIDDING THE ESTABLISHMENT BY HOUSING AUTHORITIES OF LOCAL RESIDENCY REQUIREMENTS FOR PUBLIC HOUSING APPLICANTS WHO HAVE BEEN DISPLACED BY PUBLIC ACTION.

Be it enacted, etc., as follows:

The first paragraph of section 26FF of chapter 121 of the General Laws is hereby amended by adding after clause (*f*) the following clause: —

(*g*) It shall not establish any requirement that applicants who have been displaced by public action be inhabitants of the city or town in which the project is located, but may establish a requirement that any such applicant be a resident of the commonwealth for a period of six months prior to becoming a tenant. *Approved October 25, 1965.*

Chap. 741. AN ACT FURTHER REGULATING SCHOOL ATTENDANCE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the compulsory school attendance of children between the ages of seven and sixteen, with certain exceptions, pending the establishment of minimum and maximum ages for such attendance by the board of education, created under an act of the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Pending the establishment of minimum and maximum ages for school attendance by the board of education, as required by section one of chapter seventy-six of the General Laws, said ages shall be seven and sixteen, respectively. *Approved October 26, 1965.*

Chap. 742. AN ACT AUTHORIZING THE COUNTY TREASURER OF WORCESTER COUNTY TO PAY A CERTAIN SUM OF MONEY TO THE LAWYERS CO-OPERATIVE PUBLISHING COMPANY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of section three of chapter five hundred and twenty-nine of the acts of nineteen hundred and sixty-four, the county treasurer of Worcester county is hereby authorized to pay from any available funds in the county treasury the sum of sixty-three dollars and fifty cents to The Lawyers Co-operative Publishing Company for books and supplements.

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

Approved October 26, 1965.

Chap. 743. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO GRANT IRREVOCABLE LICENSES TO PLACE AND MAINTAIN FILL, PILES AND OTHER STRUCTURES OVER CERTAIN TIDELANDS IN THE SOUTH BOSTON DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The department of public works may grant licenses pursuant to chapter ninety-one of the General Laws affecting land now owned by Boston Fish Market Corporation lying generally northeasterly of Northern Avenue in the South Boston district of the city of Boston, and bounded and described as follows: —

Southwesterly: by said Northern Avenue three hundred and twenty-four and 53/100 (324.53) feet;

Northwesterly: by land now or formerly of James S. Sampson seven hundred and seventy-six and 39/100 (776.39) feet;

Northerly: by a curved line by land of the Commonwealth of Massachusetts being designated, on a plan hereinafter referred to, as "United States Pierhead and Bulkhead Line, June 30, 1916", three hundred and twenty-six and 64/100 (326.64) feet, and Southeasterly by land now or formerly of James M. Sampson, eight hundred and twenty-two and 43/100 (822.43) feet;

shown as Lot B and Lot C on a "Plan of Land in Boston, Mass." William S. Crocker, Inc., Civil Engineers and Surveyors dated November 30, 1961, filed in the Land Court as plan No. 30058–A3 in Case No. 31135, which shall, notwithstanding any provision of section fifteen of said chapter ninety-one to the contrary, be irrevocable, subject, however, to the conditions, which shall be expressed in any such license, that applicable provisions of said chapter ninety-one are complied with and that if the commonwealth or any of its political subdivisions shall take, within ten years after such license is granted, any land which has the benefit of such license, the damages recoverable by reason of such taking shall not exceed the cost of acquisition of such land by the owner from whom the taking is made together with the cost to such owner of any buildings or improvements thereon, with interest at six per cent annually from the date any such cost was incurred.

The license granted by the Board of Harbor and Land Commissioners on February third, nineteen hundred and three, being license No. 2712, shall, notwithstanding any provision of general or special law to the contrary, be irrevocable; provided, however, that if the commonwealth or any of its political subdivisions shall take within ten years after the effective date of this act any land which has the benefit of said license, the damages recoverable by reason of such taking shall not exceed the cost of acquisition of such land by the owner from whom the taking is made together with the cost to such owner of any buildings or improvements thereon, with interest at six per cent annually from the date any such cost was incurred.

SECTION 2. The department of public works shall not grant any irrevocable license under the provisions of this act after January first, nineteen hundred and seventy-one. *Approved October 26, 1965.*

Chap. 744. AN ACT AUTHORIZING THE COUNTY TREASURER OF BRISTOL COUNTY TO PAY A SUM OF MONEY TO BORDEN GRAIN COMPANY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of section seventeen of chapter thirty-four of the General Laws, the county treasurer of Bristol county is hereby authorized to pay from the appropriation for the Bristol county agricultural school for the current year the sum of one thousand two hundred eighty-six dollars and ninety cents to Borden Grain Company, in payment for certain merchandise sold and delivered by said company to said school during the year nineteen hundred and sixty-four.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of Bristol county.

Approved October 26, 1965.

Chap. 745. AN ACT FURTHER EXTENDING THE TIME WITHIN WHICH AN ACT MAKING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-SIX PRIOR TO FINAL ACTION ON THE GENERAL APPROPRIATION BILL FOR SAID YEAR SHALL BE OPERATIVE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 579 of the acts of 1965 is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 717 of the acts of 1965, and inserting in place thereof the following sentence: — Notwithstanding any provision of law to the contrary, the provisions of House Bill numbered 3939, as amended and passed to be engrossed by the House of Representatives, making appropriations for the fiscal year nineteen hundred and sixty-six for the maintenance of departments, boards, commissions, institutions, and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements, are hereby incorporated herein by reference and shall be effective on the passage of this act; provided, that expenditures thereunder shall be limited to the amounts made available by allotment by the governor upon recommendation of the commissioner of administration; and provided, further, that said commissioner is hereby directed to limit the amount so allotted to those appropriation accounts essential for the maintenance of services during the months of July, August, September, October and November.

SECTION 2. Said chapter 579 is hereby further amended by striking out section 2, as most recently amended by section 2 of said chapter 717, and inserting in place thereof the following section: — *Section 2.* This act shall cease to be operative upon the enactment into law of the general appropriation bill for the fiscal year nineteen hundred and sixty-six or on November thirtieth, nineteen hundred and sixty-five, whichever is the earlier, and all action taken under this act shall apply against said appropriation act.

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

Approved October 28, 1965.

Chap. 746. AN ACT AUTHORIZING THE ESTABLISHMENT OF THE BALDWINVILLE-OTTER RIVER SEWER DISTRICT WITHIN THE LIMITS OF THE TOWN OF TEMPLETON.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the villages of Baldwinville and Otter River in the town of Templeton liable to taxation in said town and residing within the territory comprised within the following lines, to wit: the village of Baldwinville — Beginning at a point at the junction of Old Winchendon road and the town line, south 48 degrees 45 minutes west — 3550 feet; thence south 8 degrees 30 minutes east — 5100 feet; thence south 66 degrees 05 minutes west — 1475 feet; thence south 55 degrees 30 minutes west — 2200 feet; thence north 79 degrees 30 minutes west — 5950 feet; thence north 86 degrees 45 minutes west — 2400 feet; thence south 51 degrees west — 2725 feet; thence north 55 degrees 30 minutes west — 725 feet; thence south 35 degrees 45 minutes west — 800 feet; thence north 84 degrees 30 minutes west — 1750 feet; thence north 30 degrees east — 18,750 feet; thence south 84 degrees 10 minutes east — 4400 feet along the Town Line; thence south 41 degrees east — 8000 feet along the Town Line to the point of beginning; and the village of Otter River — Beginning at the junction of Old Winchendon Road and the Town Line and extending south 48 degrees 45 minutes west — 3550 feet; thence south 8 degrees 30 minutes east — 5100 feet; thence south 39 degrees east 2700 feet; thence north 71 degrees 40 minutes east — 2850 feet; thence north 86 degrees east — 1375 feet to the thread of the Otter River; thence along the Otter River in a northwesterly direction — 2875 feet to the Town Line; thence north 66 degrees 10 minutes east along the Town Line; thence north 41 degrees west along the Town Line to the point of beginning, shall constitute a sewer district and are hereby made a body corporate by the name of the Baldwinville-Otter River Sewer District, hereinafter called the district, for the purpose of laying out, constructing, maintaining and operating a system or systems of common sewers for a part or the whole of the territory herein described with such connections and other works as may be required for a system of sewage disposal and may construct such sewers in said district as may be necessary, and for the purpose of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. Any meeting of the voters of the territory included within the boundaries set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the district to be held prior to the qualification of a majority of the sewer commissioners shall be called on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is

chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the sewer commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the district.

SECTION 3. The district shall elect by ballot at any district meeting not later than the second annual meeting after the commencement of construction hereunder of a system of sewerage and sewage disposal, a board of three sewer commissioners who shall be citizens of the town, to hold office, if elected at an annual meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual district meeting, and until their successors are qualified, or, if elected at a special meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from the next succeeding annual district meeting, and until their successors are qualified, and thereafter, at each annual district meeting when the term of a member expires, the district shall elect one member of the board to serve for three years and until his successor is qualified.

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

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

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

SECTION 7. The district shall, by vote, determine whether it shall pay the whole or a portion of the cost of laying out a system or systems of sewerage and sewage disposal, and if a portion, what portion. If the district 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 district may avail itself of any or all of the methods of payment authorized by law to a town or city, and the provisions of the General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act. At the same meeting at which it determines that any portion of the cost is to be borne by the district, it may, by vote, determine by which of such methods the remaining portion of said cost shall be provided. The collector of taxes of said town shall certify the payment or payments of such assessments for apportionments thereof to the sewer commissioners, who shall preserve a record thereof. Whenever a tax is duly voted by the district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same on property within the district in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of sewerage under this act, if, in the judgment of the board of sewer commissioners herein provided for, after a hearing, due notice whereof shall have been given, such estate is so situated that it will receive no aid from the said sewerage system, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be connected with the said system in any ordinary or reasonable manner; but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by said board of sewer commissioners to said assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the district may, from time to time within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Baldwinville-Otter River Sewer District Loan, Act of 1965. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 9. The receipts from sewer assessments and from payments made in lieu thereof shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system of sewerage and sewage disposal or to the extension thereof, to the payment

of interest upon bonds or notes issued for sewer purposes or to the payment or redemption of such bonds or notes.

SECTION 10. Said board of sewer commissioners shall annually appoint a clerk and a treasurer and may appoint a superintendent of sewers who shall not be a member of the board, and shall define their duties. It may remove the clerk, treasurer or superintendent at its pleasure. The treasurer shall not be a sewer commissioner, and shall give bond to the district in such amount as may be approved by said sewer commissioners and with a surety company authorized to transact business in the commonwealth as surety. Said board may, in its discretion, prescribe for the users of said sewer system such annual rentals or charges based on the benefits derived therefrom as it may deem proper, subject, however, to such rules and regulations as may be fixed by vote of the district.

SECTION 11. All contracts made by the board of sewer commissioners shall be made in the name of the district and shall be signed by the board, and the district may enter into agreements and contracts with other districts, sewer departments, municipalities or individuals for the purpose of making connections for the collection, purification and disposal of sewage, but no contract shall be made or obligation incurred by said board for any purpose in excess of the amount of money appropriated by the district therefor.

SECTION 12. Said board of sewer commissioners may, from time to time, prescribe rules and regulations for the connection of estates and buildings with main drains and sewers, and for inspection of the materials, the construction, alteration and use of all connections and drains entering into such main drains or sewers, and may prescribe penalties, not exceeding twenty dollars, for each violation of any such rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper published in the town of Templeton, if there be any, and if not, then in some newspaper published in the county of Worcester and shall not take effect until such publications have been made.

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

SECTION 14. Upon a petition in writing addressed to said board of sewer commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on the district and not otherwise served by a suitable means of sewage disposal be included within the limits thereof, and signed by the owners of such real estate, or a majority thereof, said sewer commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 15. The provisions of chapters forty-one and forty-four of the General Laws relating to fire, water, light and improvement districts shall, so far as apt, apply to the district.

SECTION 16. This act shall take full effect upon its acceptance by a majority of the voters of the territory described in section one voting thereon at a meeting held pursuant to section two within five years after its passage. *Approved October 28, 1965.*

Chap. 747. AN ACT AUTHORIZING AND DIRECTING THE COUNTY COMMISSIONERS OF THE COUNTY OF BARNSTABLE TO REIMBURSE THE COUNTY OF PLYMOUTH FOR THE EXPENSES OF A CERTAIN TRIAL.

Be it enacted, etc., as follows:

The county commissioners of the county of Barnstable are hereby authorized and directed to pay the county of Plymouth the sum of five thousand eight hundred and fifty-four dollars and two cents, as reimbursement for the expenses incurred by said county of Plymouth in connection with the trial, in the year nineteen hundred and sixty-three, of William H. Sutcliffe, Jr. for murder in the second degree, which trial was held in said county of Plymouth by reason of a change of venue from said county of Barnstable. *Approved October 28, 1965.*

Chap. 748. AN ACT AUTHORIZING THE FORMATION OF REGIONAL REFUSE DISPOSAL DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 40 of the General Laws is hereby amended by striking out section 44A to 44K, inclusive, and inserting in place thereof the following eleven sections: —

Section 44A. Two or more contiguous cities or towns, by vote of the council in the case of a city and by vote of a town meeting in the case of a town, may create a special unpaid committee to be known as a regional refuse disposal planning committee consisting of three persons to be appointed by the moderator in a town and by the mayor in a city.

Section 44B. Regional refuse disposal planning committees from any two or more contiguous cities or towns may join together to form a regional refuse disposal planning board. Said regional refuse disposal planning board shall study the advisability of establishing a regional refuse disposal district, its organization, operation and control, and of selecting, constructing, maintaining and operating a refuse disposal facility to serve the needs of the district, and shall estimate construction and operating costs and study methods of financing such district. Each city or town comprising said board may appropriate a sum not in excess of three thousand dollars for the purpose of meeting the expenses of the board. As used in this section and in sections forty-four C to forty-four K, inclusive, the term "refuse disposal facility" shall mean an incinerator, sanitary land fill, transfer station, composting plant, other sanitary means of refuse disposal approved by the department of public health, or any combination of two or more of such facilities.

Section 44C. The regional refuse disposal planning board, consisting only of the regional refuse disposal planning committees which vote in favor of the establishment of a regional refuse disposal district, shall draw up a proposed agreement. The said agreement shall contain provi-

sions describing the sharing of construction and operating costs, the number, method of selection and terms of office of the members of the regional refuse disposal district committee, the general area in which the refuse disposal facility shall be constructed, the terms by which another city or town may be admitted to the district, the method by which the agreement may be amended, the procedure for the preparation and adoption of the annual budget and any other matters, not incompatible with law, which the said board may deem advisable; provided, however, that all plans for refuse disposal facilities shall be subject to the approval of the state department of public health.

Section 44D. The regional refuse disposal planning board shall report its findings and recommendations to the board of selectmen and the mayor, as the case may be, of each city or town comprising the board. If the board recommends that a regional refuse disposal district be established, a copy of the proposed agreement shall accompany the report to each such city or town.

Section 44E. The selectmen of each of the several towns, upon receipt of a recommendation that a regional refuse disposal 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 refuse disposal 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 40 of the General Laws providing for the establishment of a regional refuse disposal district, together with the towns of _____ and the cities of _____, and the construction, maintenance and operation of a regional refuse disposal facility by said district in accordance with the provisions of a proposed agreement filed with the selectmen or the mayor?"

If a majority of the members of each city council voting on the question and a majority of the voters in each town voting on the question shall vote in the affirmative, the proposed regional refuse disposal district shall be deemed to be established forthwith in accordance with the terms of the proposed agreement.

Section 44F. A regional refuse disposal district, established under the provisions of section forty-four E, shall be a body politic and corporate with the following powers and duties: —

(*a*) To adopt a name and a corporate seal, 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 a refuse disposal facility 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 a refuse disposal facility 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 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 regional refuse disposal planning committee shall thereupon 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 facsimile 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.

(*f*) To receive and disburse funds for any district purpose.

(*g*) To incur temporary debt in anticipation of revenue to be received from member cities and towns.

(*h*) To assess member cities and towns for any expenses of the district.

(*i*) To receive any grants or gifts for the purposes of the regional district.

(*j*) To engage legal counsel.

(*k*) To submit an annual report to each of the member cities and towns, containing a detailed financial statement, and a statement showing the method by which the annual charges assessed against each city and town were computed.

(*l*) To employ an executive director and such other employees as it deems necessary to operate such district.

(*m*) To adopt an annual operating budget, not later than December first.

(*n*) To enter into contracts for refuse disposal with non-member cities and towns as well as other bodies politic, the United States of America and other persons.

Section 44G. The powers, duties and liabilities of a regional refuse disposal district shall be vested in and exercised by a regional refuse disposal district committee organized in accordance with the agreement. The committee shall choose a chairman by ballot from its membership. It shall appoint a secretary and a treasurer, who may be the same person, but who need not be members of said committee. The treasurer

shall receive and take charge of all money belonging to the district and shall pay any bill of the district which shall have been approved by the committee. The treasurer may, by vote of said committee, be compensated for his services. The treasurer of said district shall be subject to the provisions of sections thirty-five, fifty-two and one hundred and nine A of chapter forty-one, to the extent applicable.

Section 44H. The regional refuse disposal district committee shall annually determine the amounts necessary to be raised to maintain and operate the district during the ensuing calendar year, and the amounts required for payment of debt and interest incurred by the district which will be due in the said year, and shall apportion the amount so determined among the several member cities and towns in accordance with the terms of the agreement. The amounts so apportioned for each city or town shall, prior to December thirty-first in each year, be certified by the regional district treasurer to the treasurers of the several cities and towns. 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 44I. The director of accounts in the department of corporations and taxation shall annually cause an audit to be made of the accounts of the regional refuse disposal district committee, and for this purpose he, and his duly accredited agents, shall have access to all necessary papers, books, and records. Upon the completion of each audit, a report thereon shall be made to the chairman of said district committee, and a copy thereof shall be sent to the mayor and to the chairman of the board of selectmen, respectively, of each city and town which is a member of said district. The director shall apportion the cost among the several cities and towns which are members of the district on the basis provided by section forty-four C, and submit the amounts of each apportionment to the state treasurer, who shall issue his warrant requiring the assessors of the cities and towns which are members of the district to assess a tax to the amount of the expense, and such amounts shall be collected and paid to the state treasurer, as provided by section twenty of chapter fifty-nine.

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 refuse disposal district any refuse disposal facility 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 refuse disposal 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 refuse disposal 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 2. Clause Twenty-fifth of section 5 of chapter 59 of the General Laws is hereby amended by striking out the words "regional incinerator district", as appearing in section 6 of chapter 503 of the acts of 1964, and inserting in place thereof the words: — regional refuse disposal district. *Approved November 2, 1965.*

Chap. 749. AN ACT RELATIVE TO CLASSIFICATION OF CERTAIN STATE EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (1) of section 45 of chapter 30 of the General Laws is hereby amended by striking out the first sentence, as amended by section 3 of chapter 357 of the acts of 1964, and inserting in place thereof the following sentence: — In pursuance of such responsibilities as to the said classification plan, the said director shall classify all appointive offices and positions in the government of the commonwealth, excepting such offices and positions in the professional staffs serving under governing boards of institutions of higher education and in the judicial and legislative branches, but including clerical assistants of registers of probate and employees employed by the commissioner of probation under section ninety-eight of chapter two hundred and seventy-six, and he may from time to time reclassify any such office or position.

SECTION 2. This act shall take effect as of February first, nineteen hundred and sixty-four. *Approved November 4, 1965.*

Chap. 750. AN ACT PROVIDING FOR THE SALE OF OBJECTS MADE BY PATIENTS IN CERTAIN STATE HOSPITALS.

Be it enacted, etc., as follows:

Chapter 123 of the General Laws is hereby amended by inserting after section 39D the following section: —

Section 39E. The commissioner may authorize the superintendent of any state hospital to permit the sale of goods, wares or merchandise produced by any patient in such hospital on such terms and conditions and at such places as the commissioner or any such superintendent shall determine, which places may be outside the premises of such state hospital. The prices for which said goods may be sold, and the portion, if any, of the proceeds of each such sale which are to be returned to the

commonwealth to reimburse it for its costs in connection therewith, shall be determined by each such superintendent. Except to the extent that any of the proceeds of such sale are to be returned to the commonwealth for costs as hereinbefore provided, together with reimbursement to the department for any sums due for the support of such patient as determined by the commissioner, the balance of the proceeds of any such sale shall be deposited to the account of such patient in accordance with the provisions of this chapter.

Approved November 8, 1965.

Chap. 751. AN ACT AUTHORIZING THE FORMATION OF A VOCATIONAL REGIONAL SCHOOL DISTRICT BY THE CITY OF TAUNTON AND THE TOWNS OF BERKLEY, BRIDGEWATER, DIGHTON, MIDDLEBOROUGH, RAYNHAM, REHOBOTH AND SEEKONK.

Be it enacted, etc., as follows:

SECTION 1. The city of Taunton, by vote of its city council, and each of the towns of Berkley, Bridgewater, Dighton, Middleborough, Raynham, Rehoboth and Seekonk, 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 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. The proceedings taken by the city of Taunton and the towns of Berkley, Bridgewater, Dighton, Middleborough, Raynham, Rehoboth and Seekonk, whereby said municipalities purported to create committees for the purpose of planning a vocational regional school district, and the proceedings heretofore taken by such committees either separately or together as a planning board are ratified and confirmed in all respects, and for all the purposes of this act said committees and said board shall be deemed to be the committees and the board whose creation and organization are authorized by this section.

SECTION 2. It shall be the duty of the vocational regional school district planning board to study the advisability of establishing a vocational regional school district, hereinafter called the regional school district or the 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 methods 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 said city 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 said city and three of said 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 the city council of the city of Taunton 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, 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-five, providing for the establishment of a regional school district by the city of Taunton and the towns of (such towns as may be recommended under section three of this act) and the construction, maintenance and operation of a vocational regional school by the said district in accordance with the provisions of a proposed agreement filed with the city council of said city and the selectmen of said towns?" If a majority of the voters present and voting in said city and a majority of the voters present and voting in at least three of said towns shall vote in the affirmative, this act shall become fully effective, and the proposed regional school district, comprising the said city and the towns which accepted this act as herein provided, shall be deemed to be established forthwith in accordance with the terms of the agreement so adopted, notwithstanding any defect or omission in the creation or organization of any vocational regional school district planning committee or the vocational regional school district planning board.

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 said city and to the board of selectmen in each of the member towns comprising the district not later than seven days after the date on which said debt was authorized by the district committee; and no debt may be incurred until the expiration of thirty days from the date said debt was authorized by the district committee. If, prior to the expiration of said period, the city council of said city expresses disapproval of the amount authorized by the district committee, or any member town expresses such disapproval by vote of a majority of the voters present and voting on the matter at a town meeting called for the purpose of expressing such disapproval, the said debt shall not be incurred and the district school committee shall prepare another proposal which may be the same as any prior proposal and an authorization to incur debt therefor.

(*e*) To issue bonds and notes in the name and upon the full faith and credit of said district; said bonds or notes shall be signed by the chairman and treasurer of the district committee, except that said chairman by a writing bearing his written signature and filed in the office of said treasurer, which writing shall be open to public inspection, may authorize said treasurer to cause to be engraved or printed on said bonds or notes a facsimile of said chairman's signature, and such facsimile so engraved or printed shall have the same validity and effect as said chairman's written signature, and each issue of bonds or notes shall be a separate loan.

(*f*) To receive and disburse funds for any district purpose.

(*g*) To incur temporary debt in anticipation of revenue to be received from member municipalities.

(*h*) To assess member municipalities for any expenses of the district.

(*i*) To receive any grants or gifts for the purposes of the regional district school or schools.

(*j*) To engage legal counsel.

(*k*) To submit an annual report to each of the member municipalities, containing a detailed financial statement, and a statement showing the method by which annual charges assessed against each municipality were computed, together with such additional information relating to

the operation and maintenance of such school or schools as may be deemed necessary by the district school committee or by the city council of said city or by the selectmen of any member town.

(*l*) To employ an administrator who meets the qualifications for a director of a state aided vocational school as established by the division of vocational education of the department of education, and said administrator shall have all the powers and duties imposed upon school superintendents by law.

(*m*) To adopt an annual operating and maintenance budget, not later than December first.

SECTION 7. The powers, duties and liabilities of 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 reim-

bursement 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 said city and to the chairman of the board of selectmen of each town and the chairman of the school committee of each municipality which is a member of the district. The director shall apportion the cost among the several municipalities which are members of the district on the basis provided by section three, 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 provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of said act and the application of such provision 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 November 9, 1965.

Chap. 752. AN ACT PROVIDING THAT CERTAIN TRANSITORY ACTIONS IN THE DISTRICT COURTS MAY BE BROUGHT IN THE COUNTY WHERE THE PLAINTIFF LIVES.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 223 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 454 of the acts of 1965, and inserting in place thereof the following paragraph: — Except as provided in section twenty-one of chapter two hundred and eighteen, a transitory action in a district court shall be brought in the county where one of the parties lives or has his usual place of business, or, if commenced by trustee process, in the county where any person named in the writ as trustee lives or has a usual place of business, and, in either case, in a court within whose judicial district one of the parties or one of the trustees lives or has a usual place of business or in any district court the judicial district of which adjoins and is in the same county as a judicial district in which the defendant lives or has his usual place of business except that an action may be brought in the municipal court of the city of Boston as provided in section fifty-four of chapter two hundred and eighteen.

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

Approved November 9, 1965.

Chap. 753. AN ACT AUTHORIZING THE CITY OF QUINCY TO SELL AND CONVEY CERTAIN PARK LAND TO THOMAS R. PICARD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the city of Quincy, with the approval of its park and recreation board, city council and mayor, is hereby authorized to sell and convey to Thomas R. Picard of said city a certain strip of park land running along the rear line of land now owned by said Thomas R. Picard, currently numbered 59–65 Rogers street in said city, and being approximately ten feet wide and approximately seventy-seven and seventy-two hundredths feet long, and containing seven hundred and fifty square feet of land, more or less.

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

Approved November 9, 1965.

Chap. 754. AN ACT RELATIVE TO THE APPOINTMENT OF EMPLOYEES OF THE PAROLE BOARD AS SPECIAL STATE POLICE OFFICERS.

Be it enacted, etc., as follows:

Section 127 of chapter 127 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 5A of chapter 690 of the acts of 1941, and inserting in place thereof the following sentence: — The governor, upon the written recommendation of the commissioner or the chairman of the parole board, may appoint any employee of the department of correction or the parole board, respectively, a special state police officer for a term of three years, unless sooner removed. *Approved November 9, 1965.*

Chap. 755. AN ACT RELATIVE TO THE SALE, TRANSFER, LEASING OR RENTING OF LAND ACQUIRED BY THE DEPARTMENT OF PUBLIC WORKS AND NOT NEEDED FOR STATE HIGHWAY OR MAINTENANCE SITE PURPOSES.

Be it enacted, etc., as follows:

Chapter 81 of the General Laws is hereby amended by striking out section 7E, as most recently amended by chapter 610 of the acts of 1962, and inserting in place thereof the following section: — *Section 7E.* The department may sell at public or private sale any land, or rights in land, the title to which has been acquired by the department for highway purposes, upon determination by the board of commissioners of said department that such land or rights in land are no longer necessary for state highway purposes. In the event of such public or private sale the department shall execute a deed thereof, with or without covenants of title and warranty, in the name and behalf of the commonwealth, to the purchaser, his heirs and assigns, and deposit said deed with the state treasurer, together with a certificate of the terms of the sale and the price paid or agreed to be paid at said sale. Upon receipt of said price, and upon the terms agreed to in said deed, the treasurer shall deliver the deed to said purchaser. The state treasurer may, by the attorney general, sue for and collect the price and otherwise enforce the terms of any such sale.

The department may, with the approval of the governor, transfer to another department, or to a city, town, or public authority or agency, any land the title to which has been acquired by it and which said board of commissioners determines is no longer necessary for state highway purposes.

The department may also, with the approval of the governor, lease or rent any land, or rights in land, the title to which has been acquired by it, and which land, or rights therein, said board of commissioners determines are not presently needed for state highway purposes.

The foregoing provisions of law with reference to the sale, leasing or renting of land acquired by the department, shall also apply to land, or rights in land, acquired by the department for maintenance sites; provided, however, that nothing contained in this section shall be construed as affecting in any way the powers, rights and duties set forth in section seven H. *Approved November 9, 1965.*

Chap. 756. AN ACT CLARIFYING THE LAW PROVIDING FOR THE SIMPLIFICATION OF PLEADINGS IN CRIMINAL CASES.

Be it enacted, etc., as follows:

SECTION 1. The fourth paragraph of section 47A of chapter 277 of the General Laws, as appearing in section 1 of chapter 617 of the acts of 1965, is hereby amended by adding the following sentence: — Upon an appeal to the superior court from a conviction in a district court, any motion permitted under this section may be filed in the superior court within ten days after the entry of the appeal, or within such reasonable further time as the court may allow by special order or general rule.

SECTION 2. Chapter 617 of the acts of 1965 is hereby amended by striking out section 3 and inserting in place thereof the following section: — *Section 3.* This act shall take effect on October fourth, nineteen hundred and sixty-five, but shall not affect the validity of any plea, demurrer, challenge to the array or to the manner of selection of grand or traverse jurors, or motion to quash filed prior to said date, or the validity of any hearing thereon or any order of court relative thereto held or made either prior to or subsequent to said date; and if, in any criminal case pending on October fourth, nineteen hundred and sixty-five, the defendant withdrew his plea of not guilty for the purpose of filing other pleadings, which were in fact filed prior to said date, he may be re-arraigned without being required to refile motions to dismiss under section forty-seven A of chapter two hundred and seventy-seven of the General Laws in order to preserve any issues raised by said pleadings, and a plea of not guilty on said re-arraignment shall not be deemed a waiver of any issue raised by said pleadings.

SECTION 3. This act shall, upon its passage, take effect as of October fourth, nineteen hundred and sixty-five. *Approved November 16, 1965.*

Chap. 757. AN ACT INCREASING THE AMOUNT OF MONEY THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY MAY BORROW TO ACQUIRE LAND IN THE CITY OF WOBURN AND TO CONSTRUCT THEREON A NEW COURT HOUSE BUILDING.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 688 of the acts of 1963 is hereby amended by striking out, in line 4, the words "nine hundred" and inserting in place thereof the words: — one million twenty-five.

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

Approved November 16, 1965.

Chap. 758. 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-five 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 subclass.

Transfers from a main group to another main group may be made upon written request of said trustees or said county commissioners with the written approval of the director of accounts and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between subclasses within a main group may be made by said trustees or said county commissioners whenever in their opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated herein for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary; except that an attendant who becomes a licensed practical nurse may be paid an increased salary rate on account of such promotion, subject to approval by the county personnel board.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of said trustees and said county commissioners with the approval of the director of accounts.

No moneys appropriated under this act shall be expended by county officers or employees for monthly telephone service furnished to such officers or employees at places other than regular county offices.

BRISTOL COUNTY.

Item		
1.	For personal services	$291,998 24
2.	For contractual services	41,700 00
3.	For supplies and materials	78,600 00
4.	For current charges and obligations	37,267 30
5.	For equipment	6,662 55
8.	For debt and interest	31,000 00
11.	For reserve fund	2,000 00
12.	For group insurance	4,000 00
	For total expenditures	$493,228 09

HAMPSHIRE COUNTY.

Item		
1.	For personal services	$250,485 20
2.	For contractual services	5,350 00
3.	For supplies and materials	47,525 00
4.	For current charges and obligations	28,842 95
5.	For equipment	10,365 00
8.	For debt and interest	5,000 00
11.	For reserve fund	5,000 00
12.	For group insurance	3,800 00
	For total expenditures	$356,368 15

MIDDLESEX COUNTY.

Item		
1.	For personal services	$1,383,683 23
2.	For contractual services	56,660 00
3.	For supplies and materials	277,185 00
4.	For current charges and obligations	97,924 45
5.	For equipment	52,275 00
8.	For debt and interest	24,000 00
10.	For unpaid bills of previous years	401 67
11.	For reserve fund	20,000 00
12.	For group insurance	31,800 00
	For total expenditures	$1,943,929 35

NORFOLK COUNTY.

Item		
1.	For personal services	$795,927 83
2.	For contractual services	41,500 00
3.	For supplies and materials	232,700 00
4.	For current charges and obligations	52,553 17
5.	For equipment	40,665 00
8.	For debt and interest	4,000 00
11.	For reserve fund	10,000 00
12.	For group insurance	14,000 00
	For total expenditures	$1,191,346 00

PLYMOUTH COUNTY.

Item		
1.	For personal services	$630,707 68
2.	For contractual services	30,800 00
3.	For supplies and materials	149,300 00
4.	For current charges and obligations	52,726 20
5.	For equipment	19,166 60
8.	For debt and interest	10,000 00
11.	For reserve fund	10,000 00
12.	For group insurance	12,235 20
	For total expenditures	$914,935 68

WORCESTER COUNTY.

Item		
1.	For personal services	$781,712 64
2.	For contractual services	39,805 00
3.	For supplies and materials	162,440 00
4.	For current charges and obligations	71,012 49
5.	For equipment	2,790 00
8.	For debt and interest	8,400 00
10.	For unpaid bills of previous years	557 10
11.	For reserve fund	10,000 00
12.	For group insurance	16,025 00
	For total expenditures	$1,092,742 23

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

Approved November 16, 1965.

Chap. 759. AN ACT ESTABLISHING A BOARD OF TRUSTEES OF THE HILLSIDE MANOR IN THE TOWN OF METHUEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of general or special law, there is hereby established a board of trustees of the Hillside Manor, a public medical institution of the town of Methuen, hereinafter called the board, consisting of the chairman of the board of selectmen of said town, ex officio, and four persons, residents of said town but not members of said board of selectmen, to be appointed by said board of selectmen. No member of the board shall receive any compensation for his services but shall be reimbursed for his necessary expenses incurred in the performance of his duties. Of the four members initially appointed to the board, two shall serve until the first day of April, nineteen hundred and sixty-six, one until the first day of April, nineteen hundred and sixty-seven, and one until the first day of April, nineteen hundred and sixty-eight, and thereafter each appointive member shall serve for a term of three years and until the qualification of his successor.

Whenever any vacancy occurs in the board by death, resignation or otherwise, such vacancy shall be filled in the aforesaid manner to serve for the remainder of the unexpired term. Each appointive member of the board shall at all times be subject to removal for cause by reasons specifically given him in writing by the board of selectmen, a copy of which shall be filed in the office of the town clerk.

SECTION 2. The board shall have the general management and control of said public medical institution, and of the expenditures of money appropriated therefor. The board may appoint and remove a superintendent and assistants as it may deem necessary or expedient, and may fix their compensation.

SECTION 3. Nothing in this act shall be construed to impair the seniority, tenure, retirement or other rights of any permanent civil service employee employed on the effective date of this act in the Hillside Manor.

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

Approved November 16, 1965.

Chap. 760. 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-five:

BARNSTABLE COUNTY.

Item		
1.	For interest on county debt	$27,737 50
2.	For reduction of county debt	95,000 00
3.	For county commissioners, salaries and expenses	21,875 60
4.	For transportation and expenses of county and acting commissioners	800 00
5.	For clerk of courts, salaries and expenses	28,696 90
6.	For county treasurer, salaries and expenses	32,264 31
7.	For sheriff, salary and expenses	11,776 00
8.	For registry of deeds, salaries and expenses	147,062 65
8a.	For registry of probate, salaries and expenses	3,225 00
9.	For law library, salaries and expenses	4,510 00
10.	For highways, including state highways, bridges and land damages	172,750 00
12.	For criminal costs in superior court	59,206 06
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	28,750 00
14.	For district courts, salaries and expenses	199,026 36
15.	For medical examiners and commitments of insane	6,110 00
16.	For jail and house of correction, maintenance and operation	247,184 76
17.	For training school	2,000 00
18.	For court houses and registry buildings, maintenance and operation	47,491 11
18a.	For sewage system	4,136 25
20.	For agricultural school or county aid to agriculture, maintenance and operation	48,876 19
22.	For hospital or sanatorium	745,107 18
23.	For health service	70,124 48
24.	For noncontributory pensions	18,651 54
25.	For contributory retirement system and supervisory expenses	50,496 82
26.	For miscellaneous and contingent expenses	17,208 81
27.	For unpaid bills of previous years	778 11
28.	For reserve fund	50,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	75,000 00
31.	For police radio system	50,925 76
32.	For state fire patrol	4,700 00
32a.	For maintenance, forest fire apparatus	1,300 00
33.	For police training school and bureau of criminal investigation	34,247 33
35.	For county planning commission	15,000 00
38.	For airplane	1,525 00
39.	For group insurance	20,563 00
40.	For advertising and promoting county fairs	500 00
41.	For fire fighters' training school	1,110 00
	Total amount of appropriations	$2,345,716 72
	Less estimated amount available for reduction of county tax	879,328 12

	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....	$1,466,388 60

BERKSHIRE COUNTY.

Item		
1.	For interest on county debt.....	$12,000 00
2.	For reduction of county debt.....	30,000 00
3.	For county commissioners, salaries and expenses..	21,995 30
4.	For transportation and expenses of county and acting commissioners.....	1,000 00
5.	For clerk of courts, salaries and expenses.....	30,780 45
6.	For county treasurer, salaries and expenses.....	17,317 47
7.	For sheriff, salary and expenses.....	9,643 00
8.	For registries of deeds, salaries and expenses.....	116,373 81
8a.	For registry of probate, salaries and expenses....	4,300 00
9.	For law library, salaries and expenses.....	9,407 40
10.	For highways, including state highways, bridges and land damages.....	265,979 07
11.	For examination of dams.....	57 95
12.	For criminal costs in superior court.....	51,007 72
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.....	46,570 00
14.	For district courts, salaries and expenses.....	254,971 55
15.	For medical examiners and commitments of insane	10,000 00
16.	For jail and house of correction, maintenance and operation.....	148,170 09
17.	For training school.....	1,900 00
18.	For court houses and registry buildings, maintenance and operation.....	43,818 80
20.	For agricultural school or county aid to agriculture, maintenance and operation.....	56,142 67
21.	For state reservation, maintenance and operation (Mount Greylock).....	41,929 40
21a.	For state reservation, maintenance and operation (Mount Everett).....	7,810 20
23.	For county tuberculosis clinic.....	28,461 48
24.	For noncontributory pensions.....	5,899 98
25.	For contributory retirement system and supervisory expenses.....	41,904 45
26.	For miscellaneous and contingent expenses.....	13,395 00
27.	For unpaid bills of previous years.....	5,541 87
28.	For reserve fund.....	20,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county.....	45,000 00
30.	For forest fire patrol.....	5,800 00
31.	For radio system for fire protection.....	4,444 00
32.	For forest development.....	2,200 00
34.	For soil conservation district.....	236 00
35.	For industrial development commission.....	53,423 30

Item		
36.	For Dutch elm disease	$4,000 00
39.	For group insurance	14,000 00
	Total amount of appropriations	$1,425,480 96
	Less estimated amount available for reduction of county tax	225,118 50
	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	$1,200,362 46

BRISTOL COUNTY.

Item		
1.	For interest on county debt	$26,382 50
2.	For reduction of county debt	112,000 00
3.	For county commissioners, salaries and expenses	17,387 00
4.	For transportation and expenses of county and acting commissioners	700 00
5.	For clerk of courts, salaries and expenses	130,154 17
6.	For county treasurer, salaries and expenses	71,957 21
7.	For sheriff, salary and expenses	12,048 00
8.	For registries of deeds, salaries and expenses	276,287 47
8a.	For registry of probate, salaries and expenses	14,825 00
9.	For law libraries, salaries and expenses	32,730 88
10.	For highways, including state highways, bridges and land damages	294,350 00
11.	For examination of dams	750 00
12.	For criminal costs in superior court	163,653 39
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	157,693 60
14.	For district courts, salaries and expenses	534,724 29
15.	For medical examiners and commitments of insane	34,360 00
16.	For jail and house of correction, maintenance and operation	353,327 59
17.	For training school	7,000 00
18.	For court houses and registry buildings, maintenance and operation	252,406 08
20.	For agricultural school or county aid to agriculture, maintenance and operation	417,816 16
24.	For noncontributory pensions	50,000 00
25.	For contributory retirement system and supervisory expenses	112,397 24
26.	For miscellaneous and contingent expenses	20,749 06
27.	For unpaid bills of previous years	9,828 62
28.	For reserve fund	50,000 00
30.	For forest fire patrol	5,200 00
39.	For group insurance	27,500 00
	Total amount of appropriations	$3,186,228 26

	Less estimated amount available for reduction of county tax	$847,243 09
	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	$2,338,985 17

DUKES COUNTY.

Item		
1.	For interest on county debt	$6,337 54
2.	For reduction of county debt	21,500 00
3.	For county commissioners, salaries and expenses	6,215 86
4.	For transportation and expenses of county and acting commissioners	200 00
5.	For clerk of courts, salaries and expenses	5,727 76
6.	For county treasurer, salaries and expenses	4,775 05
7.	For sheriff, salary and expenses	4,206 00
8.	For registry of deeds, salaries and expenses	15,437 15
8a.	For registry of probate, salaries and expenses	690 00
9.	For law library, salaries and expenses	1,000 00
10.	For highways, including state highways, bridges and land damages	28,048 57
12.	For criminal costs in superior court	4,695 67
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	1,313 00
14.	For district courts, salaries and expenses	21,648 57
15.	For medical examiners and commitments of insane	800 00
16.	For jail and house of correction, maintenance and operation	8,330 00
18.	For court houses and registry buildings, maintenance and operation	7,157 80
20.	For agricultural school or county aid to agriculture, maintenance and operation	13,904 90
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 noncontributory pensions	4,005 00
25.	For contributory retirement system and supervisory expenses	9,404 40
26.	For miscellaneous and contingent expenses	6,100 00
27.	For unpaid bills of previous years	348 99
28.	For reserve fund	9,500 00
29.	For advertising recreational, industrial and agricultural advantages of the county	28,371 56
34.	For soil conservation district	200 00
38.	For county airport, maintenance and operation	45,804 62
39.	For group insurance	4,750 00
42.	For rodent control	7,040 00

Item		
43.	For woodtick control	$1,250 00
44.	For communication system	9,857 44
	Total amount of appropriations	$280,519 88
	Less estimated amount available for reduction of county tax	78,942 05
	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	$201,577 83

ESSEX COUNTY.

Item		
1.	For interest on county debt	$44,567 50
2.	For reduction of county debt	110,000 00
3.	For county commissioners, salaries and expenses	48,871 40
4.	For transportation and expenses of county and acting commissioners	800 00
5.	For clerk of courts, salaries and expenses	159,434 08
6.	For county treasurer, salaries and expenses	48,205 54
7.	For sheriff, salary and expenses	11,958 00
8.	For registries of deeds, salaries and expenses	479,397 59
8a.	For registry of probate, salaries and expenses	20,749 00
9.	For law libraries, salaries and expenses	31,750 86
10.	For highways, including state highways, bridges and land damages	534,672 38
12.	For criminal costs in superior court	179,045 75
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	289,100 00
14.	For district courts, salaries and expenses	797,301 56
15.	For medical examiners and commitments of insane	36,750 50
16.	For jail and house of correction, maintenance and operation	444,724 52
16a.	For industrial farm	158,833 22
17.	For training school	266,693 81
18.	For court houses and registry buildings, maintenance and operation	233,047 87
18a.	For county hospital buildings	104,095 46
20.	For agricultural school or county aid to agriculture, maintenance and operation	665,490 15
24.	For noncontributory pensions	115,086 59
25.	For contributory retirement system and supervisory expenses	319,877 39
26.	For miscellaneous and contingent expenses	68,188 18
27.	For unpaid bills of previous years	16,143 70
28.	For reserve fund	55,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	25,000 00
30.	For forest fire patrol	5,900 00

Item		
31.	For radio system for fire protection	$350 00
32.	For forest development	2,200 00
39.	For group insurance	84,000 00
	Total amount of appropriations	$5,357,235 05
	Less estimated amount available for reduction of county tax	1,434,607 37
	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	$3,922,627 68

FRANKLIN COUNTY.

Item		
1.	For interest on county debt	$2,250 00
3.	For county commissioners, salaries and expenses	12,000 00
4.	For transportation and expenses of county and acting commissioners	600 00
5.	For clerk of courts, salaries and expenses	25,078 18
6.	For county treasurer, salaries and expenses	15,689 21
7.	For sheriff, salary and expenses	7,823 00
8.	For registry of deeds, salaries and expenses	52,445 67
8a.	For registry of probate, salaries and expenses	2,400 00
9.	For law library, salaries and expenses	7,101 18
10.	For highways, including state highways, bridges and land damages	206,300 00
11.	For examination of dams	600 00
12.	For criminal costs in superior court	16,700 68
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	27,622 00
14.	For district courts, salaries and expenses	64,139 66
15.	For medical examiners and commitments of insane	4,940 00
16.	For jail and house of correction, maintenance and operation	100,875 36
17.	For training school	1,700 00
18.	For court houses and registry buildings, maintenance and operation	29,363 00
20.	For agricultural school or county aid to agriculture, maintenance and operation	50,754 34
21.	For state reservation, maintenance and operation (Mount Sugarloaf)	2,610 00
23a.	For mental health clinic	9,825 00
23b.	For children's camp	2,000 00
24.	For noncontributory pensions	3,383 25
25.	For contributory retirement system and supervisory expenses	23,852 14
26.	For miscellaneous and contingent expenses	3,426 49
27.	For unpaid bills of previous years	311 94
28.	For reserve fund	27,000 00

Item		
29.	For advertising recreational, industrial and agricultural advantages of the county	$6,000 00
31.	For radio system for fire protection	990 00
35.	For county planning board	11,817 52
39.	For group insurance	7,500 00
	Total amount of appropriations	$727,098 62
	Less estimated amount available for reduction of county tax	145,549 73
	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	$581,548 89

HAMPDEN COUNTY.

Item		
1.	For interest on county debt	$21,000 00
2.	For reduction of county debt	56,250 00
3.	For county commissioners, salaries and expenses	35,272 50
4.	For transportation and expenses of county and acting commissioners	500 00
5.	For clerk of courts, salaries and expenses	108,429 58
6.	For county treasurer, salaries and expenses	44,624 59
7.	For sheriff, salary and expenses	12,058 00
8.	For registry of deeds, salaries and expenses	267,947 27
8a.	For registry of probate, salaries and expenses	36,590 40
9.	For law library, salaries and expenses	25,561 96
10.	For highways, including state highways, bridges and land damages	302,075 00
11.	For examination of dams	3,000 00
12.	For criminal costs in superior court	124,062 01
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	213,777 40
14.	For district courts, salaries and expenses	680,372 54
15.	For medical examiners and commitments of insane	46,000 00
16.	For jail and house of correction, maintenance and operation	431,035 28
17.	For training school	145,538 15
18.	For court houses and registry buildings, maintenance and operation	204,177 61
20.	For agricultural school or county aid to agriculture, maintenance and operation	133,945 42
21.	For state reservation, maintenance and operation (Mount Tom)	47,762 68
23b.	For children's camp	5,000 00
24.	For noncontributory pensions	39,199 06
25.	For contributory retirement system and supervisory expenses	101,013 80
26.	For miscellaneous and contingent expenses	42,038 83

Item		
27.	For unpaid bills of previous years	$10,637 20
28.	For reserve fund	35,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	3,000 00
31.	For radio system for fire protection	500 00
39.	For group insurance	30,500 00
	Total amount of appropriations	$3,206,869 28
	Less estimated amount available for reduction of county tax	854,418 28
	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	$2,352,451 00

HAMPSHIRE COUNTY.

Item		
1.	For interest on county debt	$1,553 32
2.	For reduction of county debt	18,700 00
3.	For county commissioners, salaries and expenses	16,709 10
4.	For transportation and expenses of county and acting commissioners	500 00
5.	For clerk of courts, salaries and expenses	30,330 70
6.	For county treasurer, salaries and expenses	23,301 95
7.	For sheriff, salary and expenses	9,173 00
8.	For registry of deeds, salaries and expenses	54,389 07
8a.	For registry of probate, salaries and expenses	3,001 00
9.	For law library, salaries and expenses	8,435 00
10.	For highways, including state highways, bridges and land damages	180,760 00
11.	For examination of dams	2,000 00
12.	For criminal costs in superior court	109,899 82
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	41,160 00
14.	For district courts, salaries and expenses	123,734 89
15.	For medical examiners and commitments of insane	10,960 00
16.	For jail and house of correction, maintenance and operation	147,272 80
17.	For training school	100 00
18.	For court houses and registry buildings, maintenance and operation	33,913 68
20.	For agricultural school or county aid to agriculture, maintenance and operation	58,751 85
21.	For state reservation, maintenance and operation (Mount Tom)	9,356 14
21a.	For state reservation, maintenance and operation (Deer Hill)	350 00
24.	For noncontributory pensions	26,411 82
25.	For contributory retirement system and supervisory expenses	41,045 65

Item		
26.	For miscellaneous and contingent expenses	$2,549 89
27.	For unpaid bills of previous years	6,442 70
28.	For reserve fund	33,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	5,000 00
31.	For radio system for fire protection	300 00
32.	For forest development, in co-operation with the state	2,000 00
39.	For group insurance	8,500 00
	Total amount of appropriations	$1,009,602 38
	Less estimated amount available for reduction of county tax	182,119 87
	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	$827,482 51

MIDDLESEX COUNTY.

Item		
1.	For interest on county debt	$30,000 00
3.	For county commissioners, salaries and expenses	105,194 40
4.	For transportation and expenses of county and acting commissioners	1,000 00
5.	For clerk of courts, salaries and expenses	391,373 47
6.	For county treasurer, salaries and expenses	94,171 29
7.	For sheriff, salary and expenses	12,650 00
8.	For registries of deeds, salaries and expenses	1,077,921 85
8a.	For registry of probate, salaries and expenses	28,997 00
9.	For law libraries, salaries and expenses	42,734 14
10.	For highways, including state highways, bridges and land damages	1,093,223 55
12.	For criminal costs in superior court	557,564 27
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	666,140 36
14.	For district courts, salaries and expenses	2,354,205 89
15.	For medical examiners and commitments of insane	85,400 00
16.	For jail and house of correction, maintenance and operation	2,136,163 85
17.	For training school	934,657 44
18.	For court houses and registry buildings, maintenance and operation	530,989 72
20.	For agricultural school or county aid to agriculture, maintenance and operation	134,763 83
21.	For state reservation, maintenance and operation (Walden Pond)	130,351 25
24.	For noncontributory pensions	177,238 70
25.	For contributory retirement system and supervisory expenses, including not more than six positions	305,862 49

Item		
26.	For miscellaneous and contingent expenses	$53,146 50
27.	For unpaid bills of previous years	42,400 78
28.	For reserve fund	75,000 00
30.	For forest fire patrol	6,000 00
39.	For group insurance	146,500 00
	Total amount of appropriations	$11,213,650 78
	Less estimated amount available for reduction of county tax	2,413,778 97
	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	$8,799,871 81

NORFOLK COUNTY.

Item		
1.	For interest on county debt	$35,597 50
2.	For reduction of county debt	157,000 00
3.	For county commissioners, salaries and expenses	30,736 40
4.	For transportation and expenses of county and acting commissioners	610 00
5.	For clerk of courts, salaries and expenses	88,874 55
6.	For county treasurer, salaries and expenses	51,596 00
7.	For sheriff, salary and expenses	11,628 00
8.	For registry of deeds, salaries and expenses	392,975 70
8a.	For registry of probate, salaries and expenses	28,263 15
9.	For law library, salaries and expenses	7,648 80
10.	For highways, including state highways, bridges and land damages	588,481 37
12.	For criminal costs in superior court	158,429 80
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	182,894 55
14.	For district courts, salaries and expenses	760,926 26
15.	For medical examiners and commitments of insane	51,000 00
16.	For jail and house of correction, maintenance and operation	372,527 47
17.	For training school	50,000 00
18.	For court houses and registry buildings, maintenance and operation	348,438 36
20.	For agricultural school or county aid to agriculture, maintenance and operation	480,767 94
24.	For noncontributory pensions	60,000 00
25.	For contributory retirement system and supervisory expenses	103,867 37
26.	For miscellaneous and contingent expenses	12,500 00
27.	For unpaid bills of previous years	7,472 27
28.	For reserve fund	60,000 00
30.	For forest fire patrol	1,000 00
39.	For group insurance	37,000 00
	Total amount of appropriations	$4,080,235 49

Less estimated amount available for reduction of county tax	$1,300,316 45
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	$2,779,919 04

PLYMOUTH COUNTY.

Item		
1.	For interest on county debt	$10,511 10
2.	For reduction of county debt	114,229 37
3.	For county commissioners, salaries and expenses	33,356 37
4.	For transportation and expenses of county and acting commissioners	900 00
5.	For clerk of courts, salaries and expenses	89,941 37
6.	For county treasurer, salaries and expenses	29,008 70
7.	For sheriff, salary and expenses	11,696 00
8.	For registry of deeds, salaries and expenses	237,187 98
8a.	For registry of probate, salaries and expenses	14,151 40
9.	For law library, salaries and expenses	8,822 29
10.	For highways, including state highways, bridges and land damages	322,025 00
11.	For examination of dams	1,000 00
12.	For criminal costs in superior court	161,258 89
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	137,896 90
14.	For district courts, salaries and expenses	401,424 89
15.	For medical examiners and commitments of insane	22,330 00
16.	For jail and house of correction, maintenance and operation	401,153 90
17.	For training school	8,500 00
18.	For court houses and registry buildings, maintenance and operation	94,052 88
20.	For agricultural school or county aid to agriculture, maintenance and operation	88,696 90
24.	For noncontributory pensions	22,000 00
25.	For contributory retirement system and supervisory expenses	84,269 60
26.	For miscellaneous and contingent expenses	3,418 02
27.	For unpaid bills of previous years	947 57
28.	For reserve fund	40,000 00
30.	For forest fire patrol	8,130 00
31.	For police radio system	200 00
32a.	For maintenance, forest fire apparatus	2,560 00
33.	For police training school and bureau of criminal investigation	26,803 40
38.	For airplane	1,810 00
39.	For group insurance	18,500 00
	Total amount of appropriations	$2,396,782 53

Less estimated amount available for reduction of county tax	$674,844 03
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	$1,721,938 50

WORCESTER COUNTY.

Item		
1.	For interest on county debt	$39,820 00
2.	For reduction of county debt	175,000 00
3.	For county commissioners, salaries and expenses	46,498 30
4.	For transportation and expenses of county and acting commissioners	2,102 00
5.	For clerk of courts, salaries and expenses	217,574 49
6.	For county treasurer, salaries and expenses	55,860 80
7.	For sheriff, salary and expenses	13,000 50
8.	For registries of deeds, salaries and expenses	346,957 58
8a.	For registry of probate, salaries and expenses	9,345 00
9.	For law libraries, salaries and expenses	33,000 34
10.	For highways, including state highways, bridges and land damages	898,491 26
12.	For criminal costs in superior court	243,519 20
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	258,002 04
14.	For district courts, salaries and expenses	967,808 19
15.	For medical examiners and commitments of insane	73,200 00
16.	For jail and house of correction, maintenance and operation	490,340 09
18.	For court houses and registry buildings, maintenance and operation	301,466 93
18a.	For bindery department	13,813 58
20.	For agricultural school or county aid to agriculture, maintenance and operation	126,691 80
21.	For state reservation, maintenance and operation (Mount Wachusett)	33,786 90
21a.	For state reservation, maintenance and operation (Purgatory Chasm)	17,145 40
24.	For noncontributory pensions	50,477 86
25.	For contributory retirement system and supervisory expenses	136,135 00
26.	For miscellaneous and contingent expenses	33,665 00
27.	For unpaid bills of previous years	32,213 60
28.	For reserve fund	50,000 00
30.	For forest fire patrol	3,200 00
31.	For radio system for fire protection	500 00
36.	For Dutch elm disease	8,000 00
39.	For group insurance	54,000 00
	Total amount of appropriations	$4,731,615 86

Less estimated amount available for reduction of county tax	$1,054,069 87
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	$3,677,545 99

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 subclass.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between subclasses within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary; except that an attendant who becomes a licensed practical nurse may be paid an increased salary rate on account of such promotion, subject to approval by the county personnel board.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a noncash 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 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-four; provided that such restriction shall not apply to payment of compensation of court officials who were appointed between July first, nineteen hundred and sixty-three and January fifth, nineteen hundred and sixty-five.

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, but not to exceed forty cents a mile one way. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. No county treasurer shall pay any salary, wages or other compensation to any person in the service of a county unless the payroll, bill or account for such salary, wages or other compensation shall be sworn to by the head of the department or the person immediately responsible for the appointment or employment of the persons named therein, or, in the absence or disability of the head of the department or of such person then by a person designated by the head of the department and approved by the county commissioners.

Every such payroll shall contain at least the following information: the payroll period; full name of each officer or employee; title of office or position held; rate of salary or wages or other compensation; and any portion of the payroll period for which salary, wages or other compensation is being paid on account of sick leave, vacation or other leave.

The provisions of this section shall not contravene the provisions of section eleven of chapter thirty-five of the General Laws.

SECTION 6. This act shall take effect upon its passage.

(This bill was returned November 16, 1965 by the governor to the House of Representatives, the branch in which said bill originated, with his objections in writing to the following items therein: —

Essex County — Item 3 reduced from $48,871.40 to $46,604.20; Item 10 reduced from $534,672.38 to $527,950.08; and Item 17 reduced from $266,693.81 to $256,987.61.

Middlesex County — Item 14 reduced from $2,354,205.89 to $2,340,477.89; and Item 20 reduced from $134,763.83 to $131,331.83.

Worcester County — Item 12 reduced from $243,519.20 to $231,554.80; and Item 13 reduced from $258,002.04 to $246,037.64.

See Opinions of the Justices of the Supreme Judicial Court (House Document Number 4435 of 1965) in which the court in effect held that the seven items reduced by His Excellency the Governor had already become law in their original amounts before being so reduced. The remainder of the bill was approved by the governor November 16, 1965.)

Chap. 761. AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO THE ACQUISITION BY THE UNITED STATES OF AMERICA OF CERTAIN LAND FOR USE IN CONNECTION WITH A MILITARY RESERVATION KNOWN AS LAURENCE G. HANSCOM FIELD AND GRANTING AND CEDING JURISDICTION OVER SUCH LAND.

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, for use as a military reservation and related purposes, of a certain parcel of land situated in the town of Lincoln, bounded and described as follows: —

Beginning at an existing concrete bound in the Southerly line of a certain parcel of land acquired by the Commonwealth of Massachusetts for the purpose of relocating Old Bedford Road, said parcel of land being recorded in Book 7727, Page 146, Middlesex South District, said bound having coordinates of North 531,064.41, East 657,349.59 in the Massachusetts State Plane Coordinate System; thence running by other land of the United States of America, South 39° 58′ 10″ East, 1056.06 feet to an existing concrete bound, South 39° 58′ 10″ East 2.77 feet and South 31° 11′ 20″ East, 757 feet, more or less, to land, now or formerly, Harry Cook, et ux; thence turning and running in a general Southwesterly direction by land, now or formerly, Harry Cook, et ux, in an irregular line which runs in part along a stone wall, 1325 feet, more or less, to land, now or formerly, Mary E. Silva; thence turning and running North 30° 30′ 00″ West, in part by land, now or formerly, Mary E. Silva and in part by land, now or formerly, Alfred G. Butcher, et ux, 795 feet, more or less, to a point, said point having coordinates of North 529,503.85, East 657,043.21 in the Massachusetts State Plane Coordinate System; thence turning and running North 00° 48′ 00″ East, in part by land, now or formerly, Alfred G. Butcher, et ux and in part by land, now or formerly, Marion A. Fitch, 417.33 feet to a point; thence

turning and running North 15° 47′ 00″ East, in part by land, now or formerly, Marion A. Fitch and in part by land now or formerly, Mary F. McHugh, 570.00 feet to a point; thence turning and running North 01° 38′ 00″ East, by land, now or formerly, Mary F. McHugh, 555 feet, more or less, to the Southerly line of said parcel hereinbefore referred to as being acquired by the Commonwealth of Massachusetts; thence turning and running Northeasterly by the Southerly line of said parcel by a curve to the left, approximately 135 feet to the point of beginning. Containing 40.65 acres, more or less.

SECTION 2. Jurisdiction over the above described land 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 land 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 the above described land shall revert to and revest in the commonwealth whenever such land shall cease to be used for the purposes set forth in section one.

SECTION 3. This act shall take full effect upon the depositing in the office of the state secretary within one year after its effective date of a suitable plan of the parcel of land described in section one, but not otherwise. *Approved November 17, 1965.*

Chap. 762. AN ACT RELATIVE TO THE BASIS FOR THE ANNUAL ASSESSMENT FOR THE ESSEX COUNTY, CITY OF REVERE AND TOWN OF WINTHROP MOSQUITO CONTROL PROJECT.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter five hundred and sixteen of the acts of nineteen hundred and fifty-eight, as most recently amended by chapter six hundred and thirty-eight of the acts of nineteen hundred and sixty-five, to meet the expenses incurred under said chapter five hundred and sixteen, as amended, beginning with the fiscal year commencing July first, nineteen hundred and sixty-five, there shall be expended annually from the state treasury, subject to appropriation, sums equal in the aggregate to ten cents on each thousand dollars of taxable valuation of all the cities and towns within the Essex County, City of Revere and Town of Winthrop Mosquito Control Project, according to the valuations established by chapter six hundred and sixty of the acts of nineteen hundred and sixty-three, and the state treasurer shall issue his warrant requiring the assessors of said cities and towns to assess a tax to the amount of the sums so expended one half in proportion to said valuations, 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 city or town may in any year anticipate in whole or in part its assessment, and appropriate, raise and deposit the amount

thereof with the state treasurer, and any sums 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 November 17, 1965.*

Chap. 763. AN ACT PROVIDING FOR THE ELECTION OF REPRESENTATIVE BARGAINING AGENTS WITH POLITICAL SUBDIVISIONS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section four C of chapter forty of the General Laws is hereby repealed.

SECTION 2. Chapter 149 of the General Laws is hereby amended by inserting after section 178F the following eight sections: —

Section 178G. When used in this section and in sections one hundred and seventy-eight H to one hundred and seventy-eight N, inclusive, the following words shall, unless the context requires otherwise, have the following meanings: —

"Municipal employer", any county, city, town, or district, and any person designated by the municipal employer to act in its interest in dealing with municipal employees.

"Employee", any employee of a municipal employer, whether or not in the classified service of the municipal employer, except elected officials, board and commission members, police, and the executive officers of any municipal employer.

"Employee organization", any lawful association, organization, federation or council having as a primary purpose the improvement of wages, hours and other conditions of employment.

"Professional employee", any employee engaged in work which is predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical or physical work, which involves the consistent exercise of discretion and judgment in its performance, of such a character that the output produced or the result accomplished cannot be standardized in relation to a given time period, and which requires knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an apprenticeship or from training in the performance of routine mental, manual or physical processes.

Section 178H. (1) Employees shall have, and be protected in the exercise of, the right to self-organization, to form, join or assist any employee organization, to bargain collectively through representatives of their own choosing on questions of wages, hours and other conditions of employment and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, free from actual interference, restraint or coercion; provided, however, that an employee organization recognized by a municipal employer or designated as the representative of the majority of the employees in an appropriate unit, shall be the exclusive bargaining agent for all employees of such unit, and shall act, negotiate agreements and bargain collec-

tively for all employees in the unit, and shall be responsible for representing the interests of all such employees without discrimination and without regard to employee organization membership.

(2) Whenever, in accordance with such regulations as may be prescribed by the state labor relations commission, a petition is filed with said commission by a municipal employer alleging that one or more employee organizations have presented a claim to be recognized as the representative of a majority of employees in a specified unit, or by an employee or group of employees or an employee organization alleging that a substantial number of employees wish to be represented for collective bargaining by an employee organization as exclusive representative, or that the employee organization currently certified or recognized by the municipal employer as the bargaining representative does not currently represent a majority of the employees in the unit, said commission shall investigate such petition and, if it has reasonable cause to believe that a question of representation exists, shall provide for an appropriate hearing upon due notice.

(3) If, after hearing, the commission finds that there is a controversy concerning the representation of employees, it shall direct an election by secret ballot or shall use any other suitable method to determine whether and by which employee organization the employees desire to be represented and shall certify the results thereof. No election shall be directed in any bargaining unit or any subdivision thereof within which in the preceding twelve-month period a valid election has been held. No election shall be directed during the term of a collective bargaining agreement; except that for good cause shown the commission may direct such an election. An employee organization which receives a majority of votes cast in an election shall be designated by the commission as exclusive representative of the employees in the unit. In any election where none of the choices on the ballot receives a majority, a run off shall be conducted, the ballot providing for a selection between the two choices receiving the largest and the second largest number of valid votes cast in the election.

(4) The commission shall decide in each case whether the appropriate unit for purposes of collective bargaining shall be the municipal employer unit or any other unit thereof; provided, uniformed employees of the fire department shall be in a separate unit; and provided, further, that no unit shall include both professional and nonprofessional employees unless a majority of such professional employees vote for inclusion in such unit.

Section 178I. The municipal employer and the employee organization recognized or designated as exclusive representative of employees in an appropriate unit shall have the duty to bargain collectively. In such bargaining other than with an employee organization for school employees, the municipal employer shall be represented by the chief executive officer, whether elected or appointed, or his designated representative or representatives. In such bargaining with an employee organization for school employees, the municipal employer shall be represented by the school committee or its designated representative or representatives.

For the purposes of collective bargaining, the representative of the municipal employer and the representative of the employees shall meet at reasonable times, including meetings appropriately related to the

budget making process, and shall confer in good faith with respect to wages, hours and other conditions of employment, or the negotiation of an agreement, or any question arising thereunder, and shall execute a written contract incorporating any agreement reached, but neither party shall be compelled to agree to a proposal or to make a concession. In the event that any part or provision of any such agreement is in conflict with any law, ordinance or by-law, such law, ordinance or by-law shall prevail so long as such conflict remains. If funds are necessary to implement such written agreement, a request for the necessary appropriation shall be submitted to the legislative body. If such request is rejected, the matter shall be returned to the parties for further bargaining. The preceding two sentences shall not apply to agreements reached by school committees in cities and towns in which the provisions of section thirty-four of chapter seventy-one are operative.

Section 178J. (*a*) If, after a reasonable period of negotiation over the terms of an agreement, a dispute exists between a municipal employer and an employee organization, or if no agreement has been reached sixty days prior to the final date for setting the municipal budget, either party or the parties jointly may petition the state board of conciliation and arbitration to initiate fact finding.

(*b*) Upon receipt of such petition the board of conciliation and arbitration shall make an investigation to determine if the conditions set forth in paragraph (*a*) exist. If the board finds that such conditions do exist, it shall initiate fact finding. Prior to such fact finding, or prior to fact finding ordered by the state labor relations commission in accordance with the provisions of section one hundred and seventy-eight L, the board of conciliation and arbitration shall submit to the parties a panel of three qualified disinterested persons from which list the parties shall select one person to serve as the fact finder and shall notify the board of conciliation and arbitration of their choice. If the parties fail to select the fact finder within five calendar days of receipt of the list, the board of conciliation and arbitration shall appoint the person who shall serve as fact finder.

(*c*) The person selected or appointed as fact finder may establish dates and place of hearings which shall be where feasible in the locality of the municipality involved. Any such hearings shall be conducted in accordance with rules established by the board of conciliation and arbitration. Upon request, the board of conciliation and arbitration shall issue subpoenas for hearings conducted by the fact finder. The fact finder may administer oaths. Upon completion of the hearings and within sixty days from the date of appointment, unless extended by the board of conciliation and arbitration for good cause shown, the fact finder shall make written findings of fact and recommendations for resolution of the dispute and shall cause the same to be served on the municipal employer and the employee organization involved.

(*d*) Only employee organizations which are designated or recognized as the exclusive representative under section one hundred and seventy-eight H shall be proper parties in initiating fact finding proceedings.

(*e*) The cost of fact finding proceedings under this section shall be divided equally between the municipal employer and said employee organization. Compensation for the fact finder shall be in accordance with a schedule of payment established by the board of conciliation and arbitration.

(*f*) Nothing in this section shall be construed to prohibit the fact finder from endeavoring to mediate the dispute in which he has been selected or appointed as fact finder.

Section 178K. The services of the state board of conciliation and arbitration shall also be available to municipal employers and employee organizations for purposes of conciliation of grievances or contract disputes and for purposes of arbitration of disputes over the interpretation or application of the terms of a written agreement. Nothing in this section shall prevent the use of other arbitration tribunals in the resolution of disputes over the interpretation or application of the terms or written agreements between municipal employers and employee organizations.

Section 178L. Municipal employers or their representatives or agents are prohibited from: — (1) interfering with, restraining or coercing employees in the exercise of the rights guaranteed in section one hundred and seventy-eight H; (2) dominating or interfering with the formation, existence or administration of any employee organization; (3) discharging or otherwise discriminating against an employee because he has signed or filed any affidavit, petition or complaint or given any information or testimony under this section; (4) refusing to bargain collectively in good faith with an employee organization which has been recognized or designated as the exclusive representative of employees in an appropriate unit; and (5) refusing to discuss grievances with the representatives of an employee organization recognized or designated as the exclusive representative in an appropriate unit.

Employee organizations or their agents are prohibited from (1) restraining or coercing a municipal employer in the selection of its representative for purposes of collective bargaining or the adjustment of grievances; and (2) if recognized or designated as the exclusive representative of employees in an appropriate unit, refusing to bargain collectively in good faith with a municipal employer.

When a complaint is made to the labor relations commission that a practice prohibited by this section has been committed, the commission may issue an order dismissing the complaint or may order a further investigation or a hearing thereon. If a hearing is ordered, the commission shall set the time and place for the hearing, which time and place may be changed by the commission at the request of one of the parties for cause shown. Any complaint may be amended with the permission of the commission. The municipal employer, the employee organization or the person so complained of shall have the right to file an answer to the original or amended complaint within five days after the service of such complaint or within such other time as the commission may limit. Such municipal employer, such employee organization or such person shall have the right to appear in person or otherwise to defend against such complaint. In the discretion of the commission any person may be allowed to intervene in such proceeding. In any hearing the commission shall not be bound by the technical rules of evidence prevailing in the courts. A transcript of the testimony taken at any hearing before the commission shall be filed with the commission.

If, upon all the testimony, the commission determines that a prohibited practice has been committed, it shall state its findings of fact and shall issue and cause to be served on the party committing the prohibited practice an order requiring it or him to cease and desist from

such prohibited practice, and shall take such further affirmative action as will comply with the provisions of this section, including but not limited to the withdrawal of certification of an employee organization established by or assisted in its establishment by any such prohibited practice. If it is alleged that either party has refused to bargain collectively, the state labor relations commission shall order fact finding and direct the party at fault to pay the full costs thereof. It shall order the reinstatement with or without back pay of an employee discharged or discriminated against in violation of the first paragraph of this section. If, upon all of the testimony, the commission determines that a prohibited practice has not been or is not being committed, it shall state its finding of fact and shall issue an order dismissing the complaint.

Section 178M. It shall be unlawful for any employee to engage in, induce, or encourage any strike, work stoppage, slowdown or withholding of services by such employees.

Section 178N. Nothing in sections one hundred and seventy-eight F to one hundred and seventy-eight M, inclusive, shall diminish the authority and power of the civil service commission, or any retirement board or personnel board established by law, nor shall anything in said sections constitute a grant of the right to strike to employees of any municipal employer.

SECTION 3. Section 9R of chapter 23 of the General Laws, as appearing in section 1 of chapter 345 of the acts of 1938, is hereby amended by inserting after the word "inclusive", in line 4, the words: — , of this chapter, sections one hundred and seventy-eight H and one hundred and seventy-eight L of chapter one hundred and forty-nine.

Approved November 17, 1965.

Chap. 764. AN ACT REGARDING ELIGIBILITY OF PRISONERS FOR PAROLE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 127 of the General Laws is hereby amended by striking out section 133, as most recently amended by section 69 of chapter 770 of the acts of 1955, and inserting in place thereof the following section: — *Section 133.* Parole permits may be granted by the parole board to prisoners subject to its jurisdiction at such time as the board in each case may determine; provided (*a*) that no prisoner, convicted for a violation of section thirteen, thirteen B, fourteen, fifteen, fifteen A, fifteen B, sixteen, seventeen, eighteen, eighteen A, nineteen, twenty, twenty-one, twenty-two, twenty-two A, twenty-three, twenty-four, twenty-four B, twenty-five, or twenty-six of chapter two hundred and sixty-five, or section seventeen, thirty-five, or thirty-five A of chapter two hundred and seventy-two, or for an attempt to commit any crime referred to in said sections, and held under a sentence containing a minimum sentence shall receive a parole permit until he shall have served two thirds of such minimum sentence, but in any event not less than two years or if he has two or more sentences to be served otherwise than concurrently, two thirds of the aggregate of the minimum terms of such several sentences, but in any event not less than two years for each such sentence; (*b*) that no other prisoner held under a sentence containing a minimum sentence shall receive a parole permit

until he shall have served one third of such minimum sentence, but in any event not less than one year, or, if he has two or more sentences to be served otherwise than concurrently, one third of the aggregate of the minimum terms of such several sentences, but in any event not less than one year for each such sentence; (c) that no prisoner held under a sentence containing a minimum sentence for a crime committed while on parole shall receive a parole permit until he shall have served two thirds of such minimum sentence, or, if he has two or more sentences to be served otherwise than concurrently for offenses committed while on parole, two thirds of the aggregate of the minimum terms of such several sentences, but in any event not less than two years for each such sentence; provided, further, that the portion of a minimum sentence or sentences which a prisoner is required to serve before being eligible for a parole permit shall, in each of the above instances, be reduced by the number of days allowed for blood donations as provided in section one hundred and twenty-nine A.

SECTION 2. The provisions of section one hundred and thirty-three of chapter one hundred and twenty-seven of the General Laws, as amended by section one of this act, shall not apply in the case of any person sentenced prior to the effective date of this act if application of the provisions thereof would have the effect of making his punishment more severe. *Approved November 17, 1965.*

Chap. 765. AN ACT PROVIDING THAT PAROLE OFFICERS MAY ISSUE WARRANTS FOR THE TEMPORARY CUSTODY OF PAROLEES.

Be it enacted, etc., as follows:

Chapter 127 of the General Laws is hereby amended by inserting after section 149 the following section: —

Section 149A. If a parole officer believes that a parolee has lapsed or is about to lapse into criminal ways or has associated or is about to associate with criminal company or that he has violated the conditions of his parole, the parole officer may, with the consent of a parole supervisor or other superior officer, issue a warrant for the temporary custody of said parolee for a period not longer than five days, during which period he shall notify the director of parole service or a parole supervisor of his action and submit a complete report for final decision by the parole board. The detention of any such parolee may be further regulated by the rules of said board. Such warrant shall constitute sufficient authority to a parole officer and to the master, jailer, or any other person in charge of any jail, house of correction, lockup, or place of detention to whom it is exhibited to hold in temporary custody the parolee retaken pursuant thereto. *Approved November 22, 1965.*

Chap. 766. AN ACT PROVIDING THAT CERTAIN PRISONERS SERVING A LIFE SENTENCE SHALL BE ELIGIBLE FOR PAROLE IN FIFTEEN YEARS INSTEAD OF TWENTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 127 of the General Laws is hereby amended by striking out section 133A, as amended by section 9 of chapter 731 of the

acts of 1956, and inserting in place thereof the following section: — *Section 133A.* Every prisoner who is serving a sentence for life in a correctional institution of the commonwealth, except prisoners confined to the hospital at the Massachusetts Correctional Institution, Bridgewater, and except prisoners serving a life sentence for murder in the first degree, shall be eligible for parole, and the parole board shall, within sixty days before the expiration of fifteen years of such sentence, conduct a public hearing before the full membership.

Said board shall at least thirty days before such hearing notify in writing the attorney general, the district attorney in whose district sentence was imposed and the chief of police or head of the organized police department of the municipality in which the crime was committed, and said officials may appear in person or make written recommendations to the board, but failure of any or all of said officials to appear or make recommendations shall not arrest the paroling procedure.

After such hearing the parole board may, by a vote of four-fifths of all its members, grant to such prisoner a parole permit to be at liberty upon such terms and conditions as it may prescribe for the unexpired term of his sentence. If such permit is not granted, the parole board shall, at least once in each ensuing three year period, consider carefully and thoroughly the merits of each such case on the question of releasing such prisoner on parole, and may, by a vote of four-fifths of all its members, grant such parole permit.

Such terms and conditions may be revised, altered and amended, and may be revoked, by the parole board at any time. The violation by the holder of such permit or any of its terms or conditions, or of any law of the commonwealth, may render such permit void, and thereupon, or if such permit has been revoked, the parole board may order his arrest and his return to prison, in accordance with the provisions of section one hundred and forty-nine.

SECTION 2. Section one hundred and fifty-four A of said chapter one hundred and twenty-seven is hereby repealed.

SECTION 3. The provisions of section one hundred and thirty-three A of chapter one hundred and twenty-seven of the General Laws, inserted by section one of this act, shall apply to prisoners sentenced before as well as after the effective date of this act. *Approved November 22, 1965.*

Chap. 767. AN ACT PROVIDING FOR THE TEMPORARY MAINTENANCE OF THE RUTLAND HOSPITAL PROPERTY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith funds for the maintenance of the Rutland Hospital, 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. Funds which from time to time have been or shall be made available to the Rutland Hospital or to the Rutland Heights Hospital are hereby made available for the purposes of the maintenance of the Rutland Hospital until said Rutland Hospital is disposed of; provided, that so much of said funds as are not required for such mainte-

nance shall be transferred to and made available for the purposes of the Rutland Heights Hospital, to be in addition to the amount made available by item 2023-00 of section two of chapter six hundred and ninety-one of the acts of the current year.

SECTION 2. This act shall take effect as of November first, nineteen hundred and sixty-five. *Approved November 23, 1965.*

Chap. 768. AN ACT PROVIDING FOR THE PROTECTION OF THE COASTAL WETLANDS OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to immediately provide for the protection of coastal wetlands against the imminent threat of the development of such lands for industrial and other uses detrimental to their preservation in their natural state, 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 130 of the General Laws is hereby amended by adding the following section: —

Section 105. The commissioner, with the approval of the board of natural resources, may from time to time, for the purpose of promoting the public safety, health and welfare, and protecting public and private property, wildlife and marine fisheries, adopt, amend, modify or repeal orders regulating, restricting or prohibiting dredging, filling, removing or otherwise altering, or polluting, coastal wetlands. In this section the term "coastal wetlands" shall mean any bank, marsh, swamp, meadow, flat or other low land subject to tidal action or coastal storm flowage and such contiguous land as the commissioner reasonably deems necessary to affect by any such order in carrying out the purposes of this section.

The commissioner shall, before adopting, amending, modifying or repealing any such order, hold a public hearing thereon in the municipality in which the coastal wetlands to be affected are located, giving notice thereof to the state reclamation board, the department of public works and each assessed owner of such wetlands by mail at least twenty-one days prior thereto.

Upon the adoption of any such order or any order amending, modifying or repealing the same, the commissioner shall cause a copy thereof, together with a plan of the lands affected and a list of the assessed owners of such lands, to be recorded in the proper registry of deeds or, if such lands are registered, in the registry district of the land court, and shall mail a copy of such order and plan to each assessed owner of such lands affected thereby. Such orders shall not be subject to the provisions of chapter one hundred and eighty-four. Any person who violates any such order shall be punished by a fine of not less than ten nor more than fifty dollars, or by imprisonment for not more than one month, or by both such fine and imprisonment.

The superior court shall have jurisdiction in equity to restrain violations of such orders.

Any person having a recorded interest in land affected by any such order, may, within ninety days after receiving notice thereof, petition

the superior court to determine whether such order so restricts the use of his property as to deprive him of the practical uses thereof and is therefore an unreasonable exercise of the police power because the order constitutes the equivalent of a taking without compensation. If the court finds the order to be an unreasonable exercise of the police power, as aforesaid, the court shall enter a finding that such order shall not apply to the land of the petitioner; provided, however, that such finding shall not affect any other land than that of the petitioner. The commissioner shall cause a copy of such finding to be recorded forthwith in the proper registry of deeds or, if the land is registered, in the registry district of the land court. The method provided in this paragraph for the determination of the issue of whether any such order constitutes a taking without compensation shall be exclusive, and such issue shall not be determined in any other proceeding, nor shall any person have a right to petition for the assessment of damages under chapter seventy-nine by reason of the adoption of any such order.

The department may, after a finding has been entered that such order shall not apply to certain land as provided in the preceding paragraph, take the fee or any lesser interest in such land in the name of the commonwealth by eminent domain under the provisions of chapter seventy-nine and hold the same for the purposes set forth in this section.

No action by the commissioner or the department under this section shall prohibit, restrict or impair the exercise or performance of the powers and duties conferred or imposed by law on the department of public works, the state reclamation board or any mosquito control or other project operating under or authorized by chapter two hundred and fifty-two.

No order adopted hereunder shall apply to any area under the control of the metropolitan district commission.

SECTION 2. Section 8C of chapter 40 of the General Laws, as amended by chapter 258 of the acts of 1961, is hereby further amended by adding the following four sentences: — For the purposes of this section a city or town may, upon the written request of the commission, take by eminent domain under chapter seventy-nine, the fee or any lesser interest in any land or waters located in such city or town, provided such taking has first been approved by a two-thirds vote of the city council or a two-thirds vote of an annual or special town meeting, which land and waters shall thereupon be under the jurisdiction and control of the commission. The commission may adopt rules and regulations governing the use of land and waters under its control, and prescribe penalties, not exceeding a fine of one hundred dollars, for any violation thereof. No action taken under this section shall affect the powers and duties of the state reclamation board or any mosquito control or other project operating under or authorized by chapter two hundred and fifty-two, or restrict any established public access. Lands used for farming or agriculture, as defined in section one A of chapter one hundred and twenty-eight, shall not be taken by eminent domain under the authority of this section.

SECTION 3. The consent of the commonwealth is hereby given to the acquisition by the United States, by condemnation, purchase, gift, devise, or lease, of the area, hereinafter described, of land or water, or of land and water, in the commonwealth, for the establishment of a national wildlife refuge in accordance with the Migratory Bird Con-

servation Act (16 USC 715–715d, 715e, 715f–715k, 715l–715r) and amendments thereof or thereto, reserving, however, to the commonwealth full and complete jurisdiction and authority over all such areas not incompatible with the administration, maintenance, protection and control thereof by the United States under the terms of said act; provided that the commonwealth reserves to itself through the state reclamation board and the Plymouth County Mosquito Control Project, and the South Shore Mosquito Control Project, and their successors, the right to provide for control of mosquitoes and greenhead flies in such lands and the right to construct and maintain such ditches, culverts, dams and any other installation on the lands so acquired as may be necessary for the proper control of mosquitoes and greenhead flies. Said area, located in Plymouth county, is bounded and described as follows: — Being approximately 2,300 acres of tidal and fresh marsh, together with included water and contiguous uplands bordering on the North river in the towns of Hanover, Marshfield, Norwell, Pembroke and Scituate, and in general extending from West Elm street, Barker street, and state Route 53 in Pembroke down stream along the said North river to its mouth between Third Cliff and Fourth Cliff in the town of Scituate.

SECTION 4. Expenses incidental to adopting and recording orders, and awards of damages for lands taken by eminent domain, under section one hundred and five of chapter one hundred and thirty of the General Laws, as appearing in section one of this act, may be paid out of funds made available under the provisions of chapter five hundred and seven of the acts of nineteen hundred and sixty-four for carrying out the provisions of section three of chapter one hundred and thirty-two A of the General Laws. *Approved November 23, 1965.*

Chap. 769. AN ACT REPEALING THE LAW AUTHORIZING THE CHAIRMAN OF THE PAROLE BOARD TO DESIGNATE ONE OR MORE MEMBERS OF THE BOARD TO CONDUCT CERTAIN PRELIMINARY HEARINGS ON PAROLES.

Be it enacted, etc., as follows:

SECTION 1. The last paragraph of section 5 of chapter 27 of the General Laws, as appearing in section 2 of chapter 765 of the acts of 1960, is hereby amended by striking out the second sentence.

SECTION 2. Chapter 127 of the General Laws is hereby amended by striking out section 134, as most recently amended by section 5 of said chapter 765 of the acts of 1960, and inserting in place thereof the following section: — *Section 134.* No parole permit shall be granted by the parole board to an inmate of a correctional institution of the commonwealth or to an inmate of a jail or house of correction until the inmate has been seen by at least three members of said board, except that when the chairman has appointed three members to act as the parole board under the provisions of section five of chapter twenty-seven, no parole permit shall be granted by the board so appointed until the inmate has been seen by at least two of said members so appointed.

Approved November 23, 1965.

Chap. 770. AN ACT RELATIVE TO THE CORPORATE POWERS OF THE LAWRENCE POLICE RELIEF ASSOCIATION.

Be it enacted, etc., as follows:

Upon the death of any pensioned member of the police department of the city of Lawrence, who is a member of the Lawrence Police Relief Association, and who is entitled to receive benefits under the constitution and by-laws of said corporation, the amount of mortuary benefit to which he was entitled at the time of his retirement, as an active member of said police department, shall be paid to such person as the deceased shall have designated in a writing filed with the secretary of said corporation. *Approved November 23, 1965.*

Chap. 771. AN ACT REQUIRING EMPLOYEES OF CERTAIN PERSONS LICENSED BY THE LICENSING BOARD FOR THE CITY OF BOSTON TO CARRY IDENTIFICATION CARDS.

Be it enacted, etc., as follows:

SECTION 1. Any person may, in a writing bearing his fingerprints, apply to the police commissioner of the city of Boston for a liquor dispensers identification card. Said commissioner, upon receipt of such application and of two photographs of such person satisfactory to him and the sum of three dollars or such other sum as may from time to time be fixed under chapter two hundred and twenty-two of the acts of nineteen hundred and forty-nine, shall issue to such person a distinctively numbered liquor dispensers identification card expiring on the first day of April in the third year after its issuance and bearing such person's name, address, date of birth and signature and one of such photographs.

On and after April first, nineteen hundred and sixty-six, no person, unless he has on his person a liquor dispensers identification card issued to him as aforesaid, shall manage, or prepare, serve or sell alcoholic beverages in any hotel, restaurant, tavern or club in the city of Boston for which the licensing board of said city has issued a license under section twelve of chapter one hundred and thirty-eight of the General Laws; and on and after said April first, no person holding a hotel, restaurant, tavern or club license issued by said licensing board under said section twelve shall employ or continue in his employment any person to manage his hotel, restaurant, tavern or club, or to prepare, serve or sell alcoholic beverages therein unless such person holds an unexpired liquor dispensers identification card issued to him as aforesaid.

No person shall transfer, alter or deface any such identification card, or use or carry a false identification card, or use the identification card of another, or furnish false information in obtaining said card.

Whoever violates any provision of this act shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than two months.

SECTION 2. This act shall take effect upon its acceptance on or before March first, nineteen hundred and sixty-six by the city of Boston. *Approved November 24, 1965.*

Chap. 772. AN ACT REPEALING THE PROVISIONS OF LAW MAKING MANDATORY THE VOIDING OF A PERMIT TO BE AT LIBERTY FOR VIOLATION OF ITS TERMS OR OF ANY LAW OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 127 of the General Laws is hereby amended by striking out section 147. *Approved November 24, 1965.*

Chap. 773. AN ACT AUTHORIZING THE CITY OF EVERETT TO ADD ONE MEMBER TO ITS RESERVE FIRE FORCE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fifty-nine C of chapter forty-eight of the General Laws, the city of Everett is hereby authorized to add, in the current year, one member to its reserve fire force.

SECTION 2. This act shall take effect upon its acceptance by the city of Everett in the current year. *Approved November 24, 1965.*

Chap. 774. AN ACT FURTHER EXTENDING THE TIME WITHIN WHICH AN ACT MAKING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-SIX PRIOR TO FINAL ACTION ON THE GENERAL APPROPRIATION BILL FOR SAID YEAR SHALL BE OPERATIVE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 579 of the acts of 1965 is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 745 of the acts of 1965, and inserting in place thereof the following sentence: — Notwithstanding any provision of law to the contrary, the provisions of House Bill numbered 3939, as amended and passed to be engrossed by the House of Representatives, making appropriations for the fiscal year nineteen hundred and sixty-six for the maintenance of departments, boards, commissions, institutions, and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements, are hereby incorporated herein by reference and shall be effective on the passage of this act; provided, that expenditures thereunder shall be limited to the amounts made available by allotment by the governor upon recommendation of the commissioner of administration; and provided, further, that said commissioner is hereby directed to limit the amount so allotted to those appropriation accounts essential for the maintenance of services during the months of July, August, September, October, November and December.

SECTION 2. Said chapter 579 is hereby further amended by striking out section 2, as most recently amended by section 2 of said chapter 745, and inserting in place thereof the following section: — *Section 2.* This act shall cease to be operative upon the enactment into law of the general appropriation bill for the fiscal year nineteen hundred and sixty-

six or on December thirty-first, nineteen hundred and sixty-five, whichever is the earlier, and all action taken under this act shall apply against said appropriation act.

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

Approved November 30, 1965.

Chap. 775. AN ACT EXCEPTING CERTAIN TRANSFERS FROM THE LAW RELATIVE TO THE ESTABLISHMENT OF EDUCATIONAL REQUIREMENTS AND THE USE OF CIVIL SERVICE LISTS IN CERTAIN CASES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to except certain transfers from the law relative to the establishment of educational requirements and the use of civil service lists in certain cases, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 31 of the General Laws is hereby amended by striking out section 6A, as amended by section 1 of chapter 580 of the acts of 1965, and inserting in place thereof the following section: — *Section 6A.* No rule or regulation shall be made setting up educational requirements as a condition of taking a civil service examination except in respect to professional and other positions for which such requirements are expressly imposed by statute and to the extent of the requirements so imposed, provided that wherever, as a condition of receiving federal grants for programs and activities to which the federal standards for a merit system of personnel administration relate, federal requirements make necessary the application of educational qualifications to any office or position of the commonwealth or political subdivision thereof, the director, other than in the case of an emergency appointment under section fifteen, shall apply such educational requirements to such office or position in the manner and extent necessary to meet federal requirements, notwithstanding any provision of law to the contrary or whether such office or position is to be filled by appointment, promotion or transfer, except a transfer to a position with substantially identical authority, duties and responsibility, or however otherwise designated, and no person other than an emergency appointee shall enter upon such position who does not meet the educational requirements so required to be established.

SECTION 2. Paragraph D of section 15 of said chapter 31, inserted by section 2 of said chapter 580 of the acts of 1965, is hereby amended by inserting after the word "transferred", in line 3, the words: — , excepting a transfer to a position with substantially identical authority, duties and responsibility.

SECTION 3. Section 47C of said chapter 31 is hereby amended by striking out paragraph (3), as appearing in section 3 of said chapter 580 of the acts of 1965, and inserting in place thereof the following paragraph: —

(3) Notwithstanding any provision of law to the contrary, if there is no suitable list established for a city or town of persons eligible to positions in the service of such city or town which are referred to in

this section, the director shall certify and selection shall be made from any suitable list of persons eligible to such positions established for the political subdivisions comprising the geographical district served by the respective district offices of the department of public welfare in which such city or town is located; if there is no suitable list established for a city or town or for such district of persons eligible to positions in the service of such city or town the director shall certify and selection shall be made from any suitable state-wide list of persons eligible to such positions. Appointments, promotions or transfers, except transfers to positions with substantially identical authority, duties and responsibility, to positions referred to in this section and made subject to this chapter by this section or otherwise shall be made only after certification by the director that the proposed appointee meets the minimum qualifications required. *Approved November 30, 1965.*

Chap. 776. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO PAY A CERTAIN SUM OF MONEY TO NEW ENGLAND AERO SERVICE, INC.

Be it enacted, etc., as follows:

The county commissioners of Plymouth county are hereby authorized to pay to New England Aero Service, Inc., a Massachusetts corporation, the sum of one thousand seven hundred and thirty-four dollars and thirty-two cents for replacing the engine in the Plymouth county fire patrol airplane, notwithstanding the failure to comply with the provisions of section seventeen of chapter thirty-four of the General Laws. *Approved November 30, 1965.*

Chap. 777. AN ACT ESTABLISHING THE OFFICE OF COMPTROLLER IN THE TOWN OF LEXINGTON.

Be it enacted, etc., as follows:

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

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

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

the selectmen and the officers, boards, departments, committees and commissions affected.

(*b*) He shall establish standard practices relating to all accounting matters and procedures and the co-ordination of systems throughout the town, including clerical and office methods, records, reports and procedures as they relate to accounting matters and shall prepare and issue rules, regulations and instructions relating thereto, which, when approved by the selectmen, shall be binding upon all officers, employees and departments of the town.

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

(*d*) Prior to submitting any warrant to the selectmen, he shall examine and approve as not being fraudulent, unlawful or excessive, all bills, drafts and orders covered thereby; and, in connection with any such examination, he may make inspection as to the quality, quantity and condition of any materials, supplies or equipment delivered to or received by any officer, board or commission of the town, and may investigate the services or labor performed for or furnished to any such officer, board or commission. If upon examination it appears to the comptroller that any such bill, draft or order is fraudulent, unlawful or excessive, he shall immediately file with the selectmen and town treasurer a written report of the reasons for his findings.

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

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

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

SECTION 4. The comptroller, with the approval of a majority of the selectmen, may appoint in writing an assistant. Unless a temporary comptroller is appointed, the assistant may, in the absence of the comptroller, perform the duties of the comptroller and when performing such duties shall have the same powers and be subject to the same requirements and penalties as the comptroller.

SECTION 5. Upon the qualification of the comptroller first appointed hereunder, the town accountant shall cease to serve as such and the office of town accountant shall thereupon be abolished.

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

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

Approved November 30, 1965.

Chap. 778. AN ACT RELATIVE TO THE SALARY OF THE THIRD ASSISTANT CLERK OF COURTS FOR THE COUNTY OF NORFOLK.

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 third assistant clerk of courts for the county of Norfolk, 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 December 6, 1965.

Chap. 779. AN ACT RELATIVE TO THE IMPROVEMENT EXPENDITURES OF THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 9 of chapter 701 of the acts of 1960 is hereby amended by striking out clause Third and inserting in place thereof the following clause: —

Third: to a replacement fund, if so provided in such resolution, such amount, if any, as the Authority may deem necessary or advisable for depreciation of property and for obsolescence and losses in respect to property sold, destroyed or abandoned, and for improvement expenditures, not in excess of twenty-five thousand dollars in any one year, and not in excess of fifty thousand dollars in the accumulated account, with a limit of twenty thousand dollars for the improvement expenditure on any one project;.

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

Approved December 6, 1965.

Chap. 780. AN ACT RELATIVE TO THE CONSTRUCTION AND EQUIPPING OF A COURT HOUSE IN THE TOWN OF MILFORD FOR THE THIRD DISTRICT COURT OF SOUTHERN WORCESTER.

Be it enacted, etc., as follows:

SECTION 1. Chapter 660 of the acts of 1965 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* There is hereby established a board consisting of the chief of police, town counsel, town moderator, and the chairman of the off street parking commission, of the town of Milford, the district attorney for the middle district, or his designee, and the chairman of the county commissioners of Worcester county. Said board shall advise said county commissioners on the location, construction and equipping of a court house to provide suitable and adequate facilities for the third district court of southern Worcester at an appropriate location in the town of Milford. Said county commissioners, after consultation with and with the consent of the board established hereunder, are hereby

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

SECTION 2. Said chapter 660 is hereby further amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* For the purposes authorized by section one, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, six hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Third District Court of Southern Worcester Loan, Act of 1965. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty 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. This act shall take effect upon its passage.

Approved December 6, 1965.

Chap. 781. AN ACT INCREASING THE SALARY OF THE CLERK OF THE SECOND 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 IV* by striking out line 2, reading "second district court of Bristol,", as appearing in chapter 725 of the acts of 1962, and in *Class V* by inserting after line 1, reading "*Class V.* — The Boston juvenile court,", as appearing in section 1 of chapter 695 of the acts of 1964, the following line: — second district court of Bristol,.

Approved December 6, 1965.

Chap. 782. AN ACT INCREASING THE SALARY OF THE CLERK OF THE SECOND DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted, etc., as follows:

Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended in *Class IV* by striking out line 11, as appearing in chapter 725 of the acts of 1962, reading "second district court of eastern

Middlesex,", and in *Class V* by inserting after line 3, as appearing in section 1 of chapter 695 of the acts of 1964, reading "first district court of eastern Middlesex," the following line: — second district court of eastern Middlesex,. *Approved December 6, 1965.*

Chap. 783. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO BORROW MONEY FOR PLANNING, CONSTRUCTING, EQUIPPING AND FURNISHING AN ADDITION TO AND FOR THE ALTERATION OF THE FIRST DISTRICT COURT OF SOUTHERN MIDDLESEX.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of improving court house accommodations and facilities for the first district court of southern Middlesex, the county commissioners of the county of Middlesex may plan, erect, equip and furnish an addition to and for the alteration of said accommodations and facilities.

SECTION 2. For the purpose aforesaid, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, two hundred and twenty-five thousand dollars, and may issue bonds or notes of the county thereof, which shall bear on their face the words, Middlesex County Court House Loan, First District Court of Southern Middlesex, Act of 1965. Each authorized issue shall constitute a separate loan and such loans shall be payable in 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 December 6, 1965.

Chap. 784. AN ACT PERMITTING CERTAIN CREDIT UNIONS TO INCREASE THE AMOUNT OF LOANS MADE AND EVIDENCED BY NOTE AND SECURED BY RESPONSIBLE ENDORSERS OR CO-MAKERS.

Be it enacted, etc., as follows:

Subdivision (A) of section 24 of chapter 171 of the General Laws is hereby amended by inserting after paragraph 3 the following paragraph: —

3A. Notwithstanding the limitations in paragraph 3, a credit union which is a member of the Massachusetts Credit Union Share Insurance Corporation may make loans to an amount not exceeding fifteen hundred dollars, and if the assets of such credit union are more than five hundred thousand dollars to an amount not exceeding two thousand dollars, if evidenced by the note of the borrower with two or more responsible endorsers or co-makers thereon, or with satisfactory collateral pledged to secure the same. *Approved December 6, 1965.*

Chap. 785. AN ACT ESTABLISHING THE PROCEDURE FOR PROMOTIONS WITHIN THE UNIFORMED BRANCH OF THE DIVISION OF STATE POLICE IN THE DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 9A of chapter 22 of the General Laws is hereby amended by striking out the fourth sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence: — The commissioner may, subject to the approval of the governor and subject to the provisions of sections nine O to nine Q, inclusive, make rules and regulations for said additional force, including matters pertaining to their discipline, organization and government, compensation and equipment, and means of swift transportation; provided, that said force shall not be used or called upon for service in any industrial dispute, unless actual violence has occurred therein, and then only by order of the governor or the person acting in his place.

SECTION 2. Said chapter 22 is hereby further amended by inserting after section 9N the following four sections: —

Section 9 O. The commissioner may promote members of the uniformed branch of the division of state police who are eligible for promotion to the grade of noncommissioned officers, lieutenant, captain, staff captain and division inspector. All promotions shall be based on the following factors which shall be marked on a percentage basis:

(1) a competitive promotional examination open to all candidates who have completed not less than one year of service in the next subordinate grade prior to the final date of filing the application;

(2) performance evaluation reports which shall be submitted annually to the commissioner by each troop commanding officer or bureau head and first line supervisor, under whom each candidate has served, and the average percentage of all such annual reports in the then current grade of such candidate shall be the performance evaluation mark;

(3) an oral interview conducted by members of the uniformed branch of the division of state police, or by officers of state police departments outside the commonwealth, holding a grade higher than that for which the examination is being conducted; and

(4) in the case of promotions to the grades of noncommissioned officers, lieutenant and captain a determination of longevity based upon the granting of five per cent for each year, or major part thereof up to twenty years of service.

The commissioner shall prepare notice of all promotional examinations, which shall be written examinations, and shall cause notice

thereof to be published in the departmental orders no later than thirty days prior to the final date for filing application therefor. No examination shall be held less than thirty days after the final date for filing such applications. All performance evaluation reports required by this section shall be submitted to the commissioner no later than the date of the written promotional examination taken by the candidate.

The standards for promotion to the noncommissioned officers grades and commissioned officer grades up to and including captain shall be based upon the following factors which shall be weighted as follows: — written examinations, six; performance evaluation, three; oral interview, three; longevity, eight.

The standards for promotion to the grades of staff captain and division inspector shall be based upon the following factors which shall be weighted as follows: — written examinations, four; performance evaluation, three; oral interview, three.

Each candidate for promotion to any such grade who is a veteran shall have two points added to his general average mark.

Before making any promotions in accordance with this section, the commissioner shall publish and distribute in departmental orders a list of members of the uniformed branch of the division of state police who are eligible for promotion to a specified grade. Such lists shall remain valid for a period of two years from the date of publication. Appointment to a vacancy occurring in any grade shall be made from the top three candidates on the appropriate list who are eligible for promotion.

Section 9P. Any vacancy that occurs in the grade of lieutenant colonel and executive officer of the uniformed branch of the division of state police shall be filled by the commissioner from the next two subordinate grades, and any vacancy that occurs in the grade of major and adjutant from the next subordinate grade.

Section 9Q. No person shall be eligible for appointment to any of the following grades until he has completed the following period of service in the uniformed branch of the division of state police: — corporal, six years; sergeant and staff sergeant, eight years; lieutenant, ten years; captain, twelve years; and all staff grades, fourteen years.

Section 9R. The commissioner shall include in the rules and regulations of the department the procedure affording the right of appeal and the time within which vacancies shall be filled.

SECTION 3. On and after the effective date of this act, no temporary position within the uniformed branch of the division of state police in the department of public safety above the rank of trooper shall be filled or created; provided, however, that persons occupying temporary positions on said effective date shall be authorized to continue in such positions and shall, for the purpose of promotion, be deemed to hold the rank to which they have been temporarily promoted.

SECTION 4. Notwithstanding the provisions of section nine O of chapter twenty-two of the General Laws, inserted by section two of this act, any member of the uniformed branch of the division of state police who on the effective date of this act has completed ten years of service as such member may take a competitive promotional examination without being required to complete one year of service in the next subordinate grade prior to the final date for filing the application for such examination. *Approved December 6, 1965.*

Chap. 786. AN ACT PROVIDING THAT CERTAIN POLICE CHIEFS WHO ARE ON DUTY ON CERTAIN HOLIDAYS SHALL BE GRANTED AN ADDITIONAL DAY'S PAY.

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by inserting after section 57E, added by chapter 141 of the acts of 1965, the following section: —

Section 57F. If the chief of a police department of a city or town which accepts this section is on duty at any time on January first, February twenty-second, April nineteenth, May thirtieth, July fourth, October twelfth, November eleventh, or Christmas day, or the day following when said days occur on Sunday, or on the first Monday in September or Thanksgiving day, he shall be granted an additional day's pay. *Approved December 6, 1965.*

Chap. 787. AN ACT DIRECTING THE COUNTY TREASURER OF ESSEX COUNTY TO PAY A SUM OF MONEY TO ROLAND H. SHERMAN.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, and in order to discharge a moral obligation of the county of Essex, the treasurer of said county shall pay from any available funds to Roland H. Sherman of Andover the sum of eight hundred and nineteen dollars for services rendered by him as a master in case number 13677 in equity in the superior court for the county of Essex during the year nineteen hundred and sixty-two. *Approved December 6, 1965.*

Chap. 788. AN ACT PROVIDING FOR A SPECIAL CAPITAL OUTLAY FOR SHORE PROTECTION AND IMPROVEMENT OF RIVERS AND HARBORS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to provide funds immediately for a special capital outlay for shore protection and improvement of rivers and harbors, 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 sum set forth in section two of this act, for the several purposes and subject to the conditions specified in said section two, is hereby made available subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

Department of Public Works.

Division of Waterways.

Item	
8354-00	For projects for the improvement of rivers, harbors, tidewaters, foreshores and shores along a public beach, as authorized by section eleven of chapter ninety-one of the General Laws, and for construction, reconstruction or repair of drains, to be used in conjunction with any

federal funds made available for the purpose; provided, that all expenditures, except the cost of surveys and the preparation of preliminary plans, for work undertaken hereunder, including the cost of engineering during construction, shall be upon condition that at least fifty per cent of the cost is covered by contributions from municipalities or other organizations or individuals except that, in the case of dredging channels for harbor improvements, at least twenty-five per cent of the cost shall be so covered; provided, that said department is hereby authorized and directed to expend a sum not exceeding two hundred and fifty thousand dollars for certain improvements at the state pier in the city of Fall River; and provided, further, that said department is hereby authorized and directed to expend a sum of not less than one hundred thousand dollars for the project in the Andrews river area of South Harwich authorized by chapter five hundred and forty-one of the acts of nineteen hundred and sixty-four, subject to the conditions set forth in said chapter five hundred and forty-one; and provided, further, that projects constructed as authorized in this act shall not be subject to section thirty A of chapter seven of the General Laws **$3,000,000 00**

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, 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 from time to time, but not exceeding, in the aggregate, the sum of three million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face Shore Protection and River and Harbor Loan, Act of 1965, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-seven.

Approved December 7, 1965.

Chap. 789. AN ACT INCREASING THE SALARY OF THE CLERK OF THE DISTRICT COURT OF CENTRAL MIDDLESEX.

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 8, as appearing in chapter 725 of the acts of 1962, reading "district court of central Middlesex," and in *Class IV* by inserting after line 10, as so appearing, reading "district court of Lowell," the following line: — district court of central Middlesex,.

Approved December 7, 1965.

Chap. 790. AN ACT ESTABLISHING A BUREAU OF RELOCATION IN THE DEPARTMENT OF COMMERCE AND DEVELOPMENT AND PROVIDING FOR RELOCATION ASSISTANCE TO PERSONS AND ORGANIZATIONS DISPLACED BY EMINENT DOMAIN.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 23A of the General Laws, as appearing in section 1 of chapter 636 of the acts of 1964, is hereby amended by inserting after clause (*a*) the following clause: —

(*a*½) Assuring availability of adequate housing for all citizens of the commonwealth, and particularly for those displaced by public action within the commonwealth.

SECTION 2. Said chapter 23A, is hereby further amended by inserting after section 5, as so appearing, the following section: —

Section 5A. The commissioner shall establish in the department a bureau of relocation. Such bureau shall be under the charge of a director, who shall be appointed by the commissioner, with the approval of the governor, and may be removed at will in like manner. The position of director shall not be subject to the provisions of chapter thirty-one. The commissioner may from time to time designate a division within which said bureau shall function.

SECTION 3. Section 6 of said chapter 23A, as so appearing, is hereby amended by striking out, in line 5, the words "public and relocation housing" and inserting in place thereof the words: — public housing; relocation.

SECTION 4. The General Laws are hereby amended by inserting after chapter 79 the following chapter: —

CHAPTER 79A.

RELOCATION ASSISTANCE.

Section 1. The following terms as used in this chapter shall, unless a different meaning clearly appears from the context, have the following meanings:

"Acquisition", a taking of real property by eminent domain or through purchase by an agency, public or private, authorized to take land by eminent domain, for a purpose for which such real property might have been taken by eminent domain.

"Bureau", the bureau of relocation in the department of commerce and development.

"Business unit", a room, suite, structure, building or other area occupied and used, in conformity with law, for a commercial, industrial, institutional, religious, charitable or other nonresidential purpose, including the operation of a farm.

"Displaced occupant", an occupant who is caused to move from real property as a result of acquisition or the imminence of acquisition.

"Dwelling unit", a room, suite of rooms, apartment or house occupied as a single residential unit by one or more persons. The term "dwelling unit" shall not be construed to include one or more rooms occupied by one or more persons as roomers in a hotel, motel, public or private lodging or rooming house where the premises are occupied on a transient basis.

"Moving costs", shall be (1), in the case of individuals and families, the costs of packing, insuring and carting of property and incidental costs of disconnecting and reconnecting household appliances, but in no event more than two hundred dollars; and

(2), in the case of business concerns, the costs of dismantling, crating, insuring, transporting, reassembling, reconnecting and reinstalling of personal property, exclusive of the cost of any additions, improvements, alterations or other physical changes in or to any structure in connection with effecting such reassembly, reconnection or reinstallation, but in no event more than three thousand dollars.

"Occupant", a person living alone in a dwelling unit, or two or more persons living together in a dwelling unit, or business concern occupying a business unit.

"Operation of a farm", the cultivation or use of a parcel or parcels of land operated as a single unit for the production of one or more agricultural commodities for sale and home use; such cultivation or use shall include the operation of stock, dairy, poultry, fruit, fur-bearing animal and truck farms, plantations, ranges, nurseries and greenhouses or other similar land areas, the primary use of which is the production of agricultural or horticultural commodities.

"Relocation advisory assistance", advice relating to available housing resources or business premises, and such other advice and assistance as the bureau may require.

"Relocation agency", an agency qualified under section two.

"Relocation assistance", relocation advisory assistance, and monetary assistance.

"Relocation payment", reimbursement for moving costs.

"Relocation plan", the plan submitted by a relocation agency or a taking agency to the bureau in pursuance of sections four and eight.

"Taking agency", a board of officers or officials upon whom authority to take real estate by eminent domain on behalf of any body politic or corporate has been conferred by law.

Section 2. No acquisition which shall involve the displacement of occupants of more than five dwelling units or more than five business units shall be made unless and until the bureau has qualified a relocation advisory agency to give relocation assistance to the occupants to be displaced. Any agency, public or private, may be qualified by the bureau to act as a relocation agency until such time as the bureau may, on stated grounds, withdraw qualifications; or the bureau may qualify any agency, public or private, proposed by a taking agency to act as a relocation agency with respect to particular acquisitions. The bureau may qualify a taking agency to act as the relocation agency with respect to particular acquisitions.

Section 3. A taking agency proposing acquisition which shall involve the displacement of occupants of more than five dwelling units or more than five business units shall notify the bureau not later than three months prior to such acquisition of the names and addresses of all such occupants, and such other information as the bureau may require by regulation. Within three weeks after such notification and the receipt of such information the bureau shall notify the taking agency whether or not it has qualified any agency or agencies proposed by the taking agency to act as relocation agency with respect to said acquisitions.

Section 4. Not later than one month prior to the date of an acquisition involving the displacements of occupants of more than five dwelling units or more than five business units the taking agency or the relocation agency shall submit to the bureau a relocation plan. The relocation plan shall show the number of individuals, families and business concerns to be displaced on account of the proposed acquisitions; the date on which such displacement will begin; the needs of the occupants to be displaced for relocation assistance; the availability of safe, decent, sanitary housing and commercial buildings within the means of occupants to be displaced; a program for their relocation; and a demonstration in accordance with bureau regulations that the relocation agency has coordinated the plan with other planned or proposed land acquisitions in the city or town which may affect the carrying out of the relocation program.

In the case of any acquisition involving the displacement of the occupants of less than six dwelling units or less than six business units, the taking agency shall not be required to submit any such relocation plan, but shall be subject to the provisions of section seven and shall pay any such displaced occupant his moving costs, as set forth in section seven.

Section 5. If the costs of relocation assistance of a taking agency are reimbursable in whole or in part by the federal government and the relocation plan is required to be examined and reviewed by an agency or department of the federal government or to comply with the requirements of an agency or department of the federal government, the bureau shall receive the relocation plan for informational purposes and for the purposes of section nine. Any relocation assistance required under this chapter which is in addition to applicable requirements under federal law shall be subject to review by the bureau to determine whether there has been compliance with the provisions of section four. The bureau shall approve any plan which has been approved by such agency or department of the federal government and complies with requirements for such additional relocation assistance.

The bureau shall review all other relocation plans to determine whether there has been compliance with the requirements of section four and any regulations which are issued from time to time by the bureau in pursuance thereof, to determine whether there has been adequate provision for the needs of occupants to be displaced and whether there are adequate relocation housing and business locations for such occupants. The bureau shall approve any relocation plan which complies with the aforesaid requirements.

Section 6. After approval has been granted in accordance with the provisions of section five, the taking agency may make acquisition and the relocation agency shall be authorized to carry out the relocation plan.

Section 7. The taking agency shall give to each occupant, not later than the day before the date such occupant is required to move, a minimum relocation payment of twenty-five dollars or a certificate which, when redeemed by the mover, shall guarantee payment to such mover for the reasonable and necessary charges for moving; provided, however, that such certificate shall be limited on the face thereof as to the maximum amount reimbursable thereunder, such amount to be not less than twenty-five dollars nor more than the maximum relocation payment authorized by law to be reimbursed for such moving costs. Such certificate shall be redeemed by the mover by delivery thereof to the

taking agency, with such other documentation as the taking agency shall require; and the mover shall be paid by such agency an amount equal to the reasonable and necessary charges for moving or the maximum amount allowed for such moving costs, whichever is less.

At the time the minimum relocation payment is given to the occupant of a dwelling unit, he shall also be given notice in writing informing him that a petition for an additional payment for moving costs may be presented to the taking agency or its designee and describing the procedure to be followed on such petition.

Within three months after the date any such occupant is required to move or has moved, whichever is later, said occupant may petition the taking agency or its designee for an additional payment of such moving costs as he may be entitled to by law. Within thirty days after the date any such petition is filed, the taking agency shall determine if an additional payment is due and, if found due, shall pay such additional amount promptly.

Any occupant who fails to petition the taking agency or its designee within said three months shall be deemed to have waived his right to such additional payment for moving costs.

Any occupant aggrieved by the determination of the taking agency under this section may appeal to the bureau within thirty days from the date of receipt of notice of said determination and the disposition of said bureau of such appeal shall be final. Any additional amounts determined by said bureau to be due shall be paid to such occupant within thirty days after such determination.

Section 8. The taking agency or relocation agency shall inform the bureau of any substantial changes made in the relocation plan after approval under section five; and such changes shall be subject to review and approval under the provisions of section five.

Section 9. If the bureau determines that a taking agency or relocation agency is proceeding with a project in disregard of a relocation plan approved under section five, and that relocation assistance being given is inadequate, the bureau shall so notify the relocation agency and the taking agency in writing, and may suspend its approval of the plan. Upon receipt of written notice of such suspension, the taking agency shall not further displace occupants until the bureau notifies it in writing that such suspension is withdrawn. Written notice of suspension shall be sent by registered mail, and shall state the specific reasons for such suspension.

Section 10. If a relocation plan required by section four is disapproved under section five, or approval is suspended under section nine, because the bureau determines that adequate relocation housing is not available, the taking agency may file with the bureau its certificate that the project involved is an emergency project which must be carried out in spite of the unavailability of such housing. If the bureau, after considering the foregoing and such other evidence as is deemed pertinent, determines that the project involved is an emergency project and that the public interest demands the displacement of occupants even though adequate relocation housing may be unavailable, emergency approval may be given, provided the relocation plan is satisfactory to the bureau in other respects.

Section 11. Whenever any money is appropriated by the general court for the acquisition of property by eminent domain the taking agency may expend therefrom such sums as may be necessary for relocation plans, relocation assistance and relocation payments, and may advance any money so appropriated to a relocation agency for such purpose.

Section 12. The bureau may promulgate regulations to carry out the purposes of this chapter, and may agree to waive with respect to any particular acquisition any provision of this chapter which would constitute a bar to federal reimbursement otherwise available with respect to any project on account of which such acquisition is proposed.

SECTION 5. Chapter seventy-nine A of the General Laws, inserted by section four of this act, shall apply only with respect to properties taken or acquired on or after March first, nineteen hundred and sixty-six.

SECTION 6. Notwithstanding the provisions of section two of chapter seventy-nine A of the General Laws, inserted by section four of this act, in any case where the costs of relocation assistance of a taking agency are reimbursed in whole or in part by the federal government and the said taking agency has been approved by the federal government to be qualified to perform relocation assistance, then until July first, nineteen hundred and sixty-seven that taking agency shall be deemed to be a qualified relocation agency for the purposes of said chapter and shall not during such period be disqualified by the bureau of relocation.

Approved December 8, 1965.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, December 21, 1965.

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

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being chapter 790 of the Acts of 1965 entitled "An Act Establishing a Bureau of Relocation in the Department of Commerce and Development and Providing for Relocation Assistance to Persons and Organizations Displaced by Eminent Domain." and the enactment of which received my approval on December 8, 1965, 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:

Takings of property are expected to be made beginning early in 1966 thus making urgent the need to furnish the assistance provided for in this bill.

Sincerely,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, December 21, 1965.

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven

o'clock and forty-five minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter seven hundred and ninety of the acts of nineteen hundred and sixty-five.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 791. 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, in part, to provide funds immediately for a capital outlay program for the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for a program of construction, reconstruction, alteration and improvement of various state institutions and properties, and for the purchase of certain property, the sums set forth in section two of this act, for the several purposes and subject to the conditions specified in said section two, are hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

Military Division.

Item		
8066-01	For the construction of a one-unit armory in Northampton, including the cost of furnishings and equipment, to be expended in connection with any federal funds available for the purpose; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws	$80,000
8066-02	For various repairs and renovations, Newton armory	30,000
8066-03	For various repairs and renovations, Greenfield armory	40,000
8066-04	For various repairs and renovations, including the cost of heating and ventilating equipment, Everett armory	62,000

Executive Office for Administration and Finance.

Central Services Division.

8066-05	For renovations to various roof areas of the state house, including gutter replacement, balcony area resurfacing and chimney repointing	$150,000
8066-06	For the renovation and modernization of the plumbing and sanitary facilities in the state house annex	238,000
8066-07	For the preparation of plans and the construction of an underground three-level parking garage, including the cost of furnishings and equipment, in the present legislative parking area adjacent to the state house for the service of the General Court	1,900,000
8066-08	For various renovations and improvements to the Gardner auditorium, state house, including the cost of an engineering study, plans and specifications, reconstruction and the cost of furnishings and equipment	245,000
8066-09	For planning and coordination of moving certain departments and agencies to the new state office building, to be in addition to the amount appropriated in item 8065-93 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four	27,000

Item
8066-10 For the preparation of plans for the renovation of the state house, including space revision of various vacant areas created by the moving of departments and agencies to the new state office building $250,000

Other Boards and Commissions serving under Governor and Council.

Mount Greylock Reservation Commission.

8064-01 Item 8064-01 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three is hereby amended by inserting after the word "reconstruction", in line one, the words: — or replacement, — and by adding after the word "memorial", in line two, the word: — area.

Soldiers' Home in Massachusetts.

8066-11 For the construction of an overhead bridge from the main building to the Keville House, to be in addition to the amount appropriated in item 8064-57 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three $20,000

Soldiers' Home in Holyoke.

8065-02 Item 8065-02 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four is hereby amended by inserting after the word "to", in line one, the following: — and alterations of.

Massachusetts Aeronautics Commission.

8066-12 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-six and succeeding years; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws. $300,000

Department of Education.

Board of Trustees of State Colleges.

8066-76 For the development of a master plan for all institutions of higher learning under the jurisdiction of the trustees of state colleges as established by section three of chapter five hundred and seventy-two of the acts of nineteen hundred and sixty-five $100,000

State College at Bridgewater.

8066-13 For the construction of an auditorium, student-union and cafeteria building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065-86 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four $3,930,000

8066-14 For improvements and additions to the utility distribution systems 350,000

8066-77 For the construction of physical education facilities phase I, to include necessary site preparation and grading operations; to be in addition to the amount appropriated in item 8065-05 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four, and to the amount appropriated in item 1330-22 of section two of chapter six hundred and forty-six of the acts of nineteen hundred and sixty-five; provided, that this item shall be subject to the provisions of section 30A of chapter seven of the General Laws . 91,000

State College at Fitchburg.

Item

8066-16 For the preparation of plans for a teacher-training school and for the renovation of existing training school buildings for college classroom use $170,000

8066-78 For a feasibility study and for the preparation of preliminary plans and descriptive specifications for a special education center, as authorized by section thirty H of chapter seven of the General Laws 25,000

State College at Framingham.

8066-17 For the construction of a classroom, library, language and laboratory building, including the cost of audio-visual instruction facilities, educational reference material, and the cost of furnishing and equipment, and including the cost of renovating present library space for classroom and office use, including the installation of a closed circuit television system with necessary cabling and equipment in other college buildings, and the Charlotte Dunning School in the town of Framingham, to be in addition to the amount appropriated in item 8064-08 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three $3,175,000

State College at Lowell.

8066-18 For the preparation of plans for a science-classroom-student-union building $138,000

State College at North Adams.

8066-19 For the purchase of the Mark Hopkins school in the city of North Adams, including the cost of furnishings and equipment; 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 $250,000

8066-20 For the preparation of plans and specifications for classroom, administration and library buildings 150,000

State College at Salem.

8066-21 For improvements and additions to the utility distribution systems $200,000

8066-22 For the preparation of plans for athletic facilities and for the construction of outdoor athletic fields, including grading, drainage and fencing 150,000

8066-96 For the preparation of plans for a library 150,000

8066-97 For the preparation of plans for an addition to the arts and sciences building 75,000

State College at Westfield.

8066-23 For the construction of an elementary training school on the state college campus, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065-12 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four $2,000,000

8066-24 For improvements and additions to the utility distribution systems 200,000

8063-09 Item 8063-09 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 "dormitory", in line one, the following: — and expansion of dining facilities.

8066-25 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 8065-13 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four 60,000

State College at Boston.

Item

8066-27 For the acquisition of certain land, or land with buildings thereon, by purchase or by eminent domain under chapter seventy-nine of the General Laws, for the further development of the college; 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; including the cost of plans for necessary renovations and the cost of alterations and repairs **$600,000**

8066-71 For the preparation of plans for a classroom-library-auditorium and cafeteria building, including the replacement of the existing power plant **350,000**

Massachusetts College of Art.

8066-28 For the preparation of plans for a new campus development, including plans for an art classroom-administration building and related facilities on a site to be determined by the Trustees of State Colleges as established by section three of chapter five hundred and seventy-two of the acts of nineteen hundred and sixty-five **$350,000**

Massachusetts Maritime Academy.

8066-29 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 health and physical education facility **$200,000**

Lowell Technological Institute of Massachusetts.

8066-30 For the construction of an addition to the alumni memorial library building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065-18 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four **$1,717,000**

8066-31 For the moving of machinery and the renovation of the four quadrangle buildings for additional classroom and laboratory use, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065-21 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four . **1,450,000**

8066-32 For the preparation of plans for a new chemistry building, and for plans for the renovation of vacated space in the present chemistry building for classroom and other academic use **145,000**

8066-33 For certain improvements to the power plant and utility distribution systems, to be in addition to item 8262-10 of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one . **125,000**

8066-79 For the construction of classrooms and laboratories for a nuclear engineering center, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8262-09 of section two of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one; provided, that expenditures from this item shall be contingent upon prior approval of the project by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of the project will be not less than five hundred and thirty-two thousand two hundred and fifty dollars **522,800**

Southeastern Massachusetts Technological Institute.

8065-25 } The unexpended balance remaining in item 8065-25 of section two of
8065-24 } chapter six hundred and forty of the acts of nineteen hundred and sixty-four is hereby transferred and made available for the purposes of item 8065-24 of section two of said chapter six hundred and forty, and said item 8065-24 is hereby amended by inserting before the word "general", in line one, the words: — science and.

Item

8066-34 For the preparation of plans and the construction of a physical education facility, including a gymnasium and natatorium, and including the cost of furnishings and equipment $2,000,000

8066-80 For the construction of a science and engineering building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065-23 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four; provided, that expenditures from this item shall be contingent upon prior approval of the project by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of the project will be not less than seven hundred and fifty thousand dollars . 750,000

8066-81 For the construction of a textile technology building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065-26 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four; provided, that expenditures from this item shall be contingent upon the prior approval of the project by the proper federal authorities, and assurance by such authorities that the federal allocation for the cost of the project will be not less than seven hundred and fifty thousand dollars . . . 750,000

University of Massachusetts.

8066-35 For the construction of research facilities, classrooms and laboratories for the graduate school, including chemistry towers, a technical library and computer center, including the cost of furnishings and equipment, and including necessary demolition and site development; to be in addition to the amount appropriated in item 8065-30 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four; provided, that the bureau of building construction is hereby authorized to plan the said construction, the total completed cost of which shall not exceed twenty million seven hundred and eighty thousand dollars; and provided further, that expenditures from this item except for final plans, necessary relocation, demolition, site preparation and computer equipment in an amount not to exceed one million five hundred thousand dollars shall be contingent upon prior approval of the project by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of the project will be not less than five million five hundred and twenty thousand dollars . . $6,060,000

8066-36 For the construction of an addition to Machmer hall to provide lecture halls and faculty offices, including the cost of furnishings and equipment; and including the cost of demolition and relocation of certain existing structures; to be expended in connection with any federal funds available for the purpose, and to be in addition to the amount appropriated in item 8064-23 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three 1,697,000

8066-82 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 in addition to the amount appropriated in item 8065-29 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four, and including the preparation of plans for the further development of facilities for the college of arts and sciences; provided, that expenditures from this item shall be contingent upon prior approval of the project by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of this project will be not less than seven hundred and fifty thousand dollars 750,000

8066-91 For the preparation of plans for the medical school . . 100,000

8066-69 For certain improvements and additions to the power plant and utility distribution systems, including a central control and monitoring system and the demolition of service building number 125, to be expended with any federal funds available for the purpose . . . 1,000,000

8066-70 For the construction of roads, sidewalks, parking areas, including necessary drainage, curbing, street lighting and adjacent landscaping, in accordance with the master plan 500,000

Massachusetts Board of Regional Community Colleges.

Cape Cod Community College.

Item

8066-37 For the construction of a new regional community college, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065-38 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four; provided, that expenditures from this item shall be contingent upon the prior approval of the project by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of the project will be not less than one million two hundred thousand dollars . **$6,900,000**

Northern Essex Community College.

8066-83 For the preparation of the site, and the installation of the storm and sanitary sewer drainage systems for the new location of the Northern Essex Community College, to be in addition to the amount appropriated in item 8065-37 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four; provided, that expenditures for the construction of buildings shall be contingent upon prior approval of the project by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of the establishment of the said college will be not less than two million four hundred thousand dollars **$500,000**

Berkshire Community College.

8066-38 For the preparation of plans for a new regional community college **$250,000**

Holyoke Community College.

8066-39 For the renovations of the former Holyoke high school building for the purpose of providing permanent facilities for the Holyoke community college, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065-39 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four **$1,000,000**

South Shore Community College.

8066-40 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; including the preparation of plans, construction and the cost of furnishings and equipment **$575,000**

Southeastern Massachusetts Community College.

8066-92 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; including the preparation of plans, construction and the cost of furnishings and equipment **$575,000**

Division of Youth Service.

Industrial School for Girls.

8066-41 For the replacement and renovation of the sanitary facilities in the girls' cottages **$250,000**

Reception and Detention Facilities for Boys, Boston.

Item

8066–42 For the preparation of plans for an addition to the reception-detention center $50,000

Department of Mental Health.

8066–43 For the preparation of plans for a mental health treatment center, as authorized by chapter five hundred and seventy-one of the acts of nineteen hundred and sixty-four, including the acquisition of certain land 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

Boston State Hospital.

8066–45 For the renovation of west kitchen building for use as an occupational therapy and rehabilitation shop facility, including the cost of furnishings and equipment $200,000

8066–46 For the installation of a freight elevator in B building . 55,000

8066–47 For the preparation of plans for a rehabilitation and research institute for chronic mental illness 110,000

Medfield State Hospital.

8066–48 For renovations to the heating system and to the existing windows to reduce heat losses in buildings B3, L1, R and S . . $180,000

8065–53 Item 8065–53 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four is hereby amended by inserting after the word "systems", in line one, the following: — and to the existing windows to reduce heat losses.

Metropolitan State Hospital.

8066–49 For renovation of the plumbing, heating and ventilating systems in the medical and surgical building $150,000

Northampton State Hospital.

8066–84 For the construction of a ward building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065–56 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four $425,000

Taunton State Hospital.

8066–50 For certain improvements to food service facilities, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8063–31 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two . . . $165,000

Westborough State Hospital.

8066–51 For the construction of a male geriatrics building, including the cost of furnishings and equipment and the demolition of the Warren Colony, to be in addition to the amount appropriated in item 8065–58 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four $2,225,000

Monson State Hospital.

8066–52 For the renovation of the exterior walls of the Beatrice V. Buckley Building $50,000

Belchertown State School.

8065–59 Item 8065–59 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four is hereby amended by inserting after the word "equipment", in lines three and four, the following: — and for renovations to the existing administration building.

Item

8066–53 For certain improvements to the sewage disposal facilities, to be in addition to the amount appropriated in item 8065–61 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four; provided, that expenditures from this item shall be contingent upon prior approval of the project by the proper federal authorities and assurance of such authorities that the federal allocation for the cost of the project will be not less than ninety thousand dollars **$50,000**

Walter E. Fernald State School.

8065–62 Item 8065–62 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four is hereby amended by inserting after the word "equipment", in line three, the following: —, and for renovations to the existing administration building.

8066–54 For the construction of a clinical research laboratory, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065–97 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four; provided, that expenditures from this item shall be contingent upon prior approval of the project by the proper federal authorities and assurance of such authorities that the federal allocation for the cost of the project will be not less than one million one hundred and forty-one thousand seven hundred and twenty-five dollars **$954,000**

8066–85 For the construction of a community evaluation-rehabilitation center, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8465–01 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four; provided, that expenditures from this item shall be contingent upon prior approval of the project by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of this project will be not less than four hundred and ten thousand dollars . **406,000**

8066–86 For the construction of dormitory cottages and service facilities at the Templeton colony, including the cost of furnishings and equipment and demolition of certain existing buildings, to be in addition to the amount appropriated in item 8064–44 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three **187,000**

Wrentham State School.

8065–63 Item 8065–63 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four is hereby amended by striking out, in line one, the words "a dormitory building" and inserting in place thereof the words: — two dormitory wing buildings.

8065–64 Item 8065–64 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four is hereby amended by inserting after the word "equipment", in line four, the following: — ; and for renovations to the existing administration building and the construction of a parking area.

8066–87 For certain improvements to the sewage disposal system, to be in addition to the amount appropriated in item 8465–04 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four; provided, that expenditures from this item shall be contingent upon prior approval of the project by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of the project will be not less than one hundred and twenty-nine thousand dollars **$160,000**

Paul A. Dever State School.

8066–55 For the construction of a hospital and clinic building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065–65 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four . . . **$725,000**

8066–88 For the construction of two poultry houses . . . **60,000**

Department of Correction.

Correctional Institution at Bridgewater.

Item

8066–56 For the installation of two elevators and related improvements in the infirmary building, to be in addition to the amount appropriated in item 8065–67 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four **$25,000**

8066–57 For a comprehensive study of institution service needs, including a master plan of the building program **40,000**

Correctional Institution at Walpole.

8065–68 Item 8065–68 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four is hereby amended by inserting after the word "walls", in line one, the words: — and repairing certain interior walls.

8066–58 For the renovation of various roof areas **$150,000**

Correctional Institution at Framingham.

8063–65 Item 8063–65 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 "buildings", in line four, the words: — , and including necessary functional renovations to the main building.

Correctional Institution at Norfolk.

8066–59 For the construction of a new power plant, to be located outside the walls, and utility distribution system, including furnishings and equipment, to be in addition to the amount appropriated in item 8065–90 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four **$800,000**

8066–60 For the preparation of plans for a youthful offenders' center **100,000**

Department of Public Health.

Tewksbury Hospital.

8066–61 For the preparation of plans for two three-hundred bed hospital additions **$150,000**

Lakeville Hospital.

8066–62 For the construction of a nurses' home, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065–75 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four **$1,900,000**

Rutland Heights Hospital.

8066–89 For the renovation of various buildings at the Rutland Heights Hospital, including the relocation of existing equipment from the Rutland Hospital, the cost of furnishings and equipment and the preparation of plans for the development of the hospital facilities, to be in addition to the amount appropriated in item 8065–91 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four **$150,000**

Lemuel Shattuck Hospital.

8066–63 For plans, specifications and necessary exploratory work for renovations to exterior wall and roof areas of the nurses' home, main hospital and service building **$70,000**

Massachusetts Hospital School.

Item

8066-64 For the construction of an addition to the schoolhouse, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065-78 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four . . . $2,160,000

8066-90 For the construction of an addition to the hospital, including certain renovations to the laundry and the kitchen and including the cost of furnishings and equipment and the installation of a generator, to be in addition to the amount appropriated in item 8064-48 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three; provided, that expenditures from this item shall be contingent upon prior approval of the project by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of the project will be not less than three hundred and fifty thousand dollars 350,000

Pondville Hospital.

8066-65 For the construction of a new hospital building, including cancer research laboratories and including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8065-85 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four; provided, that expenditures from this item shall be contingent upon prior approval of the project by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of the project will be not less than three hundred and fifty thousand dollars $6,000,000

Executive Office for Administration and Finance.

Bureau of Building Construction.

8066-66 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 $1,000,000

8066-67 For project feasibility studies and for the preparation of preliminary plans and descriptive specifications, as authorized by section thirty H of chapter seven of the General Laws 250,000

8066-68 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; 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 258,175

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-one. Notwithstanding any provisions of this act, such notes shall be general obligations of the commonwealth.

SECTION 4A. To meet the cost of a portion of the expenditures authorized by section two of this act, there is hereby appropriated from the General Fund debt service account the sum of eight million two hundred two thousand nine hundred and seventy-five dollars; provided, that federal funds received on account of projects contained in items in section two numbered 8066–79, 8066–80, 8066–81, 8066–35, 8066–82, 8066–37, 8066–53, 8066–54, 8066–85, 8066–87, 8066–90 and 8066–65, and any project items incorporated therein by reference, shall be credited to the said General Fund debt service account; and provided further, that the condition precedent requiring federal participation, when required in any item in section 2 of this act, shall also apply to the items incorporated therein by reference.

SECTION 4B. Any premium and/or accrued interest received from the sale of bonds and notes now or formerly payable from the General and/or Highway Funds shall be credited to the respective fund debt service account and applied respectively without appropriation to the payment of maturities and interest of said bonds and notes; provided, that assessments made under any bond or note authorization payable from the General Fund, wherein it is provided that said assessments shall be credited to the General Fund, shall, beginning July first, nineteen hundred and sixty-five, be credited to the General Fund debt service account.

SECTION 5. To meet the additional 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, 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 from time to time, but not exceeding, in the aggregate, the sum of fifty-five million, one hundred and fifty thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their

face Capital Outlay Loan, Act of 1965, 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-one. *Approved December 9, 1965.*

Chap. 792. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY BENTLEY COLLEGE OF ACCOUNTING AND FINANCE.

Be it enacted, etc., as follows:

Bentley College of Accounting and Finance, a corporation organized under chapter one hundred and eighty of the General Laws, is hereby authorized to hold real and personal property to an amount not exceeding thirty-five million dollars, said property to be used for the purposes set forth in its charter or certificate of incorporation, or in any amendment thereof. *Approved December 9, 1965.*

Chap. 793. AN ACT SUBSTITUTING RESIDENCE FOR SETTLEMENT IN DETERMINING ELIGIBILITY FOR VETERANS' BENEFITS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 115 of the General Laws is hereby amended by inserting after the definition of "Dependent" the following definition: —

"Reside", to occupy an established place of abode with no present intention of definite and early removal, but not necessarily with the intention of remaining permanently.

SECTION 2. The third paragraph of section 2 of said chapter 115 is hereby amended by striking out the first sentence, as appearing in section 3 of chapter 590 of the acts of 1951, and inserting in place thereof the following sentence: — He shall decide all controversies between towns relative to the residence of applicants for veterans' benefits, and, subject to the approval of the attorney general, his decisions shall be final.

SECTION 3. The sixth paragraph of said section 2 of said chapter 115, as appearing in section 1 of chapter 584 of the acts of 1946, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — On or before November tenth in the year following any expenditure so authorized, the city or town making the same shall be reimbursed by the commonwealth to the extent of one half of such expenditure.

SECTION 4. Section 5 of said chapter 115 is hereby amended by striking out the first paragraph, as most recently amended by section 1 of

chapter 305 of the acts of 1955, and inserting in place thereof the following paragraph: —

Veterans' benefits shall be paid to a veteran or dependent by the city or town wherein he resides; provided, that no benefits shall be paid to a veteran unless he has actually resided within the commonwealth continuously for three years next preceding the date of his application for such benefits, nor to any dependent of a veteran unless he has actually resided within the commonwealth continuously for three years next preceding the date of his application for such benefits, nor unless the veteran of whom he is a dependent has actually resided within the commonwealth continuously for three years next preceding the date of such dependent's application for such benefits. If the veteran is deceased at the time of the dependent's application for benefits, and the veteran died while a resident of the commonwealth, the commissioner may, notwithstanding the foregoing proviso, authorize such benefits to such dependent actually residing in the commonwealth at the time of the veteran's death; provided, however, any veteran who actually resided in the commonwealth at the time of his entry into or continuance in active military or naval service of the United States and the dependents of such veteran shall be eligible for benefits without any waiting period.

SECTION 5. The sixth paragraph of said section 5 of said chapter 115, added by section 1 of chapter 753 of the acts of 1951, is hereby amended by striking out, in lines 8 and 9, the words "settlement or".

SECTION 6. Section 6 of said chapter 115 is hereby amended by striking out the last sentence, as appearing in section 1 of chapter 584 of the acts of 1946, and inserting in place thereof the following sentence: — Subject to such decision and allowance, one half of the amounts of veterans' benefits paid to applicants by the cities and towns wherein they reside, but none of the expenses attending the payment of such benefits, shall be paid by the commonwealth to the several cities and towns on or before November tenth in the year after such expenditures.

SECTION 7. Section 8 of said chapter 115 is hereby amended by striking out the last two sentences and inserting in place thereof the following two sentences: — One half of the amounts so paid and allowed for burial expenses of veterans or dependents by the cities and towns wherein they reside shall be paid by the commonwealth to the several cities and towns on or before November tenth in the year after the expenditures have been made. Notwithstanding the requirements as to residence as set forth in section five, the commissioner may authorize the burial agent of any city or town to arrange for the proper interment of the body of any indigent veteran who dies within the commonwealth.

SECTION 8. Secton 9 of said chapter 115, as amended by chapter 143 of the acts of 1957, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — In cities and towns where there are cemeteries containing the remains of deceased veterans, such cities and towns shall cause to be placed on such veterans' graves a flag of the United States on every Memorial day.

SECTION 9. This act shall apply only to veterans' benefits paid on and after the effective date of this act; and all claims against the commonwealth for veterans' benefits paid prior to said date shall be enforceable in accordance with the provisions of chapter one hundred and fifteen of the General Laws in effect at the time when such benefits were paid.

Approved December 9, 1965.

Chap. 794. AN ACT RELATIVE TO THE TERMS OF CERTAIN NOTES TO BE ISSUED BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable immediate temporary borrowings by the commonwealth to finance payments required to be made to the Massachusetts Bay Transportation Authority to carry out the purposes of section one of chapter six hundred and fifty of the acts of nineteen hundred and sixty-five, 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:

Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section twelve of chapter one hundred and sixty-one A of the General Laws, as amended by section one of chapter six hundred and fifty of the acts of nineteen hundred and sixty-five, authorizing temporary borrowings by the commonwealth to finance certain payments required to be made to the Massachusetts Bay Transportation Authority, shall be issued for terms not exceeding two and one half years in each of the calendar 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 and nineteen hundred and seventy, as recommended by the governor in a message to the general court, dated October fourteenth, nineteen hundred and sixty-five, in pursuance of section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth. *Approved December 14, 1965.*

Chap. 795. AN ACT PROVIDING FOR THE ENTRY OF THE COMMONWEALTH INTO AN AGREEMENT ON BUS REGISTRATION PRORATION.

Be it enacted, etc., as follows:

SECTION 1. An agreement is hereby entered into with all jurisdictions legally joining therein in substantially the following form: —

AGREEMENT ON BUS REGISTRATION PRORATION.

ARTICLE I. Purposes and Principles.

Section 1. Purposes of Agreement. It is the purpose of this agreement to set up a system whereby any contracting State may permit owners of fleets of buses operating in two or more States to prorate the registration of the buses in such fleets in each State in which the fleets operate on the basis of the proportion of miles operated within such State to total fleet miles, as defined herein.

Section 2. Principle of Proration of Registration. It is hereby declared that in making this agreement the contracting States adhere to the principle that each State should have the freedom to develop the kind of highway user tax structure that it determines to be most appropriate to itself, that the method of taxation of interstate buses should not be a determining factor in developing its user tax structure, and

that annual taxes or other taxes of the fixed fee type upon buses which are not imposed on a basis that reflects the amount of highway use should be apportioned among the States, within the limits of practicality, on the basis of vehicle miles traveled within each of the States.

ARTICLE II. Definitions.

(*a*) *State.* State shall include the States of the United States, the District of Columbia, the territories of the United States, the Provinces of Canada, and the States, Territories and Federal District of Mexico.

(*b*) *Contracting State.* Contracting State shall mean a State which is a party to this agreement.

(*c*) *Administrator.* Administrator shall mean the official or agency of a State administering the fee involved, or in the case of proration the official or agency of a State administering proration of registration in that State.

(*d*) *Person.* Person shall include any individual, firm, co-partnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit.

(*e*) *Base State.* Base State shall mean the State from or in which the bus is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled, or also in the case of a fleet bus the State to which it is allocated for registration under statutory requirements. In order that this agreement may not be used for the purpose of evasion of registration fees, the administrators of the contracting States may make the final decision as to the proper base State, in accordance with Article III (*h*) hereof, to prevent or avoid such evasion.

(*f*) *Bus.* Bus shall mean any motor vehicle of a bus type engaged in the interstate transportation of passengers and subject to the jurisdiction of the Interstate Commerce Commission, or any agency successor thereto, or one or more State regulatory agencies concerned with the regulation of passenger transport.

(*g*) *Fleet.* As to each contracting State, fleet shall include only those buses which actually travel a portion of their total miles in such State. A fleet must include three or more buses.

(*h*) *Registration.* Registration shall mean the registration of a bus and the payment of annual fees and taxes as set forth in or pursuant to the laws of the respective contracting States.

(*i*) *Proration of Registration.* Proration of registration shall mean registration of fleets of buses in accordance with Article IV of this agreement.

(*j*) *Reciprocity.* Reciprocity shall mean that each contracting State, to the extent provided in this agreement, exempts a bus from registration and registration fees.

ARTICLE III. General Provisions.

(*a*) *Effect on Other Agreements, Arrangements and Understandings.* On and after its effective date, this agreement shall supersede any reciprocal or other agreement, arrangement or understanding between any two or more of the contracting States covering, in whole or in part, any of the matters covered by this agreement; but this agreement shall not affect

any reciprocal or other agreement, arrangement or understanding between a contracting State and a State or States not a party to this agreement.

(*b*) *Applicability to Exempt Vehicles.* This agreement shall not require registration in a contracting State of any vehicles which are, in whole or part, exempt from registration under the laws or regulations of such State without respect to this agreement.

(*c*) *Inapplicability to Caravaned Vehicle.* The benefits and privileges of this agreement shall not be extended to a vehicle operated on its own wheels, or in tow of a motor vehicle, transported for the purpose of selling or offering the same for sale to or by any agent, dealer, purchaser or prospective purchaser.

(*d*) *Other Fees and Taxes.* This agreement does not waive any fees or taxes charged or levied by any State in connection with the ownership or operation of vehicles other than registration fees as defined herein. All other fees and taxes shall be paid to each State in accordance with the laws thereof.

(*e*) *Statutory Vehicle Regulations.* This agreement shall not authorize the operation of a vehicle in any contracting State contrary to the laws or regulations thereof, except those pertaining to registration and payment of fees, and with respect to such laws or regulations, only to the extent provided in this agreement.

(*f*) *Violations.* Each contracting State reserves the right to withdraw, by order of the administrator thereof, all or any part of the benefits or privileges granted pursuant to this agreement from the owner of any vehicle or fleet of vehicles operated in violation of any provision of this agreement. The administrator shall immediately give notice of any such violation and withdrawal of any such benefits or privileges to the administrator of each other contracting State in which vehicles of such owner are operated.

(*g*) *Co-operation.* The administrator of each of the contracting States shall co-operate with the administrators of the others and each contracting State hereby agrees to furnish such aid and assistance to each other within its statutory authority as will aid in the proper enforcement of this agreement.

(*h*) *Interpretation.* In any dispute between or among contracting States arising under this agreement, the final decision regarding interpretation of questions at issue relating to this agreement shall be reached by joint action of the contracting States, acting through the administrator thereof, and shall upon determination be placed in writing.

(*i*) *Effect of Headings.* Article and section heading contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any article or part hereof.

(*j*) *Entry into Force.* This agreement shall enter into force and become binding between and among the contracting States when enacted or otherwise entered into by any two States. Thereafter, it shall enter into force and become binding with respect to any State when enacted into law by such State. If the statutes of any State so authorize or provide, such State may become party to this agreement upon the execution thereof by an executive or administrative official thereof acting on behalf of and for such State.

ARTICLE IV. Proration of Registration.

(*a*) *Applicability.* Any owner of a fleet may register the buses of said fleet in any contracting State by paying to said State total registration fees in an amount equal to that obtained by applying the proportion of in-state fleet miles divided by the total fleet miles, to the total fees which would otherwise be required for regular registration of each and all of such vehicles in such contracting State.

All fleet pro-rata registration fees shall be based upon the mileage proportions of the fleet during the period of twelve months ending on August thirty-first next preceding the commencement of the registration year for which registration is sought, except that mileage proportions for a fleet not operated during such period in the State where application for registration is made will be determined by the administrator upon the sworn application of the applicant showing the operations during such period in other States and the estimated operations during the registration year for which registration is sought, in the State in which application is being made; or if no operations were conducted during such period a full statement of the proposed method of operation.

If any buses operate in two or more States which permit the proration of registration on the basis of a fleet of buses consisting of a lesser number of vehicles than provided in Article II (*g*), such fleet may be prorated as to registration in such States, in which event the buses in such fleet shall not be required to register in any other contracting States if each such vehicle is registered in some contracting State, except to the extent it is exempt from registration as provided in Article III (*b*).

If the administrator of any State determines, based on his method of the operation thereof, that the inclusion of a bus or buses as a part of a fleet would adversely affect the proper fleet fee which should be paid to his State, having due regard for fairness and equity, he may refuse to permit any or all of such buses to be included in his State as a part of such fleet.

(*b*) *Total Fleet Miles.* Total fleet miles, with respect to each contracting State, shall mean the total miles operated by the fleet (1) in such State, (2) in all other contracting States, (3) in other States having proportional registration provisions, (4) in States with which such contracting State has reciprocity, and (5) in such other States as the administrator determines should be included under the circumstances in order to protect or promote the interest of his State; except that in States having laws requiring proration on the basis of a different determination of total fleet miles, total fleet miles shall be determined on such basis.

(*c*) *Leased Vehicles.* If a bus is operated by a person other than the owner as a part of a fleet which is subject to the provisions of this article, then the operator of such fleet shall be deemed to be the owner of said bus for the purposes of this article.

(*d*) *Extent of Privileges.* Upon the registration of a fleet in a contracting State pursuant to this article, each bus in the fleet may be operated in both interstate and intrastate operations in such State, except as provided in Article III (*e*).

(*e*) *Application for Proration.* The application for proration of registation shall be made in each contracting State upon substantially the

application forms and supplements authorized by joint action of the administrators of the contracting States.

(*f*) *Issuance of Identification.* Upon registration of a fleet, the State which is the base State of a particular bus of the fleet shall issue the required license plates and registration card for such bus, and each contracting State in which the fleet, of which such bus is a part, operates shall issue a special identification identifying such bus as a part of a fleet which has fully complied with the registration requirements of such State. The required license plates, registration cards and identification shall be appropriately displayed in the manner required by or pursuant to the laws of each respective State.

(*g*) *Additions to Fleet.* If any bus is added to a prorated fleet after the filing of the original application, the owner shall file a supplemental application. The owner shall register such bus in each contracting State in like manner as provided for buses listed in an original application and the registration fee payable shall be determined on the mileage proportion used to determine the registration fees payable for buses registered under the original application.

(*h*) *Withdrawals from Fleet.* If any bus is withdrawn from a prorated fleet during the period for which it is registered or identified, the owner shall notify the administrator of each State in which it is registered or identified of such withdrawal and shall return the plates, and registration card or identification as may be required by or pursuant to the laws of the respective States.

(*i*) *Audits.* The administrator of each contracting State shall, within the statutory authority of such administrator, make any information obtained upon an audit of records of any applicant for proration of registration available to the administrators of the other contracting States.

(*j*) *Errors in Registration.* If it is determined by the administrator of a contracting State, as a result of such audits or otherwise, that an improper fee has been paid his State, or errors in registration found, the administrator may require the fleet owner to make the necessary corrections in the registration of his fleet and payment of fees.

ARTICLE V. Reciprocity.

(*a*) *Grant of Reciprocity.* Each of the contracting States grants reciprocity as provided in this article.

(*b*) *Applicability.* The provisions of this agreement with respect to reciprocity shall apply only to a bus properly registered in the base State of the bus, which State must be a contracting State.

(*c*) *Nonapplicability to Fleet Buses.* The reciprocity granted pursuant to this article shall not apply to a bus which is entitled to be registered or identified as part of a prorated fleet.

(*d*) *Extent of Reciprocity.* The reciprocity granted pursuant to this article shall permit the interstate operation of a bus and intrastate operation which is incidental to a trip of such bus involving interstate operation.

(*e*) *Other Agreements.* Nothing in this agreement shall be construed to prohibit any of the contracting States from entering into separate agreements with each other for the granting of temporary permits for

the intrastate operation of vehicles registered in the other State; nor to prevent any of the contracting States from entering into agreements to grant reciprocity for intrastate operation within any zone or zones agreed upon by States.

ARTICLE VI. Withdrawal or Revocation.

Any contracting State may withdraw from this agreement upon thirty days written notice to each other contracting State, which notice shall be given only after the repeal of this agreement by the legislature of such State, if adoption was by legislative act, or after renunciation by the appropriate administrative official of such contracting State if the laws thereof empower him so to renounce.

ARTICLE VII. Construction and Severability.

This agreement shall be liberally construed so as to effectuate the purposes thereof. The provisions of this agreement shall be severable and if any phrase, clause, sentence or provision of this agreement is declared to be contrary to the Constitution of any State or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this agreement and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this agreement shall be held contrary to the Constitution of any State participating herein, the agreement shall remain in full force and effect as to the remaining party States and in full force and effect as to the State affected as to all severable matters.

SECTION 2. As used in the Agreement on Bus Registration Proration, hereinafter called the Agreement, with reference to this commonwealth, the term "administrator" shall mean the registrar of motor vehicles.

SECTION 3. The registrar of motor vehicles shall have the power to make such exemptions from the coverage of the Agreement as may be appropriate and to make such changes in methods for the reporting of any information required to be furnished to this commonwealth pursuant to the Agreement as, in his judgment, shall be suitable; provided, that any such exemptions or changes shall not be contrary to the purposes set forth in Article I of the Agreement and shall be made in order to permit the continuance of uniformity of practice among the contracting States with respect to buses. Any such exemption or change shall be made by rule or regulation and shall not be effective unless made by the same procedure required for other rules and regulations of his division.

SECTION 4. Unless otherwise provided in any statute withdrawing this commonwealth from participation in the Agreement, the governor shall be the officer to give notice of withdrawal therefrom in accordance with Article VI thereof.

SECTION 5. Notwithstanding any provision of the Agreement, set forth in section one, or any action taken pursuant thereto, an excise shall be assessed, levied and collected, as provided in chapter sixty A of the General Laws, on any fleet bus which is registered in this commonwealth under the provisions of chapter ninety of the General Laws.

Approved December 15, 1965.

Chap. 796. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT AN ACCESS ROAD BETWEEN THE MASSACHUSETTS TURNPIKE AND INTERSTATE ROUTE I-495 IN THE TOWNS OF WESTBOROUGH AND HOPKINTON.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to construct an access road between the Massachusetts Turnpike and Interstate Route I-495 in the towns of Westborough and Hopkinton. The cost of said road shall be borne by said department.

Approved December 15, 1965.

Chap. 797. AN ACT ESTABLISHING A FIRE DEPARTMENT IN THE TOWN OF DARTMOUTH.

Be it enacted, etc., as follows:

SECTION 1. The town of Dartmouth, hereinafter called the town, is hereby authorized to take over all the real and personal property, rights, powers and privileges of Dartmouth Fire District Number One, Dartmouth Fire District Number Two, and Dartmouth Fire District Number Three, assume all the duties and obligations of said fire districts, become in all respects the lawful successor to said fire districts, and establish a fire department as hereinafter provided.

SECTION 2. The town may establish a fire department to be under the control of the selectmen acting as fire commissioners. The selectmen shall appoint a chief of said fire department who shall be selected from among the five persons who achieve the highest mark or grade on a competitive examination similar to competitive examinations for similar offices given under the civil service law.

The chief of the fire department shall receive such salary as the fire commissioners may from time to time determine, not exceeding, in the aggregate, the amount annually appropriated therefor. He may be removed for cause by the fire commissioners at any time after a hearing. He shall have charge of extinguishing fires in the town and the protection of life and property in case of fire and he shall have charge of fire inspections throughout the town as required by statute or otherwise, and shall likewise be in charge of a program of fire prevention in the town.

Subject to the approval of the fire commissioners, he shall purchase all equipment, apparatus, fire engines, and other vehicles, and supplies, and shall keep all of said property in good repair. He shall have and exercise all powers and discharge all the duties conferred and imposed by statutes upon engineers in towns except as herein provided and, subject to the approval of the fire commissioners, he shall appoint such deputy chiefs and such officers and fire fighters, both permanent and call, as he deems necessary. The fire commissioners shall have the power to remove any of said deputy chiefs, officers, and fire fighters at any time for cause and after a hearing.

Subject to the approval of the fire commissioners, the chief shall have full authority in the administration of the fire department, shall make all rules and regulations for its operation, shall report to the fire commissioners from time to time as they may require, and shall annually

report to the town the condition of the fire department with his recommendations thereon. Subject to the approval of the fire commissioners, he shall fix the compensation of the permanent and call members of the fire department.

The compensation of the chief, deputies, officers, and fire fighters, permanent and call members, shall be approved by the personnel board of the finance committee of the town before the same are approved by the fire commissioners.

In the expenditure of money, the chief shall be subject to such further restrictions as the town may from time to time prescribe. The chief of the fire department shall act as forest warden of the town, and shall perform all the duties of forest warden as required by statute or otherwise. The fire commissioners shall have authority to assign to members or officers of the fire department, the duties required of deputy wardens by statute.

SECTION 3. The provisions of this act shall not affect any act ratified or confirmed by said districts or any of their officers before the effective date of this act, nor any right accrued or established, nor any action, suit, or proceeding commenced or had in a civil case, nor shall it impair the validity of any of the notes, bonds, or other obligations of said districts outstanding on said date. Any indebtedness incurred by said districts, and outstanding at the time they are taken over by the town, shall be assumed by the town.

SECTION 4. This act may be accepted in the manner hereinafter specified at any time within three years after its passage. This act shall take full effect on the first of January next following its acceptance by a majority vote of the voters of the town voting by written ballot thereon at a regular town election. After the acceptance of this act, the town may do all things necessary in preparation for the establishment of a fire department as hereinbefore provided but shall not take over said fire districts or become the legal successor to said fire districts until said January first next following its acceptance. During the period between the acceptance of this act and its effective date, the officers and other personnel of said fire districts shall continue to operate so as to provide fire protection for the town during said period.

After the acceptance of this act, and on the said January first next following its acceptance, all positions of forest wardens and deputy wardens in the town shall become vacated and any duties incumbent upon such forest wardens and deputy wardens shall be assumed and carried out by the fire department of the town. All property under the control of said forest warden shall be transferred automatically to the jurisdiction and control of the fire department and any money appropriated by the town for the purposes of the forest wardens and deputy wardens not expended shall be transferred to the account of the fire department by all officers of the town having duties in regard thereto.

Approved December 15, 1965.

Chap. 798. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY NEWTON COLLEGE OF THE SACRED HEART.

Be it enacted, etc., as follows:

Newton College of the Sacred Heart, a corporation organized under chapter one hundred and eighty of the General Laws, is hereby

authorized to hold real and personal property to an amount not exceeding fifteen million dollars, said property to be used for the purposes set forth in its charter or agreement of association, or in any amendment thereof.

Approved December 15, 1965.

Chap. 799. AN ACT VALIDATING CERTAIN PROCEEDINGS TAKEN AT A SPECIAL TOWN MEETING OF THE TOWN OF WESTFORD.

Be it enacted, etc., as follows:

SECTION 1. The proceedings taken by the town of Westford at the special town meeting held on October fourth, nineteen hundred and sixty-five, relating to the establishment of the Vocational Regional School District consisting of the towns of Chelmsford, Groton, Littleton and Westford are in all respects validated and confirmed, notwithstanding the failure of the town of Westford to comply with the provisions of its by-laws requiring publication of a notice of said meeting.

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

Approved December 16, 1965.

Chap. 800. AN ACT RELATIVE TO THE SALARIES OF CERTAIN ASSISTANT CLERKS OF THE SUPERIOR COURT FOR CRIMINAL 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 criminal business in the county of Suffolk, between the first day of July nineteen hundred and sixty-three and the fifth day of January nineteen hundred and sixty-five, 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 December 16, 1965.

Chap. 801. AN ACT INCREASING THE FEES FOR SPORTING, HUNTING, FISHING AND TRAPPING LICENSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to increase, on or before the first day of January next, the beginning of a new licensing year, the fees for sporting, hunting, fishing and trapping licenses, 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 131 of the General Laws is hereby amended by striking out section 8, and inserting in place thereof the following section: — *Section 8.* Sporting, hunting, fishing and trapping licenses shall be issued to the following classes of persons upon payment of fees as hereinafter provided: —

(1) A citizen of the United States, resident in this commonwealth for at least six consecutive months immediately prior to his application for such license, or a nonresident citizen coming within one of the two following classes: —

Class A. Owner of real estate in the commonwealth assessed for taxation at not less than one thousand dollars, or person commissioned or enlisted in the military or naval service of the United States and stationed within the commonwealth.

Class B. Member of any club or association incorporated for the purpose of hunting, fishing or trapping, or for any combination of such purposes; provided, that said corporation owns land in the commonwealth assessed for taxation in a total amount which is at least equal to one thousand dollars for each member, and that the membership list of the corporation shall be filed from time to time upon request, and at least annually, with the clerks of the several cities and towns within such land, or any portion thereof, is located and with the director;

For which licenses the fees shall be as follows: —

For a sporting license, eight dollars and twenty-five cents;

For a hunting license, five dollars and twenty-five cents;

For a fishing license, five dollars and twenty-five cents, except that for such license issued to a minor fifteen to seventeen years of age, inclusive, the fee shall be three dollars and twenty-five cents; and to a female over eighteen, four dollars and twenty-five cents;

For a trapping license, eight dollars and seventy-five cents, except that for such license issued to a minor fifteen to seventeen years of age, inclusive, the fee shall be three dollars and twenty-five cents.

No fee shall be charged for any license issued under this clause to a person over the age of seventy or for a fishing license issued under this clause to a person who is a recipient of old age assistance granted under chapter one hundred and eighteen A, to a person who is blind, or to a person who is a paraplegic.

(2) A citizen of the United States, who does not come within the provisions of clause (1), for which licenses the fees shall be as follows: —

For a hunting license, sixteen dollars and twenty-five cents;

For a fishing license, nine dollars and seventy-five cents;

For a fishing license covering all the inland waters and good for seven consecutive days specified on the license, five dollars and twenty-five cents. Said days may be so specified on the license and the duration of the license may be so limited, notwithstanding any provisions of sections six and thirteen. *Approved December 16, 1965.*

Chap. 802. AN ACT PROVIDING FOR AN ADDITIONAL COURT OFFICER IN THE CENTRAL DISTRICT COURT OF WORCESTER, IN THE MUNICIPAL COURT OF THE DORCHESTER DISTRICT AND IN THE DISTRICT COURT OF NORTHERN NORFOLK.

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 550 of the acts of 1965, 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, the central district court of Worcester and in the municipal court of the Dorchester district five court officers may be appointed; in the municipal court of the West Roxbury district, in the district court of Somerville and in the fourth district court of eastern Middlesex 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, the district court of Newton and the district court of northern Norfolk 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 December 16, 1965.

Chap. 803. AN ACT PROVIDING FOR A WORK RELEASE PROGRAM FOR PRISONERS IN THE HOUSES OF CORRECTION IN THE COUNTIES OF BARNSTABLE, NORFOLK AND PLYMOUTH.

Be it enacted, etc., as follows:

In each of the counties of Barnstable, Norfolk and Plymouth the sheriff may establish a work release program under which persons sentenced to the house of correction, except sex offenders and persons sentenced for acts of violence, may be granted the privilege of leaving actual confinement during necessary and reasonable hours for the purpose of working at gainful private employment within the commonwealth. Such program may also include, under appropriate conditions, release for the purpose of seeking such employment.

Any such inmate may apply to the sheriff for permission to participate in such program. The application shall include a statement by the inmate that he agrees to abide by all terms and conditions of the particular plan adopted for him by the sheriff if such application is approved, shall state the name and address of the proposed employer, if any, and shall contain such other information as the sheriff may require. The sheriff may approve, disapprove, or defer action on such application. In the event of approval the sheriff shall adopt a work release plan for the inmate which shall contain such terms and conditions as may be necessary and proper; and such plan shall be signed by the inmate prior to his participation in the program. At any time after approval has been granted, it may be revoked at will by the sheriff.

An inmate shall surrender to the sheriff his total earnings under such program. The sheriff shall deduct from such earnings, the following: First, an amount determined by the sheriff to be the cost to the county of providing food, lodging and clothing for such inmate; second, the actual and necessary food, travel and other expenses of such inmate when released from actual confinement under the program; and third,

the amount for support of his wife and children that may be ordered by any court. Any balance shall be credited to the account of the inmate and shall be paid to him upon his final release.

No inmate shall be deemed to be an employee of the county under chapter one hundred and fifty-two of the General Laws while participating in a work release program.

Any inmate participating in such work release program and permitted to leave his place of confinement for the purpose of working at gainful employment, as hereinabove provided, who leaves his place of private employment without permission of his employer and with the intention of not returning to his place of confinement, or who having been ordered by the sheriff of any such county to return to his place of confinement neglects or refuses to do so, shall be held to have escaped from such house of correction, and shall be arrested and returned to such house of correction and, upon conviction of such escape, shall be sentenced to that house of correction for a term not to exceed one year. The expense of the arrest and return of any such inmate shall be paid in the same manner as the expense of the arrest and return of an inmate who escapes from a house of correction.

Nothing in this act shall be construed to affect eligibility for release or parole. *Approved December 17, 1965.*

Chap. 804. AN ACT PROVIDING FOR THE RETIREMENT OF CERTAIN ALCOHOLIC BEVERAGE LICENSES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. If prior to January first, nineteen hundred and seventy the holder of an all alcoholic beverage license issued under section twelve or fifteen of chapter one hundred and thirty-eight of the General Laws to do business on premises in the city of Boston taken by public authority on or after the effective date of this act or so taken prior to said date but not transferred to an approved location prior thereto tenders, during the period such license is reserved under section twenty-three B of said chapter, such license to the licensing board of said city for cancellation, said board shall accept such tender and cancel such license, and the collector-treasurer of said city, upon requisition of said licensing board, shall pay the person tendering such license for cancellation, if tendered within one year after such taking or the effective date of this act, whichever is later, ten thousand dollars, or if tendered within two years after such taking or such effective date, whichever is later, five thousand dollars, or if tendered thereafter, twenty-five hundred dollars; provided, however, that no payment shall be made upon the tender of any such license if the cancellation thereof would reduce to less than seven hundred the number of all alcoholic beverage licenses outstanding in said city under section twelve of said chapter or to less than two hundred and fifty the number of such licenses outstanding in said city under section fifteen of said chapter.

SECTION 1A. Within ten days after a license is tendered for cancellation pursuant to this act, said licensing board shall cause a notice of such tender to be published in a newspaper published in said city. Such notice shall be published at the expense of the person tendering such

license and shall set forth the name of the holder of such license, the kind of license tendered, and the street and number of the premises on which the license authorized business to be done. Requisition for payment of the amount provided by this act shall not be issued by said licensing board until ten days have elapsed after such publication, and shall not be honored by the collector-treasurer unless accompanied by an attested copy of the notice published.

SECTION 2. The fee otherwise authorized by law for each all alcoholic beverage license issued by the licensing board of said city under said section twelve or fifteen of said chapter in or for the year nineteen hundred and sixty-six and each year thereafter until said city has been reimbursed in full for all payments made by it under this act shall be increased by two hundred dollars. Such additional fees shall be used for the purposes of this act and no other purpose; and if such additional fees shall result in the collection of an amount exceeding the aggregate amount of payments made under this act, the excess shall be used by said licensing board in such manner as it shall determine to reduce fees otherwise payable for all alcoholic beverage licenses subsequently issued under said section twelve or fifteen.

SECTION 3. For the purposes of this act, in anticipation of the receipts provided for by section two, the city of Boston may borrow from time to time, inside its limit of indebtedness as prescribed by section ten of chapter forty-four of the General Laws, not exceeding two million dollars, and may issue and sell at public or private sale serial bonds or notes of the city therefor. Such bonds or notes shall bear on their face the words: — City of Boston, Liquor License Retirement Loan, Act of 1965. Each authorized issue shall constitute a separate loan and shall be paid in not more than twenty years from the date of issue. Debt incurred under this act shall, except as provided herein, be subject to the provisions of said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 4. Said licensing board shall include in its annual report a detailed account of each amount received and of each amount disbursed under this act.

SECTION 5. Notwithstanding the provisions of section twenty-three B of chapter one hundred and thirty-eight of the General Laws, the licensing board for the city of Boston shall reserve until October first, nineteen hundred and sixty-six the license under said chapter one hundred and thirty-eight of any licensee whose premises were taken by public authority during the calendar year nineteen hundred and sixty-one, provided that said licensee complies with the provisions of said section twenty-three B relative to renewal of said license.

SECTION 6. This act shall take effect upon its passage.

Approved December 20, 1965.

Chap. 805. AN ACT RELATIVE TO THE COST OF CONSTRUCTING AND OPERATING THE SEWERAGE AND SEWAGE DISPOSAL SYSTEM IN THE TOWN OF WARREN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 275 of the acts of 1951 is hereby amended by striking out section 7 and inserting in place thereof the following section: — *Section 7.* The town, by vote of its town meeting, shall 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 portion. 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 of payment authorized by law to a town, and the provisions of chapter eighty of the General Laws 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, it may by vote determine by which of such methods the remaining portion of said cost shall be provided. The collector of taxes of said town shall certify the payment or payments of any such assessments or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

SECTION 2. This act shall take effect upon its acceptance by the town of Warren. *Approved December 20, 1965.*

Chap. 806. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO PURCHASE CERTAIN LAND IN THE CITY OF BROCKTON FOR THE PURPOSE OF PROVIDING PARKING FACILITIES FOR THE BROCKTON COURTHOUSE.

Be it enacted, etc., as follows:

For the purpose of providing adequate parking facilities for the Brockton courthouse, the county commissioners of the county of Plymouth are hereby authorized to purchase the land with the building thereon located at 27 Cottage street in said city, for the sum of eleven thousand dollars which shall be paid by the county treasurer from any available funds, and to do all things necessary in connection therewith to effectuate the purpose of this act. *Approved December 20, 1965.*

Chap. 807. 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 twenty-four thousand six hundred eighty-five dollars and forty-three cents, as set forth in the list on file in the office of the director of accounts in the department of corporations and tax-

ation, as are legally unenforceable against said city, by reason of their being incurred in excess of available appropriations, and as are certified for payment by the departments wherein the bills were contracted; provided, that the money so appropriated to pay such bills shall be raised by taxation or made available from unappropriated surplus funds of the city.

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 by the city of Springfield. *Approved December 20, 1965.*

Chap. 808. AN ACT FURTHER REGULATING CERTAIN APPROPRIATIONS MADE IN COUNTY BUDGETS FOR THE YEAR NINETEEN HUNDRED AND SIXTY-FIVE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, all monies appropriated under chapter seven hundred and sixty of the acts of nineteen hundred and sixty-five to provide funds for specific purposes under main groups 500 and 700 and for repairs to county buildings under main group 200, as referred to in said act, may be reserved and carried forward into the year nineteen hundred and sixty-six. Notwithstanding the provisions of section thirty-four of chapter thirty-five of the General Laws, permanent appointments may be made to new permanent positions or reallocations provided in said chapter seven hundred and sixty during the period from the effective date of said act and prior to the effective date of the county appropriation act for the year nineteen hundred and sixty-six. Notwithstanding the provisions of section thirty-seven of said chapter thirty-five, the county commissioners of the counties referred to in said chapter seven hundred and sixty may renew any temporary loans issued in anticipation of the county tax for the year nineteen hundred and sixty-five to a date not later than thirty days after said county commissioners have assessed the nineteen hundred and sixty-five county tax among the several cities and towns.

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

Approved December 22, 1965.

Chap. 809. AN ACT CLARIFYING THE LAW PROVIDING THAT THE LIBELLEE IN DIVORCE ACTIONS MAY MARRY WHEN THE DECREE OF DIVORCE BECOMES ABSOLUTE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to clarify forthwith the rights of libellees to marry after decrees of divorce have become absolute, 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 640 of the acts of 1965 is hereby amended by adding the following section: —

Section 2. In any divorce action in which a decree of divorce became absolute within two years prior to the effective date of this act, the party from whom the divorce was granted may, on or after said effective date, marry, whether or not the other party is living.

SECTION 2. This act shall take effect as of the effective date of said chapter six hundred and forty of the acts of nineteen hundred and sixty-five. *Approved December 22, 1965.*

Chap. 810. AN ACT RELATIVE TO INCREASING PERSONAL LOAN LIMITS OF SAVINGS BANKS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 168 of the General Laws is hereby amended by striking out section 37, as most recently amended by chapter 272 of the acts of 1960, and inserting in place thereof the following section: — *Section 37.* Such corporation may make a loan to one or more responsible borrowers upon a note in such form and at such lawful rate of interest and subject to such other lawful charges as the board of investment shall by rules or regulations determine. Such loan shall be payable and shall be paid in installments at intervals of not exceeding one month and all within a period of not exceeding thirty-six months from the date of the note. Such note may provide for the payment of the first installment on a date not more than three months from the date of the note or of some one subsequent installment on a date not more than three months from the date of the last prior installment, and may, in the discretion of such corporation, be secured or unsecured. The total obligation of any one person to any such corporation in this class of investment, including, in the case of a savings and insurance bank, as defined in section one of chapter one hundred and seventy-eight, any obligation on account of any such loan or loans made from funds of the insurance department pursuant to section nine of said chapter, shall not exceed three thousand five hundred dollars, exclusive of interest or discount from the date of the note; and the aggregate balance of such loans made by any such corporation, at any time outstanding, shall not exceed ten per cent of its deposits not in excess of fifty million dollars plus five per cent of its deposits in excess of fifty million dollars. The provisions of sections eighty-six to one hundred and ten, inclusive, of chapter one hundred and forty shall not, except as provided in section one hundred and fourteen A of said chapter, apply to loans made under this section.

SECTION 2. Section 9 of chapter 178 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after

the word "and", in line 4, the words: —, except to the extent otherwise provided in section thirty-seven of chapter one hundred and sixty-eight with respect to the total obligation of any one person, — so as to read as follows: — *Section 9.* The funds of the insurance department, whether arising from premiums, annuity contracts, guaranty funds, or from the income thereof, and whether constituting insurance reserve or surplus, shall be invested in the same classes of securities and, except to the extent otherwise provided in section thirty-seven of chapter one hundred and sixty-eight with respect to the total obligation of any one person, in the same manner in which the deposits of the savings department are required by law to be invested, except that it may make loans upon any policy of insurance or annuity contract issued by it to the extent specified in section fifteen. *Approved December 22, 1965.*

Chap. 811. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO PURCHASE CERTAIN LAND IN THE CITY OF BROCKTON FOR THE CONSTRUCTION OF A DISTRICT COURT HOUSE, AND TO RENOVATE AND REPAIR THE BROCKTON COURT HOUSE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate accommodations and facilities for the district court of Brockton, the county commissioners of Plymouth county are hereby authorized to purchase the land with the buildings thereon located at 155 West Elm Street in said city, and to renovate, alter and construct additions to the buildings so purchased, and to originally furnish and equip such buildings and any such additions thereto. Said commissioners may also make such renovations, repairs and refurnishings of the Brockton Court House as they deem necessary and proper.

SECTION 2. For the purposes aforesaid the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, seven hundred thousand dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words, Brockton Court House and District Court House Loan, Act of 1965. 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. *Approved December 27, 1965.*

Chap. 812. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO PAY A SUM OF MONEY TO MAY P. ROCHE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Fitchburg is hereby authorized to pay to May P. Roche of said city the sum of six thousand six hundred and eighty-eight dollars and thirty-four cents for services rendered by her as a school teacher in the public schools of said city in the years nineteen hundred and sixty-two and nineteen hundred and sixty-three.

SECTION 2. This act shall take effect upon its acceptance by the school committee of the city of Fitchburg subject to the approval of the mayor. *Approved December 27, 1965.*

Chap. 813. AN ACT PROVIDING FOR AN ASSISTANT CLERK IN THE DISTRICT COURT OF WESTERN NORFOLK WHOSE SALARY SHALL BE PAYABLE BY THE COUNTY, AND A SECOND ASSISTANT CLERK IN THE FIRST DISTRICT COURT OF SOUTHERN MIDDLESEX AND THE FOURTH DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted, etc., as follows:

The first paragraph of section 10 of chapter 218 of the General Laws is hereby amended by striking out the second and third sentences and inserting in place thereof the following two sentences: — Assistant clerks with salaries payable by the county may be appointed in the central district court of northern Essex, the municipal court of the Charlestown district, the municipal court of the Brighton district, the district court of western Hampden, the district court of Newton, the district court of northern Norfolk, the district court of Chicopee, the municipal court of Brookline, the first district court of southern Middlesex, the first district court of Barnstable, the district court of western Norfolk, and in courts the judicial districts of which have, according to the national or state census last preceding, a population of sixty thousand or more. Second assistant clerks with salaries payable by the county may be appointed in the municipal court of the Roxbury district, the East Boston district court, the municipal court of the Charlestown district, the municipal court of the Dorchester district, the municipal court of the Brighton district, the municipal court of the West Roxbury district, the municipal court of the South Boston district, the central district court of Worcester, the district court of Newton, and, subject to the approval of the county commissioners, in the first district court of eastern Middlesex, the first district court of southern Middlesex, the third district court of eastern Middlesex, the fourth district court of eastern Middlesex, the district court of Lowell, the first district court of Essex, the district court of southern Essex, the central district court of northern Essex, the district court of Springfield, the second district court of Bristol, the third district court of Bristol, the district court of East Norfolk, the district court of Somerville and the district court of Chelsea. *Approved December 27, 1965.*

Chap. 814. AN ACT RELATIVE TO PERSONAL LOANS BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Subsection 8 of section 26 of chapter 170 of the General Laws, added by chapter 279 of the acts of 1963, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — The total obligation of any one person to any such corporation in this class of investment shall not exceed twenty-five hundred dollars, exclusive of interest or discount from date of note; and the aggregate balance of such loans made by any such corporation, at any time outstanding, shall not exceed ten per cent of its deposits.

Approved December 27, 1965.

Chap. 815. AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO CONSTRUCT ADDITIONAL RESERVOIRS 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 nonfederal cost of certain supplemental 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:

SECTION 1. The water resources commission, hereinafter called the commission, is hereby authorized to enter into and execute with the United States Department of Agriculture supplemental agreements or contracts for the construction of certain additional works of improvement in the watershed areas of the Sudbury, Assabet and Concord Rivers in the counties of Middlesex and Worcester for the purpose of flood prevention and related purposes, including water resources utilization and low-flow regulation, in accordance with a supplemental watershed work plan which modifies the SuAsCo watershed project authorized by chapter six hundred and sixty-nine of the acts of nineteen hundred and sixty; provided, that this act shall not be deemed to authorize the commission to implement or carry out that portion of said work plan relating to Nashoba Brook Recreational Development SuAsCo Watershed.

SECTION 2. The commission, acting on behalf of the commonwealth, may enter into agreements providing for the construction of reservoirs for the storage of flood water and other necessary works of improvement in said watershed areas at such sites as it may deem necessary to carry out the purposes of this act. In the event that unforeseen conditions are encountered or if excessive land taking or other costs are likely to arise at any of such sites, the commission, in its discretion and with the approval of the Secretary of Agriculture may alter or relocate any reservoir site or other works contemplated by the supplemental plan to

another site within the watershed areas referred to in section one, in order to more effectively or economically carry out the purposes of this act.

SECTION 3. The commission, acting for and in behalf of the commonwealth, may take by eminent domain under chapter seventy-nine of the General Laws or acquire by purchase, gift, or otherwise any land, water rights, rights of way, or other easements, public or private, necessary for accomplishing any purpose mentioned in this act; provided, however, that any such taking shall in each instance make specific provision for public access to the reservoir area or areas included in the supplemental works. The commission may, in its discretion, when it appears to be necessary, advantageous, or in the best interest of the commonwealth, in lieu of the taking or acquisition of land, expend out of the funds appropriated under section eight such sums as may be required to carry out or expedite the purposes of this act in the construction of works not included in the costs reimbursable by the federal government under the Watershed Protection and Flood Prevention Act, and determined by the commission to be necessary to carry out the commonwealth's share of the supplemental works, including, but not limited to, the construction of dikes or other water retardation works, changes in private property grades, highway locations and grades, the location or relocation of culverts, water and sewer pipes, utility poles and lines, conduits or other fixtures, pipe lines, wells, septic tanks, cesspools, or similar works whether privately or publicly owned. The commission is hereby authorized to dispose of, by sale to the highest responsible bidder, any building or other property taken by it pursuant to the provisions of this section and no longer needed for the purpose for which it was taken.

SECTION 4. When the Secretary of Agriculture and the commission have agreed upon a project for supplemental works of improvement for flood prevention and related purposes in the watershed areas referred to in section one, the commission may construct such works of improvement and shall be the contracting authority for the construction of such works and may employ such temporary technical and clerical assistance as may be necessary to carry out its duties and responsibilities under this act.

SECTION 5. The commission or its duly authorized agents shall have the right to enter upon any lands for the purpose of making surveys, test pits and borings, and may take, or otherwise acquire, the right temporarily to occupy any lands necessary for the construction of any works or for any other purposes authorized by this act.

SECTION 6. The commission may for purposes other than flood prevention increase the capacity of any reservoir constructed under this act within the sum authorized in section eight. The commission may also enter into agreements with any agency of the commonwealth, any municipality, county, district or others, to increase the capacity of any reservoir constructed under this act for purposes other than flood prevention, with the additional nonfederal cost involved caused by increasing the capacity of any reservoir to be paid to the commonwealth prior to the awarding of the construction contract by the commission. Funds so deposited in the treasury of the commonwealth shall be placed in a special account to the credit of the commission, and shall be in addition to the funds made available by the commonwealth under section eight of this act, and shall be disbursed without further appropriation by the

commission for the purposes agreed upon, with any unexpended balances being returned to the donors at the conclusion of the project. The commission may also receive donations of land, water rights, rights of way, easements, and other rights, and may accept contributions of money from any source to accomplish the proposed multipurpose use of any reservoir.

SECTION 7. The agreements entered into as authorized by section two shall set forth the sums to be paid by the federal government on account of the construction of the works of improvement allocated to flood control or other water storage works, and such other sums as the federal government is to pay on account of other works to be included in the supplemental plan and authorized by the Watershed Protection and Flood Prevention Act. Federal funds deposited in the treasury of the commonwealth shall be placed in a special account to the credit of the commission and shall be disbursed without further appropriation to pay for federal obligations provided for in the agreements between the United States Soil Conservation Service and the commission and for no other purposes. Any unexpended balances remaining in the account upon completion of the project shall be returned to the federal government.

SECTION 8. To meet the expenditures necessary to pay the cost of the commonwealth's share of the provisions of this act, the state treasurer shall, upon request of the governor, issue and sell to the appropriate federal agency or at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of seven hundred and fifty thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, SuAsCo Supplemental Watershed Project Plan, Act of 1965, 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 eighty.

SECTION 9. The commission shall be charged with the operation and maintenance of the works constructed under this act. The costs to the commonwealth arising out of the operation and maintenance of the flood control works so constructed shall be reimbursed by the towns benefited by such works of flood control. The share of each town so benefited shall be computed and determined annually as of June thirtieth for the preceding year by the commission.

SECTION 10. The commonwealth shall pay annually to any city or town in which a reservoir is located upon the presentation of a tax bill the tax losses on the real estate acquired under the provisions of section three. The tax losses shall be determined by taking the average assessed valuations of the land and structures located on the land at the time of

acquisition for the three years next preceding the taking or acquisition by the commission in the name of the commonwealth, multiplied by the then current tax rate. In the event there is a general revaluation of the assessed valuations of property in any of the said towns, the assessed valuations for the three-year period determined above shall be increased or decreased in the same proportion that the assessments on other properties in the town are increased or decreased.

The commission shall compute and determine the flood control benefits accruing to each city or town, resulting from the construction and operation of specific reservoirs. The commission shall assess the annual cost to the commonwealth of tax losses as determined in this section to each such city or town in proportion to the flood control benefits, as determined by this paragraph.

The commission shall notify the state tax commission on or before January first of each year of the estimated net liability, as determined by section nine and by this section, to be apportioned to any such city or town, and on or before October fifteenth of each year, the commission shall certify to the state treasurer the amount to be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine of the General Laws. *Approved December 28, 1965.*

Chap. 816. AN ACT DEFINING RADIO AND TELEVISION RECEIVERS AND ELIMINATING CERTAIN PERSONS FROM THE REQUIREMENT OF OBTAINING RADIO AND TELEVISION TECHNICIAN LICENSES AND PROVIDING THAT ALL SUCH LICENSES SHALL EXPIRE AT THE END OF EACH CALENDAR YEAR.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to define radio and television receivers and to eliminate forthwith certain persons from the requirements of obtaining radio and television technician licenses, 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 87PPP of chapter 112 of the General Laws, as appearing in section 2 of chapter 604 of the acts of 1963, is hereby amended by inserting after the paragraph defining "Radio and television technician" the following paragraph: —

"Radio or television receiver", a radio broadcast or television broadcast receiver for entertainment use.

SECTION 2. Said chapter 112 is hereby further amended by striking out section 87QQQ, as so appearing, and inserting in place thereof the following section: — *Section 87QQQ.* The provisions of sections eighty-seven PPP to eighty-seven VVV, inclusive, shall not apply to the following: — Any person repairing or maintaining his own radio or television receiver; the commonwealth of Massachusetts or any agency, department or political subdivision thereof; the United States government or any agency or department thereof; public utility corporations and their corporate affiliates; any public or private school offering as part of a vocational education program, courses and training in the installation, maintenance, repair, replacement, testing, inspection and modification

of receiving equipment and the instructors thereof; provided, however, that the exclusion contained herein shall be applicable only to the service of receiving equipment rendered in and as a part of a regularly constituted vocational program and only when such service is performed within the confines of said school; any manufacturer of receiving equipment or the component parts thereof, when the service, testing or inspection thereof is performed as a necessary function of the manufacturer; or any person maintaining or repairing radio receiving equipment used as a part of or in connection with radio transmitting equipment, the operation of which is governed by the licensing regulations of the federal communications commission.

SECTION 3. Section 87SSS of said chapter 112, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — Every license issued by the board shall expire December thirty-first of each year and may be renewed within one year after expiration, without examination, upon payment of the renewal fee. *Approved December 28, 1965.*

Chap. 817. AN ACT AUTHORIZING THE CITY OF QUINCY TO SELL AND CONVEY CERTAIN PARK LAND IN SAID CITY TO COLUMBUS CLUB OF WEST QUINCY, INC.

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 to the Columbus Club of West Quincy, Inc. a certain parcel of park land located on the southerly side of Quarry street in said city, and being shown on plan number 4063 on city of Quincy assessor's plan, bounded and described as follows: — Northerly by the southerly side of Quarry street, about 71.67 feet; easterly by other park land of the city of Quincy, about 112.85 feet; southerly by still other park land of said city, about 91.73 feet; westerly by land now or formerly of Bruno Cesare Vignoni and the Granite Trust Co., about 126.44 feet.

Containing about 9,704 square feet.

Said parcel being part of certain park land owned by the city of Quincy and located on said Quarry street.

Approved December 28, 1965.

Chap. 818. AN ACT CONFIRMING THE FORMATION OF THE BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The formation of the Berkshire Hills Regional School District consisting of the towns of Great Barrington, Stockbridge and West Stockbridge is hereby confirmed in all respects, notwithstanding that the town of Great Barrington did not comply with chapter seventy-five of the acts of nineteen hundred and fifty-eight at the adjourned session of the special town meeting held June eighth, nineteen hundred and sixty-five, in voting upon the establishment of said district.

SECTION 2. All actions heretofore taken by or on behalf of said district shall be as valid and effective as though this act had been in full force and effect at the time of the taking of such action.

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

Approved December 29, 1965.

Chap. 819. AN ACT PROVIDING FOR THE ISSUANCE OF DISTINCTIVE INITIAL AND PARTICULAR NUMBER PLATES, FOR THE CHARGING OF AN ADDITIONAL FEE THEREFOR, AND FOR THE ISSUANCE OF REFLECTORIZED NUMBER PLATES, BY THE REGISTRAR OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. The seventh paragraph of section 2 of chapter 90 of the General Laws is hereby amended by adding at the end the following sentence: — All number plates issued by the registrar of motor vehicles under this chapter shall be reflectorized in accordance with specifications prescribed by him.

SECTION 2. Said seventh paragraph of said section 2 of said chapter 90 is hereby further amended by inserting after the third sentence, as most recently amended by chapter 442 of the acts of 1961, the following two sentences: — The registrar may also, upon payment of the fee required in section thirty-three, furnish to owners of private passenger motor vehicles special number plates of distinctive types, to be known as distinctive initial plates, which may contain a register number consisting of a group of letters or a combination of numbers and letters; provided, however, that such group or combination shall not consist of more than six letters or numbers or combination thereof; and provided further, that there shall be no duplication of identification. The registrar may determine such standards and qualifications for the issuance of said plates as he deems proper.

SECTION 3. Section 33 of said chapter 90 is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 571 of the acts of 1959, and inserting in place thereof the following paragraph: —

For the registration of every motor vehicle, the fee for which is not herein otherwise provided, six dollars; and, for the issuance in connection therewith, at the request of the applicant, (*a*) of a distinctive initial plate, or (*b*) of a particular number plate other than a distinctive initial plate, nine dollars, or two dollars, respectively.

Approved December 30, 1965.

Chap. 820. AN ACT AUTHORIZING THE TOWN OF STOUGHTON TO CONTRACT FOR THE DISPOSAL OF ITS GARBAGE, REFUSE AND OFFAL BY COMPOSTING FOR PERIODS NOT EXCEEDING TWENTY YEARS.

Be it enacted, etc., as follows:

The town of Stoughton may enter into contracts for periods not exceeding twenty years for the disposal of its garbage, refuse and offal, by composting, sanitary landfill, or any other sanitary manner approved

by the department of public health, notwithstanding any provisions of section four of chapter forty of the General Laws to the contrary; provided, that it has been so authorized by a majority vote as defined in section one of chapter forty-four of the General Laws and by the selectmen. Contracts for such disposal on behalf of said town may be executed by the selectmen, board of health or other officers having charge thereof, provided that the terms of such contracts have been approved as reasonable by the emergency finance board.

Approved December 30, 1965.

Chap. 821. AN ACT AUTHORIZING THE TOWN OF SOUTH HADLEY TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of South Hadley is hereby authorized to appropriate and pay to Warner Bros. Inc. the sum of fourteen thousand four hundred and eighty-five dollars and fifteen cents, The Lane Construction Corporation, a corporation organized under the laws of the state of Connecticut, the sum of two thousand six hundred and eleven dollars and seven cents, and Municipal Services, Inc. the sum of three thousand one hundred and ninety-three dollars and twenty-eight cents, as compensation for services rendered by said corporations, including materials supplied to, and labor performed for, the highway department of said town in the year nineteen hundred and sixty-five, notwithstanding the failure to comply with the provisions of section four B of chapter forty of the General Laws.

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

Approved December 30, 1965.

Chap. 822. AN ACT PROVIDING FOR THE PROTECTION AND MAINTENANCE OF THE ESSEX COUNTY HOSPITAL DURING A CERTAIN PERIOD OF TIME.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of protecting the Essex County Hospital from damage by cold weather, the county commissioners of said county are hereby authorized and directed to expend, between the effective date of this act and April first, nineteen hundred and sixty-six, such sums as may be necessary, not exceeding thirty-six thousand dollars, for fuel and for the employment of a chief engineer, two engineers and three firemen. Notwithstanding any provision of law to the contrary, said expenditures shall be made from any available funds and shall be included in the appropriation for the year nineteen hundred and sixty-six for said county.

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

Approved December 30, 1965.

Chap. 823. AN ACT AUTHORIZING SUITABLE IDENTIFICATION AND EQUIPMENT FOR EMERGENCY DISASTER SERVICE VEHICLES OF CHARITABLE CORPORATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize suitable identification and equipment for emergency disaster service vehicles of charitable corporations, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by inserting after section 7H, added by section 1 of chapter 394 of the acts of 1965, the following section: —

Section 7I. Special purpose motor vehicles, the property of and registered to charitable corporations, specifically assigned to the emergency disaster services of those organizations, and used for the benefit of firemen, policemen, civil defense workers and victims of fires and disasters, shall be furnished, without charge, by the registrar at his office, a number plate of the type and design furnished to ambulances, fire engines and fire apparatus. Such emergency disaster service vehicles may be equipped with sirens or other audible warning devices and with red lights capable of being displayed in the direction in which the vehicle is proceeding or facing. Such audible and visible warning devices may be used by the vehicle operator only when responding to an official alarm of fire or disaster and at no other time. Every such emergency disaster service motor vehicle shall be marked, on a part of the vehicle not readily removable, and in a conspicuous place, with the insignia of the corporation and with words identifying the vehicle as an emergency disaster service unit. *Approved December 30, 1965.*

Chap. 824. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-SIX, 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-six, in this act referred to as the year nineteen hundred and sixty-six, or for such period as may be specified.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Legislature.

Senate.

Item		
0101-01	For the compensation of senators, prior appropriation continued	$293,000
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	63,000
0101-07	For clerical and other assistance including expenses of the senate committee on rules, including not more than eight permanent positions, prior appropriation continued	175,000
0101-30	For expenses of senators, including travel, prior appropriation continued	90,000
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 four permanent positions, prior appropriation continued	36,000
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	$727,336

House of Representatives.

0102-01	For the compensation of representatives, prior appropriation continued	$1,702,600
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 five permanent positions	49,800
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 eight permanent positions	126,560
0102-07	For clerical and other assistance to the house committee on rules, including not more than fourteen permanent positions, prior appropriation continued	150,000
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, including not more than one permanent position, prior appropriation continued	82,000
0102-30	For expenses of representatives, including travel, prior appropriation continued	580,000
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	$2,890,646

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 ten permanent positions	73,939
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	554,216
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	253,012
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	68,796
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	100,000
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
0103-53	For the installation of an electric roll call system, as authorized by chapter five hundred and thirty-six of the acts of nineteen hundred and sixty-four, including incidental expenses in connection therewith, prior appropriation continued.	
	Total	$1,100,603

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	$159,000

Recodification Counsel.

0105-01	For expenses of the recodification counsel, including not more than four permanent positions	$40,000

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	$370,000
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	95,000
0110-05	For telephone and telegraph service, prior appropriation continued	135,000

Item		
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 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
0110–21	For printing a descriptive pamphlet of the murals, house of representatives	1,500
0110–29	For clerical and other assistance to the joint committees	42,000
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	12,100
0110–31	For the annual membership fee of the commonwealth in the National Conference of State Legislative Leaders	1,000

Special Investigations.

0266–01	For the expenses of the Revolutionary Bicentennial Commission, as authorized by chapter seventy-one of the resolves of nineteen hundred and sixty-four	$15,000
	Total	$682,200
	Total, Legislative	$5,599,785

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	13,221
0301–05	For law clerks and clerical assistance for the justices	116,057
0301–06	For office supplies, services and equipment	17,000
0301–07	For the salaries of the officers and messengers	8,335
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	250,500
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	$725,513

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	62,000
0305–03	For the salary of the assistant clerk of Suffolk County	2,500
0305–04	For expenses authorized by section twenty-eight of chapter two hundred and twelve of the General Laws	126,000

Item		
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 fifty permanent positions	455,000
0305-15	For personal services and expenses of the office of the supervisor of probation	8,745
	Total	$1,713,245

Judicial Council.

0308-01	For the service of the judicial council	$15,564

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	$20,000

Administration of Probate and Insolvency Courts.

0320-01	For the compensation of the special judge of probate when acting for other judges of probate, as authorized by section three of chapter two hundred and seventeen of the General Laws	$5,000
0320-02	For expenses of the special judge of probate when acting for other judges of probate, as authorized by section three of chapter two hundred and seventeen of the General Laws	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	23,900
	Total	$31,400

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	20,785
	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	22,994
	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	65,586
	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	3,341

Item		
	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	74,290
	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	8,960
	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 sixteen permanent positions	74,103
	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	8,197
	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	226,030
	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 seventeen permanent positions	88,624
	Plymouth:	
0332-01	Two judges of probate	34,000
0332-02	Register	12,750
0332-03	Two assistant registers	18,488
0332-04	Clerical assistance to register, including not more than nine permanent positions	42,188
	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	255,640
	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	77,214
	Total	$1,939,802

Land Court.

Item		
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	400,855
	Total	$490,905

Pensions for Certain Retired Justices.

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 five permanent positions	45,500
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	7,000
	Total	$721,500

Committee on Probation.

0370-01	For the office of the commissioner of probation, including not more than fifty-nine permanent positions	$320,221
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	1,940
	Total	$322,161

Board of Bar Examiners.

0380-01	For the service of the board, including not more than six permanent positions	$43,611
	Total, Judiciary	$6,183,701

Executive.

Governor.

0401-01	For the salary of the governor	$35,000
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	$332,800

Lieutenant-Governor.

Item		
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	$58,460

Governor's Council.

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	$97,858

Extraordinary Expenses.

0405-01	For the cost, not to exceed fifteen thousand dollars, of entertainment of distinguished visitors to the commonwealth, provided that no expenditure shall be allowed for a party exceeding fifty visitors; for the payment of extraordinary expenses not otherwise provided for; and for transfers to appropriation accounts where the amounts otherwise available are insufficient, provided that requests for such transfers shall be referred to the commissioner of administration who, after investigation, shall submit for approval of the governor and council his written recommendation as to the amount of funds required with facts pertinent thereto	$100,000

Civil Defense Agency.

0406-01	For the service of the civil defense agency, including not more than one hundred and nine 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	$417,086
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	36,000
	Total	$453,086
	Total, Executive	$1,042,204

Military Division.

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.

Adjutant General.

0420-02	For the salary of and the office of the adjutant general, including not more than thirty-six permanent positions	$260,822
	Militia:	
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	70,000
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	121,248

Item		
0421-14	For compensation for accidents and injuries sustained in the performance of military duty and for small claims for damages to private property	$6,000
0421-17	For the military reservation, located in Barnstable county, including compensation of the commissioner	640
0421-21	For the service of the air national guard, including not more than one permanent position	14,496
0421-60	For the operation of the war records project, so called, including not more than ten permanent positions	49,555
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	$709,261

State Quartermaster.

0423-01	For the office of the state quartermaster	$3,650
0423-02	For the operation of armories of the first class, including not more than one hundred and two permanent positions	760,100
	Militia:	
0424-01	For reimbursement for rent and maintenance of armories not of the first class	21,250
0424-02	For the Camp Curtis Guild rifle range, including not more than seven permanent positions	37,200
0424-05	For certain storage and maintenance facilities, including not more than twenty-eight permanent positions	126,150
0424-08	For certain national guard aviation facilities, including not more than ten permanent positions	46,761
	Total	$995,111

Armory Commission.

0428-01	For compensation of one member and for expenses of the commission	$210
	Total, Military Division	$1,704,582

Executive Office for Administration and Finance.

0441-01	For the office of the commissioner of administration, including not more than thirty-three permanent positions, to be in addition to any federal funds available for the purpose; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and eight thousand three hundred and thirty dollars from the Highway Fund	$406,100
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
	Total	$446,100

Fiscal Affairs Division.

0441-10	For the fiscal affairs division, including not more than one hundred and fifteen 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 seventy-two thousand six hundred and twenty-three dollars from the Highway Fund	$930,563
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

Item		
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, including training programs, as authorized by chapter five hundred and eighty-one of the acts of nineteen hundred and sixty-four, to be in addition to any amounts paid by cities or towns for the purpose	$53,318
0441-13	For the bureau of hospital costs and finances, including not more than six permanent positions	49,713
	Total	$1,038,594

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	$41,706
0441-21	For the bureau of building construction, including not more than fifty-six permanent positions, to be in addition to any federal funds available for the purpose	726,945
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-four permanent positions	1,199,214
	Total	$1,967,865

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 ninety-four thousand eight hundred and eighty-five dollars from the Highway Fund	$982,951

Purchasing Agent's Division.

0444-01	For the purchasing agent's division, including not more than seventy-eight permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and forty-six thousand four hundred dollars from the Highway Fund	$488,000
0444-02	For the purchase of paper used in the execution of the contracts for state printing, other than legislative	100,000
	Total	$588,000

The Group Insurance Commission.

0448-01	For administration of the group insurance program, including not more than thirty permanent positions	$256,812
0448-02	For the commonwealth's share of the group insurance premium; provided, that the group insurance commission shall charge the division of employment security and other departments, authorities and divisions which have federal or other funds allocated to them for this purpose for that portion of the cost of the program as it determines should be borne by such funds, and shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds, and amounts received in payment of all such charges or such transfers shall be credited to the General Fund; prior appropriation continued	5,426,273
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 and chapter four hundred and sixty-one of the acts of nineteen hundred and sixty-four; provided, that amounts received from cities, towns or districts, in accordance with the provisions of said chapters, are to be in addition to this item and to be available for expenditure without further appropriation, prior appropriation continued	300,000
	Total	$5,983,085

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 eleven permanent positions	$102,049

Board of Economic Advisors.

0452-01	For the service of the board of economic advisors as authorized by chapter six hundred and forty-one of the acts of nineteen hundred and sixty-four, prior appropriation continued	$5,000
	Total, Executive Office for Administration and Finance	$11,113,644

Other Boards and Commissions serving under Governor and Council.

Commissioners on Uniform State Laws.

0457-01	For the expenses of the commissioners	$3,750

George Fingold Library.

0459-01	For the service of the library, including not more than thirty-one permanent positions	$221,188

Ballot Law Commission.

0461-01	For compensation and expenses of the commissioners, including not more than three permanent positions	$4,550

Massachusetts Commission Against Discrimination.

0462-01	For the service of the commission, including not more than nineteen permanent positions	$146,019
0462-02	For a branch office to be located in the city of Springfield .	16,777
	Total	$162,796

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	$177,151

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 . .	$1,110

Commission on Aging.

0465-01	For expenses of the commission, to be in addition to any federal funds available for the purpose	$75,098

Mount Greylock Reservation Commission.

0466-01	For the maintenance of the Mount Greylock war memorial	$500

Old State House.

0467-01	For the contribution of the commonwealth toward the maintenance of the old provincial state house	$1,500

Alcoholic Beverages Control Commission.

Item		
0469–01	For the service of the commission, including not more than sixty-five permanent positions	$540,325

Contributory Retirement Appeal Board.

0471–01	For the service of the board	$100

Obscene Literature Control Commission.

0472–01	For expenses of the commission, as authorized by section one hundred and one of chapter six of the General Laws	$1,000

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

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

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	$42,870

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

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	$53,650

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

Soldiers' Home in Massachusetts.

Item		
0481-01	For the maintenance of the Soldiers' Home in Massachusetts, including not more than five hundred and ninety-seven permanent positions	$3,816,893

Soldiers' Home in Holyoke.

0482-01	For the maintenance of the Soldiers' Home in Holyoke, including not more than two hundred and twenty-three permanent positions	$1,489,887

Commissioner of Veterans' Service.

0485-01	For personal services of the commissioner and deputies, including not more than three permanent positions	$30,375
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	536,721
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	136,000
	Total	$703,096

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 ten permanent positions	105,954
	Total	$114,204

Service Corps Commission.

0491-01	For the service of the service corps commission, as authorized by chapter six hundred and twenty-two of the acts of nineteen hundred and sixty-four, prior appropriation continued.	

Massachusetts Rehabilitation Commission.

0497-01	For the service of the commission, including not more than one permanent position, prior appropriation continued	$1,500,500
	Total, Other Boards and Commissions serving under Governor and Council	$9,385,031

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 seventy-seven permanent positions	600,870
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	102,364
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	3,000
0502-03	For the expenses of the decennial census	32,890
	Total	$771,204

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-six, prior appropriation continued $37,500

0503-02 For the printing of reports of decisions of the supreme judicial court, prior appropriation continued 38,300

0503-03 For printing and binding public documents, prior appropriation continued 7,500

Total $83,300

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 six permanent positions, prior appropriation continued . $373,603

Commission on Interstate Co-operation.

0506-01 For the service of the commission, including not more than two permanent positions $40,861

Massachusetts Historical Commission.

0507-01 For the service of the commission, including not more than one permanent position $10,252

Total, Department of the Secretary of the Commonwealth $1,279,220

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 eleven thousand one hundred and forty-six dollars from the Highway Fund 670,220

Total $686,220

Commissioners on Firemen's Relief.

0602-01 For expenses of administration and for relief disbursed by the commissioners on firemen's relief $15,000

State Board of Retirement.

0604-01 For the administrative office of the board, including not more than thirty-seven permanent positions $212,442

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 two million one 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 14,000,000

0604-04 For the compensation of veterans who may be retired by the state board of retirement under the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws, and under the provi-

Item		
	sions 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 nine hundred and two thousand six hundred and sixty dollars from the Highway Fund .	**$4,103,000**
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	**14,600**
0604-06	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired . . .	**24,260**
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.	**14,095**
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	**577,000**
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	**158,700**
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	**394,000**
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	**$19,523,097**

Emergency Finance Board.

0605-01	For administrative expenses of the board, including not more than one permanent position	**$21,232**

World War and Spanish-American War Service.

0606-01	For making payments to soldiers in recognition of service during World War I and the Spanish War, as provided by law	**$750**
	Total, Department of the Treasurer and Receiver-General	**$20,246,299**

Auditor of the Commonwealth.

Item		
0701-01	For the salary of the auditor	$20,000
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 eighty-one thousand six hundred and seventy-eight dollars from the Highway Fund	825,810
	Total, Department of the Auditor	$845,810

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	653,829
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	$800,429

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 twenty-eight permanent positions	196,601
0901-11	For expenses of the board of agriculture	1,000
0901-15	For the service of the division of poultry and poultry products, including not more than six permanent positions	41,038
0901-21	For apiary inspection, including not more than one permanent position, and for the reimbursement of owners of diseased bees, as provided in section thirty-four of chapter one hundred and twenty-eight of the General Laws	9,129
0901-24	For matching certain federal funds allocated to the department for a program of quality improvement of the production and marketing of eggs	4,675
	Total	$263,443

Division of Dairying and Animal Husbandry.

0905-01	For the service of the division, including not more than five permanent positions	$39,646
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	106,133
0905-04	For matching certain federal funds allocated to the department for a program of quality improvement of dairy products	4,450
	Total	$150,229

Milk Control Commission.

0906-01	For the service of the commission, including not more than thirty-four permanent positions.	$232,927

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	$266,517
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	1,200
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.	
	Total	$267,717

Division of Markets.

0908-01	For the service of the division, including not more than eleven permanent positions	$113,800
0908-02	For matching federal funds in preparing certain crop survey reports	5,197
	Total	$118,997

Division of Plant Pest Control and Fairs.

0909-01	For the service of the division, including not more than four permanent positions	$35,193

State Reclamation Board.

0910-01	For the service of the board, including not more than three permanent positions	$15,520
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	$22,020
	Total, Department of Agriculture	$1,090,526

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	233,675
1001-04	For the expenses of the natural resources board	700
	Total	$247,375

Division of Forests and Parks.

1002-01	For the office of the director, including not more than thirteen permanent positions	$103,300
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	460,902
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	70,623
1002-21	For the development of forests, including not more than twenty-six permanent positions	181,182

Item		
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	$197,850
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	61,800
1002-41	For a federal-state co-operative forest management program and for certain farm forestry projects in cooperation with the United States Forest Service and the counties of Berkshire, Essex and Hampshire, including not more than ten permanent positions; provided, that no expenditure shall be made under this item for farm forestry projects until the counties of Berkshire, Essex and Hampshire shall have deposited the sum of twenty-five per cent of the expenses of the said projects, as determined by the commissioner of natural resources in the state treasury	114,876
	Total	$1,190,533

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-two thousand five hundred and seventy-one dollars from the Inland Fisheries and Game Fund, the sum of one hundred and twenty thousand six hundred and thirty-seven dollars from the Marine Fisheries Fund and the sum of thirty thousand four hundred and thirty-three dollars from the State Recreation Areas Fund	$548,350

Division of Conservation Services.

1005-01	For the services of the division, including not more than five permanent positions	$76,660
1005-02	For expenses for the committee for conservation	1,500
	Total	$78,160

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	$146,870
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	450
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	46,825
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	77,450
1010-24	For certain continuing studies, including certain resolves of the current year	100,000
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	6,000
1010-36	For property surveys for establishment of flood plain limits in the Assabet and Chicopee river valleys	10,000
	Total	$388,395
	Total, Department of Natural Resources	$2,452,813

Department of Banking and Insurance.

Division of Banks.

Item		
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	1,657,261
1102-01	For the office of the supervisor of loan agencies, including not more than forty-one permanent positions	347,550
	Total	$2,019,811

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-seven 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 four hundred and six thousand one hundred and thirty dollars from the Highway Fund	2,030,650
	Total	$2,045,650

Division of Savings Bank Life Insurance.

1105-01	For the service of the division, including not more than twenty-nine permanent positions	$184,930
	Total, Department of Banking and Insurance	$4,250,391

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 forty-six thousand six hundred dollars from the Highway Fund, the sum of three hundred and sixty-nine thousand nine hundred dollars from the receipts of the corporation tax and three million two hundred and five thousand eight hundred dollars from the receipts of the income tax	4,932,000
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-one thousand nine hundred and fifty-seven dollars from the Highway Fund and one hundred and seventy-three thousand four hundred and eighty dollars from the receipts of the corporation tax	309,785
1201-52	For certain tax audits of foreign corporations, prior appropriation continued	31,250
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	1,257,682
	Total	$6,582,717

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	$993,100

Item		
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	25,640
	Total	$1,180,940

Appellate Tax Board.

1204–01	For the service of the board, including not more than thirty 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	$269,450
	Total, Department of Corporations and Taxation	$8,033,107

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 ninety-four permanent positions	704,000
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	235,500
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	2,000
1301–06	For printing school registers and other school blanks for cities and towns	7,000
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	47,877
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	24,347
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 nineteen hundred and sixty-four, 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	25,000
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 nineteen hundred and sixty-four, 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	25,000
1301–20	For the board of education, including not more than two permanent positions	12,413
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

Item		
1301-32	For assistance to children of certain war veterans, prior appropriation continued, as authorized by section seven B of chapter sixty-nine of the General Laws and corresponding provisions of earlier laws	$500,000
1301-33	For certain educational services to certain war veterans	32,492
1301-34	For the service of the board of education established by chapter five hundred and seventy-two of the acts of the current year	300,000
1301-35	For the service of the board of higher education established by chapter five hundred and seventy-two of the acts of the current year	50,000
1301-36	For the service of the advisory council on education established by chapter five hundred and seventy-two of the acts of the current year	50,000
	Total	$2,055,229

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	$222,183
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	480,949
	Total	$703,132

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	$159,395
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	15,018
	Total	$174,413

Division of Special Education.

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
1311-02	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	2,850,000
	Total	$5,950,000

Division of University Extension.

1313-01	For the university extension courses, including not more than fifty-eight 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	$310,700

Division of Immigration and Americanization.

Item

1315-01 For the service of the division, including not more than seventeen permanent positions $121,805

Division of Public Libraries.

1316-01 For the service of the division, including not more than twenty-five permanent positions, to be in addition to any federal funds available for the purpose $179,467

Division of the Blind.

1317-01 For general administration and for instruction of the adult blind in their homes, including not more than seventy-three permanent positions $436,284

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 2,650,000

1317-10 For expenses of administering and operating the service of piano tuning under section twenty-five of chapter sixty-nine of the General Laws 33,000

1317-11 For the operation of local shops, including not more than thirteen permanent positions 284,831

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 47,527

1317-16 For the operation of the Cambridge industries for the blind, including not more than twelve permanent positions 511,654

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 48,000

1317-28 For the promotion of vocational rehabilitation of the blind in co-operation with the federal government, prior appropriation continued 181,000

Total $4,192,296

Teachers' Retirement Board.

1319-01 For the service of the board, including not more than thirty-four permanent positions $194,638

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 $195,138

Board of Trustees of State Colleges.

For the administration, maintenance of and for certain improvements at state colleges and the boarding halls attached thereto and the Massachusetts maritime academy 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 $137,383

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 board of trustees of state colleges, for graduates of state colleges or for such students or graduates of other colleges as may be approved by said board of trustees; 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 said board of trustees 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 five hundred thousand dollars with the approval of said trustees 6,500

Item		
1329-03	For aid to certain pupils in state colleges, under the direction of the board of trustees	$4,000
1330-01	State college at Bridgewater, including not more than one hundred and ninety permanent positions	1,626,400
1330-21	State college at Bridgewater, boarding hall, including not more than thirty-eight permanent positions	300,750
1331-01	State college at Fitchburg, including not more than one hundred and fifty-three 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	1,362,650
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	161,500
1332-01	State college at Framingham, including not more than one hundred and twenty-five permanent positions	912,550
1332-21	State college at Framingham, boarding hall, including not more than thirty-seven permanent positions	277,700
1333-01	State college at Lowell, including not more than one hundred and one permanent positions	727,050
1333-21	State college at Lowell, boarding hall, including not more than four permanent positions	16,790
1334-01	State college at North Adams, including not more than sixty-one permanent positions	453,750
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 ninety-four permanent positions	1,500,450
1336-01	State college at Westfield, including not more than one hundred and two permanent positions	776,800
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 forty-one permanent positions	1,064,950
1338-01	State college at Boston, including not more than two hundred and fifty-nine permanent positions	2,043,030
1338-05	For compensation of certain instruction personnel for the additional semester on account of the trimester program at the state college at Boston	180,000
1339-01	Massachusetts College of Art, including not more than fifty permanent positions	460,425
1340-01	Massachusetts maritime academy and ship, including not more than fifty-one permanent positions	563,731
	Total	$12,682,079

Lowell Technological Institute of Massachusetts.

1345-01	For the maintenance of the institute, with the approval of the trustees, including not more than two hundred and sixty-two 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-five; 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	$2,543,000
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	17,500
	Total	$2,565,500

Southeastern Massachusetts Technological Institute.

Item		
1347-01	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 nineteen hundred and sixty-four, including not more than two hundred and seven permanent positions, and including the sum of twenty thousand dollars of which ten thousand dollars is to be assessed upon each of the cities of Fall River and New Bedford as a part of the charges to be paid by said cities to the commonwealth in the calendar year nineteen hundred and sixty-five; 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	$1,886,200
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	10,000
	Total	$1,896,200

University of Massachusetts.

1350-01	For the maintenance of the university, with the approval of the trustees, including not more than one thousand six hundred and forty-five 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 seventy 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	$20,882,012
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	1,000
1350-36	For the payment of the rental fee for the president's house, with the approval of the board of trustees	1,200
1350-38	For the employment of a dean and ancillary personnel to formulate and establish the educational program of the University of Massachusetts medical school in Worcester, for consulting services used in selecting a site for said medical school, and for necessary supplies, furnishings and equipment, prior appropriation continued	100,000
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	$21,415,612

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	$72,944
1361-00	Massachusetts Bay community college, including not more than fifty-three permanent positions	465,323
1362-00	Northern Essex community college, including not more than forty-three permanent positions	352,240
1363-00	Cape Cod community college, including not more than thirty-five permanent positions	303,084
1364-00	Berkshire community college, including not more than forty-four permanent positions	332,030
1365-00	Quinsigamond community college, including not more than fifty-four permanent positions	380,525
1366-00	Greenfield community college, including not more than twenty-eight permanent positions	247,156
1367-00	Holyoke community college, including not more than sixty permanent positions	425,302
1368-00	Mount Wachusett community college, including not more than twenty-nine permanent positions	211,125
1370-00	Regional community college, north shore, including not more than twenty-four permanent positions	159,861
	Total	$2,949,590

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-one permanent positions	$1,470,478
	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	$907,000
1382-01	Industrial school for girls, including not more than ninety-seven permanent positions	616,750
1383-01	Lyman school for boys, including not more than one hundred and fifty permanent positions	1,119,860
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	454,950
1385-01	For the operation of the institute of juvenile guidance, including not more than fifty-four permanent positions	406,160
1386-01	For the operation of reception and detention facilities for girls in the city of Boston, including not more than thirty-three permanent positions	224,921
1387-01	For the operation of a detention center in Hampden county, including not more than nineteen permanent positions	134,188
1388-01	For the operation of a residential treatment unit for small boys in Oakdale, including not more than twenty-five permanent positions	218,273
1389-01	For the operation of a detention center in Worcester county, including not more than twenty permanent positions	141,848
1390-01	For the maintenance of Stephen L. French Youth Forestry Camp	90,590
	Total	$4,314,540
	Total, Division of Youth Service	$5,785,018

School Building Assistance Commission.

1393-01	For the school building assistance commission	$99,657

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	$14,363
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	$429,363
	Total, Department of Education	$61,705,199

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 fifty-seven permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of two hundred and sixty-eight thousand four hundred and eighty-five dollars from the Highway Fund.	1,789,900
1402-21	For expenses of hearings, as authorized by section forty-three of chapter thirty-one of the General Laws	7,500
	Total	$1,854,400

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 sixty permanent positions	474,788
	Total	$482,788

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	7,125
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	41,286
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	23,100
1413-01	Board of registration of architects, including not more than five permanent positions	6,390

Item		
1415-01	Board of public accountancy, including not more than nine permanent positions	$48,120
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	230,300
1419-01	Board of registration of electrologists, including not more than three permanent positions	2,475
1420-01	Board of registration of barbers, including not more than ten permanent positions	60,711
1421-01	Board of registration of hairdressers, including not more than eighteen permanent positions	113,900
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	$607,912
	Total, Department of Civil Service and Registration	$2,945,100

Department of Commerce and Development.

1501-01	For the service 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	$1,496,182
1501-02	For the promotion of vacation travel within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item, prior appropriation continued	13,000
1501-03	For the promotion of industry within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item	171,500
1501-10	For the commonwealth's share of the expenses of the New England governors' research committee, prior appropriation continued	1,500
	Total, Department of Commerce	$1,682,182

Department of Labor and Industries.

1601-01	For general administration and for the division of employment of older workers, including not more than fourteen permanent positions	$136,378
1603-01	For the division of industrial safety, including not more than seventy-four permanent positions	579,715
1605-01	For the division of occupational hygiene, including not more than fourteen permanent positions	116,391
1607-01	For the division of statistics, including not more than thirty-four permanent positions	193,895
1609-01	For administration of the division on necessaries of life, including not more than five permanent positions	34,337
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	89,535
1611-01	For the board of conciliation and arbitration, including not more than fifteen permanent positions	152,136

Item		
1613-01	For the commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions	$194,980
1615-01	For the division of standards, including not more than twenty-one permanent positions	159,691
	Total	$1,657,058

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	$213,770

Labor Relations Commission.

1630-01	For the service of the commission, including not more than twenty-two permanent positions	$173,545

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	$157,501

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	1,083,159
1651-05	For expenses of impartial examinations, prior appropriation continued	32,000
1651-06	For the compensation of certain public employees for injuries sustained in the course of their employment, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, prior appropriation continued; provided, that the comptroller shall transfer to the General Fund the sum of four hundred and sixty-two thousand seven hundred dollars from the Highway Fund	1,322,000
	Total	$2,618,159

Division of Self-Insurance.

1651-21	For the service of the division, including not more than six permanent positions	$41,783

Industrial Accident Rehabilitation Board.

1652-01	For the service of the board, including not more than six permanent positions	$15,783
	Total, Department of Labor and Industries	$4,877,599

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 division of mental hygiene, psychiatric services to the courts and other state departments, therapy and outpatient treatment of sexual offenders including those incarcerated in institutions within the commonwealth, and for the transportation and medical examination of patients and certain feeble-minded persons, including not more than five hundred and fifty-two 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	6,600,000

Item		
1701-30	North Reading rehabilitation center, including not more than seventy-two permanent positions	$441,600
1701-40	Danvers school for retarded children, including not more than ninety-two permanent positions	100,000
	Total	$7,164,600

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-six permanent positions	$1,889,000
1711-00	Boston state hospital, including not more than one thousand one hundred and fifteen permanent positions	6,874,800
1712-00	Danvers state hospital, including not more than eight hundred and forty-seven permanent positions	5,119,400
1713-00	Foxborough state hospital, including not more than five hundred and sixty-one permanent positions	3,358,400
1714-00	Gardner state hospital, including not more than five hundred and eleven permanent positions	3,111,440
1715-00	Grafton state hospital, including not more than five hundred and eighty permanent positions	3,464,980
1716-00	Medfield state hospital, including not more than six hundred and seventy-nine permanent positions	3,843,050
1717-00	Metropolitan state hospital, including not more than seven hundred and forty-five permanent positions	4,532,960
1718-00	Northampton state hospital, including not more than seven hundred and fifty-one permanent positions	4,689,700
1719-00	Taunton state hospital, including not more than seven hundred and eleven permanent positions	4,748,000
1720-00	Westborough state hospital, including not more than eight hundred and eight permanent positions	4,352,200
1721-00	Worcester state hospital, including not more than one thousand and fifty permanent positions	5,782,400
1722-00	Monson state hospital, including not more than seven hundred and fifty-six permanent positions	3,774,900
1723-00	Belchertown state school, including not more than five hundred and eighty-nine permanent positions	3,483,500
1724-00	Walter E. Fernald state school, including not more than nine hundred and sixty-eight permanent positions	6,050,740
1725-00	Wrentham state school, including not more than six hundred and forty-nine permanent positions	4,720,830
1726-00	Paul A. Dever state school, including not more than six hundred and twenty-six permanent positions	4,399,600
1727-00	Cushing hospital, including not more than six hundred and eighty permanent positions	3,436,700
	Total	$77,632,600
	Total, Department of Mental Health.	$84,797,200

Department of Correction.

1801-01	For the salary of the commissioner	$18,000
1801-02	For administration, including not more than sixty-four 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	564,695
	Total	$582,695

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 permanent positions	$4,674,910
1812-01	Correctional institution at Walpole, including not more than three hundred and six permanent positions	2,398,800
1812-02	Correctional institution at Walpole, industries, including not more than thirty permanent positions; provided, that the commissioner of correction shall determine the cost of the manufacture of motor vehicle registration plates and certify to the comptroller the amounts to be transferred therefor from the Highway Fund to the General Fund	811,281
1814-01	Correctional institution at Concord, including not more than two hundred and forty-nine permanent positions	1,927,350
1814-02	Correctional institution at Concord, industries, including not more than fifteen permanent positions	320,575
1816-01	Correctional institution at Framingham, including not more than one hundred and thirty-four permanent positions	1,087,450
1816-02	Correctional institution at Framingham, industries, including not more than nine permanent positions	232,075
1818-01	Correctional institution at Norfolk, including not more than two hundred and fifty-six permanent positions	2,306,807
1818-02	Correctional institution at Norfolk, industries, including not more than twenty-nine permanent positions	544,300
1820-01	For the operation of correctional institution camps, including not more than thirty-six permanent positions	449,010
	Total	$14,752,658

Parole Board.

1830-01	For the service of the board, including not more than seventy-five permanent positions	$654,470
	Total, Department of Correction	$15,989,723

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 six hundred and thirty-one permanent positions	4,127,829
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	32,400
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	77,500
1906-04	For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued	6,945,000
	Total, Department of Public Welfare	$11,200,729

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 fifty-three permanent positions	405,760
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	

Item		
	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-six, prior appropriation continued	$250,000
2001-04	For the expenses of certain research in connection with a health program for children and youth, to be in addition to any federal funds available for the purpose	6,275
2001-05	For a measles vaccine program; provided that expenditures previously made for this purpose from item 2007-01 shall be transferred and charged to this item	250,000
2001-07	For a gamma globulin program, for the purchase of gamma globulin and for the development of programs for the administration of gamma globulin	15,000
	Total	$950,035

Bureau of Environmental Sanitation.

2002-01	For the service of the bureau, including not more than eighty-one permanent positions	$698,736
2002-04	For the service of the air pollution control district, as authorized by section one hundred and forty-two B of chapter one hundred and eleven of the General Laws, including not more than nine permanent positions; provided, that the commissioner of public health shall certify the amounts to be assessed by the state treasurer upon the several cities and towns in the district in accordance with the provisions of said section one hundred and forty-two B	57,300
	Total	$756,036

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 seventy-four permanent positions	$1,599,245
2003-21	For a study of equine encephalitis	19,950
	Total	$1,619,195

Bureau of Health Services.

2004-01	For the service of the bureau, including not more than sixty-one permanent positions	$984,865

Bureau of Hospital Facilities.

2005-01	For the service of the bureau, including not more than eighteen permanent positions	$158,000

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-eight permanent positions	$5,465,400

Institute of Laboratories.

2007-01	For the service of the institute, including not more than one hundred and fifty permanent positions	$1,040,300

Bureau of Consumer Products Protection.

2008-01	For the service of the bureau, including not more than sixty-nine permanent positions	$551,000
2008-02	For the service of the pesticide board, as authorized by section nine A of chapter seventeen of the General Laws	18,000
	Total	$569,000

For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:

Item		
2021-00	For the maintenance of the Tewksbury hospital, including not more than seven hundred and ninety-six permanent positions	$4,957,000
2022-00	Lakeville hospital, including not more than three hundred and eighteen permanent positions	1,767,000
2024-00	Rutland hospital, including not more than two hundred and fifty-two permanent positions	1,363,000
2025-00	Western Massachusetts hospital, including not more than two hundred and ninety-three permanent positions	1,865,000
2026-00	Lemuel Shattuck hospital, including not more than eight hundred and thirty permanent positions	5,319,000
2026-50	For a research program of chronic hepatitis and related diseases, to be in addition to any federal or other funds available	47,000
2027-00	Massachusetts hospital school, including not more than two hundred and twenty-five permanent positions	1,358,000
2031-00	Pondville hospital, including not more than two hundred and seventy-six permanent positions	1,955,000
2031-50	For the expenses of a cancer research project	26,000
	Total	$18,657,000

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

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	$217,239
	Total, Department of Public Health	$30,426,870

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	697,587
2103-01	For the fire prevention service, including not more than twenty-five permanent positions	256,450
2104-01	For the service of the division of inspection, except as otherwise provided, including not more than seventy-nine 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	708,199
2104-31	For the board of boiler rules, including not more than four permanent positions	1,800
	Total	$1,680,036

State Boxing Commission.

2105-11	For the service of the commission, including not more than six permanent positions	$31,700

Board of Standards.

2106-01	For the service of the board, including not more than seven permanent positions	$6,250

Board of Elevator Regulations.

2107-01	For the service of the board, including not more than seven permanent positions	$6,200

Board of Fire Prevention Regulations.

Item
2108-01 For the service of the board, including not more than eight permanent positions $6,500

Division of Subversive Activities.

2109-01 For the service of the division, including not more than five permanent positions $37,389

Board of Schoolhouse Structural Standards.

2110-01 For the service of the board, as authorized by chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-five, as amended $1,750

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

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 $2,100

Total, Department of Public Safety $1,773,125

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-six 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; provided, that the comptroller shall transfer to the General Fund the sum of sixteen thousand seven hundred and fifty dollars from the Public Access Fund $687,850

2202-06 For the maintenance and repair of certain property in the town of Plymouth, including not more than two permanent positions . 10,998

2202-07 For the operation and maintenance of the New Bedford state pier, including not more than one permanent position 24,220

Total $723,068

Outdoor Advertising Division.

2230-01 For the service of the division, including not more than eleven permanent positions $66,310

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 . $190,570

Total, Department of Public Works $979,948

Department of Public Utilities.

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 555,446

Item		
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.	
	Total	$639,446

Commercial Motor Vehicle Division.

2304-01	For the service of the division, including not more than thirty-two permanent positions	$247,479

Securities Division.

2308-01	For the service of the division, including not more than nine permanent positions	$61,100

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	$22,494
	Total, Department of Public Utilities	$970,519

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	$11,100
	Total, Annuities and Payments	$11,100

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	1,500
	Total, Miscellaneous	$31,500

LOCAL AID APPROPRIATIONS.

The following appropriations are for reimbursements and grants to local governments and for certain other purposes, and are to be in addition to any unexpended balance of appropriations heretofore made for the purpose:

Judiciary.

Superior Court.

2603-01	For reimbursing certain counties for compensation of certain special justices for services in holding sessions of district courts in place of the justice while sitting in the superior court	$20,000

Suffolk County Court House.

Item

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 $256,000

Total, Judiciary $276,000

Boards and Commissions serving under Governor and Council.

Service of the Commissioner of Veterans' Services.

2604-06 For reimbursing cities and towns for money paid for veterans' benefits, as provided in section six of chapter one hundred and fifteen of the General Laws $12,700,000

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, as amended . . 5,000

Total $12,705,000

Total, Boards and Commissions serving under Governor and Council $12,705,000

Department of Agriculture.

Division of Livestock Disease Control.

2609-01 For the reimbursement of certain towns for compensation paid to inspectors of animals $3,000

Total, Department of Agriculture $3,000

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-five, and for reimbursement of certain towns, as authorized by section seventeen B of chapter fifty-eight of the General Laws $1,050,000

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 400,000

Item		
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	$1,583,750
	Total, Department of Corporations and Taxation	$1,583,750

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	237,777
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	9,400,000
2613-05	For the reimbursement of certain cities and towns for a part of the expenses of maintaining agricultural and industrial vocational schools, as provided by law	14,250,000
2613-06	For reimbursement of certain cities and towns for adult English-speaking classes	120,000
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
2613-18	For expenses of regional public libraries with the approval of the board of library commissioners	71,000
2613-19	For the reimbursement of certain cities and towns maintaining extended courses of instruction, as authorized by section seventy-eight of chapter seventy-one of the General Laws	58,000
2613-20	For state aid to public libraries, as authorized by section nineteen A of chapter seventy-eight of the General Laws	1,240,000
	Total	$25,581,777

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	$23,425,000

School Lunch and Commodity Distribution Program.

2613-09	For the reimbursement of cities and towns for partial assistance in the furnishing of lunches to school children, as authorized by chapter five hundred and thirty-eight of the acts of nineteen hundred and fifty-one, and, if necessary, for supplementing federal funds allocated for the special milk program; provided, that notwithstanding any provisions of law to the contrary, reimbursements so authorized to be paid from state funds shall not exceed fifty per cent of the total reimbursement authorized by the national school lunch act; and, provided further, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	$3,302,095

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	$140,000

Teachers' Retirement Board.

Item		
2613-11	For reimbursement of certain cities and towns for pensions to retired teachers	$7,600,000
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	21,225,000
	Total	$28,825,000

Division of Youth Service.

2613-12	For reimbursement of cities and towns for tuition, including transportation to and from school, of children attending public schools	$12,000
2613-13	For the commonwealth's share of delinquency prevention programs in certain cities, as authorized by section sixty-nine B of chapter six of the General Laws	91,520
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	446,772
	Total	$550,292
	Total, Department of Education	$81,824,164

Department of Commerce and Development.

Service of the State Housing Board.

2615-02	For the reimbursement of housing authorities, as authorized by the provisions of section twenty-six VV of chapter one hundred and twenty-one of the General Laws	$1,685,000
2615-03	For reimbursement to certain cities and towns, as authorized by the provisions of section twenty-six OO of chapter one hundred and twenty-one of the General Laws	4,173,000
2615-04	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	1,326,500
2615-05	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	34,700
	Total, Department of Commerce and Development	$7,219,200

Department of Public Welfare.

2619-01	For the payment of suitable aid to certain dependent children	$28,150,000
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, prior appropriation continued.	
2619-04	For the support of sick indigent persons who have no legal settlement	275,000
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	500,000
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	11,800,000
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-five	985,000
2619-08	For reimbursement to cities and towns for old age assistance, as provided by law	19,950,000

Item		
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	$25,750,000
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	3,838,000
	Total, Department of Public Welfare	$91,248,000

Department of Public Health.

2620–02	For the reimbursement of cities and towns for the care of certain infants, as authorized by section sixty-seven C of chapter one hundred and eleven of the General Laws	$150,000
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 nineteen hundred and sixty-four	15,000
	Total, Department of Public Health	$165,000

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	$10,590,000
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	27,650,000
	Total, Interest and Redemption of Debt	$38,240,000
	TOTAL, GENERAL FUND	$524,682,450

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-six fiscal year in full to appropriations providing for personal services authorized under the heading of "Highway Activities" in this act.

Administrative and Engineering Expenses.

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

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 seventy-one thousand two hundred and ninety-two dollars from the General Fund, the sum of four thousand one hundred and eighty-two dollars from the Recreational Boating Fund, and the sum of two thousand one hundred and thirty-four dollars from the State Recreation Areas Fund	$576,800
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-seven	500,000
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	2,042,000
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	14,341
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	$3,328,141

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	$4,587,210
2920-02	For expenses in connection with traffic line painting, including the cost of materials	474,500
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	2,040,000
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-seven	1,500,000
2920-10	For the maintenance and operation of state highways and bridges	2,194,000
	Total	$10,795,710

Personal Services.

Item

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 four hundred and forty-six permanent positions **$34,500,000**

Construction, Reconstruction and Betterments of State Highways and Bridges.

2940-21 For the modernizing of the traffic signal system . . **$500,000**

2940-27 Notwithstanding any provision of law to the contrary, the amount of sixty-five hundred dollars which was reserved on June thirty, nineteen hundred and sixty-five under the appropriation made by section two of chapter five hundred and forty-one of the acts of nineteen hundred and sixty-five in account 2940-27 is hereby made available for expenditure until June thirtieth, nineteen hundred and sixty-six.

Total, Department of Public Works **$49,123,851**

Registry of Motor Vehicles.

2970-01 For the service of the registry, including not more than one thousand and seventy-nine 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 **$7,589,000**

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 **638,728**

2971-01 For expenses of the governor's highway safety committee, as authorized by section three of chapter ninety A of the General Laws **9,050**

Total, Registry of Motor Vehicles **$8,236,778**

Department of Public Safety.

Division of State Police.

2972-01 For the service of the division, including not more than seven hundred and fourteen permanent positions **$6,190,040**

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 thirty-two thousand seven hundred and forty-eight dollars from the General Fund on account of the expenditures under the division of state police.

Total, Department of Public Safety **$6,211,250**

Metropolitan District Commission.

The following items are to be paid with the approval of the Metropolitan District Commission:

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 **$502,620**

2973-04 For the construction, reconstruction and improvement of boulevards and parkways, including bridges, and including the resurfacing and repairing thereof, and including the installation of traffic lights . **500,000**

Item

2973–06 For the maintenance of boulevards and parkways, 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 $11,632,000

2973–74 For the purchase of certain highway maintenance equipment 75,000

Total, Metropolitan District Commission . . . $12,709,620

Miscellaneous.

2998–02 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 $5,000

Total, Miscellaneous $5,000

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-six to enter into agreements with officials of cities and towns for projects to be constructed in the nineteen hundred and sixty-seven fiscal year not exceeding, in the aggregate, seven million dollars, prior appropriation continued $6,000,000

2950–18 For aiding cities and towns in the repair and improvement of public ways, as provided by section twenty-six of chapter eighty-one of the General Laws; except, that the state's contribution shall be at an annual rate not to exceed two hundred and seventy-five dollars per mile for the calendar year nineteen hundred and sixty-six, 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 $8,650,000

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 $13,520,000

Item		
2982–00	For certain serial bonds maturing, to be in addition to the amount appropriated in item 2820–00, prior appropriation continued	$36,930,000
	Total, Interest and Redemption of Debt	$50,450,000
	TOTAL, HIGHWAY FUND	$135,386,499

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 seventeen permanent positions and including expenses of the board, as authorized by chapter twenty-one of the General Laws	$191,050
3304–41	For the payment of damages caused by wild deer and wild moose, including not more than one permanent position; provided, that any balance remaining in item 3308–05 of section two of chapter three hundred and thirty-seven of the acts of nineteen hundred and sixty-four shall be transferred to this item, prior appropriation continued	9,278
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	447,000
3304–43	For certain construction and improvements to the East Sandwich trout hatchery	20,000
3304–44	For the contribution of the department of natural resources towards a wildlife co-operative research project, in accordance with a contract with the federal government, to be expended by the University of Massachusetts	9,400
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	34,950
3304–48	For the purchase of land, Squannacook river	33,000
3304–51	For expenses of game farms and for wildlife research and management, including not more than fifty permanent positions	440,500
3304–52	For the purchase and development of land for wildlife management areas	30,000
3304–53	For expenses of establishing and conducting wildlife 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	127,300
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	$1,352,478

Division of Law Enforcement.

3308–07	For the supervision of public fishing and hunting grounds	$9,917
	Total, Department of Natural Resources	$1,362,395
	TOTAL, INLAND FISHERIES AND GAME FUND	$1,362,395

RECREATIONAL BOATING FUND.

STATE PURPOSES APPROPRIATION.

Registry of Motor Vehicles.

Division of Motorboats.

Item		
3401-01	For the service of the division, including not more than forty-seven permanent positions	$365,688
	Total, Registry of Motor Vehicles	$365,688
	TOTAL, RECREATIONAL BOATING FUND .	$365,688

PUBLIC ACCESS FUND.

STATE PURPOSES APPROPRIATION.

Department of Natural Resources.

Public Access Board.

3501-01	For the acquisition of land and 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 any provisions of the General Laws to the contrary, the public access board may be the contracting agent for such land acquisition and construction, and said board may acquire such land by purchase as well as by eminent domain under the provisions of section five A of chapter ninety-one of the General Laws, prior appropriation continued	$300,000
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 . . .	$300,000
	TOTAL, PUBLIC ACCESS FUND . . .	$300,000

MARINE FISHERIES FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Natural Resources.

Division of Marine Fisheries.

3601-01	For the service of the office of the director, including not more than nineteen permanent positions, and for the administration of the activities provided for under item 3601-05	$166,960
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	51,784

Item		
3601-03	For expenses of the marine fisheries advisory commission, as authorized by section five A of chapter twenty-one of the General Laws	$1,900
3601-06	For a program of estuarine research	116,100
3601-07	For a special investigation of the coastal lobster fishery program, including not more than one permanent position	9,307
	Total	$346,051
	Total, Department of Natural Resources	$346,051

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	$22,000
	Total, Department of Natural Resources	$22,000
	TOTAL, MARINE FISHERIES FUND	$368,051

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	$194,075
	Total, Department of Agriculture	$194,075
	TOTAL, AGRICULTURAL PURPOSES FUND	$194,075

MOSQUITO CONTROL FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Agriculture.

State Reclamation Board.

3901-00	For the expenses of mosquito control projects, as authorized by chapter three hundred and seventy-nine of the acts of nineteen hundred and thirty, as amended by section one of chapter two hundred and fifty of the acts of nineteen hundred and thirty-five, to be assessed in the calendar year nineteen hundred and sixty-five	$155,232

Item		
3915-00	For the expenses of mosquito control projects, as authorized by chapter four hundred and fifty-six of the acts of nineteen hundred and forty-five, as most recently amended by chapter three hundred and three of the acts of nineteen hundred and fifty-nine, to be assessed in the calendar year nineteen hundred and sixty-five	$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-five	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-five	102,327
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-five	109,450
3921-00	For the expenses of mosquito control projects, as authorized by chapter five hundred and sixteen of the acts of nineteen hundred and fifty-eight, as most recently amended by chapter six hundred and fifteen of the acts of nineteen hundred and sixty-three, to be assessed in the calendar year nineteen hundred and sixty-five	74,822
	Total	$667,032
	Total, Department of Agriculture	$667,032
	TOTAL, MOSQUITO CONTROL FUND	$667,032

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 one hundred and one permanent positions	$1,162,600
4010-21	For the improvement of roads in forests, parks and reservations	50,000
	Total	$1,212,600
	Total, Department of Natural Resources	$1,212,600

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	$75,000

Department of Public Works.

The salaries of all officers and employees of the department engaged in projects or activities authorized by bond issue or otherwise shall be charged for the nineteen hundred and sixty-six 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	$43,287

Item		
4050–02	For the maintenance of Salisbury beach reservation, including not more than three permanent positions	$147,438
4050–05	For the maintenance of Horseneck beach, including not more than one permanent position	139,524
4050–06	For the maintenance of Scusset beach	47,800
4050–07	For the maintenance of Fort Phoenix beach	26,820
	Total	$404,869
	Total, Department of Public Works	$404,869

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	$43,364
4082–00	For certain serial bonds maturing, to be in addition to any amounts otherwise available for the purpose, prior appropriation continued	262,000
	Total, Interest and Redemption of Debt	$305,364
	TOTAL, STATE RECREATION AREAS FUND	$1,997,833

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
8602–25	For certain additional improvements to the parking area and other facilities at Tenean Beach in the Dorchester district of the city of Boston, to be in addition to the amount made available by item 8602–25 of section three of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three, appropriation expires June thirtieth, nineteen hundred and sixty-seven	15,000
8602–27	For the cost of suppressing the gypsy moth	5,000
8602–37	For the expenses of holding band concerts	35,000
8602–51	For repairs, reconstruction or relocation of a fifty-four inch surface drainage line located at the northwesterly end of the William H. Garvey Playground between Neponset avenue and the William T. Morrissey boulevard in the Dorchester district of the city of Boston	50,000
	Total, Metropolitan Parks, General	$225,000

Metropolitan Sewerage District.

8701–00	For the maintenance and operation of a system of sewage disposal or the metropolitan sewerage district, including payments to the state retirement system under the provisions of the General Laws, and including not more than four hundred and seventy-four permanent positions	$3,374,850

Item		
8701-51	For certain major repairs, East Boston pumping station	$15,000
8701-52	For the purchase and installation of a bar screen, Braintree-Weymouth pumping station	10,000
8701-53	For certain chlorinating equipment, Nut Island	17,000
	Total, Metropolitan Sewerage District	$3,416,850

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	$4,687,900
8902-34	For the construction of additions and improvements to certain supply and distribution mains, prior appropriation continued	100,000
8902-38	For the replacement of water meter registers, prior appropriation continued	10,000
8902-68	For painting standpipes, prior appropriation continued	15,000
8902-71	For repairs to hangar apron, administration building, Belchertown	14,000
8902-72	For the repair and replacement of shutters, Quabbin aqueduct	24,000
8902-92	For the replacement of the patrol boat, Wachusett reservoir	5,000
	Total, Metropolitan Water System	$4,855,900
	TOTAL, METROPOLITAN DISTRICT COMMISSION FUNDS	$8,497,750

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. All use of state-owned motor vehicles shall be subject to regulations to be promulgated and enforced by the commissioner of administration. No state-owned 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.

The commissioner is hereby authorized to transfer a motor vehicle from one agency or department to another.

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.

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 com-

mittee 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-six 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. Applications for all federal subventions and grants available to the commonwealth under any act of congress shall be subject to the approval of the commissioner of administration. Any transfer within such subventions or 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, to the comptroller and to the house and senate committees on ways and means. The report shall include such itemization as required in accordance with state and federal regulations. 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. 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-six 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-six 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-six, 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 16A. No agency of the commonwealth, except constitutional officers, whether or not the expenditure is made from funds authorized by this act, shall initiate any encumbrance or make any expenditure involving a lease or the purchase of data processing or a reproduction equipment or systems, without prior request to the budget director under the provisions of sections three and four of chapter twenty-nine of the General Laws; the certification by the head of the agency that funds are specifically available for the purpose; the prior approval of the commissioner of administration, in accordance with rules and regulations established by him, and notification of such approval to the house and senate committees on ways and means.

SECTION 17. Passenger motor vehicles to be purchased from sums appropriated in section two of this act shall be authorized by the purchasing agent in accordance with schedules filed by the budget 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 no expenditure in excess of three hundred dollars shall be authorized for the repair of a motor vehicle by any department or agency in a garage or shop other than one maintained and operated by such department or agency without the approval of the commissioner of administration.

SECTION 18. For the purpose of allocating charges for engineering services rendered during the fiscal year nineteen hundred and sixty-six 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-six, for the payment of classified personal services, the fiscal year shall be from July first, nineteen hundred and sixty-five through June twenty-fifth, nineteen hundred and sixty-six. Classified personal services for June twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth and thirtieth, nineteen hundred and sixty-six, 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 division of state colleges and institutions under the control of the board of trustees of state colleges, the Lowell Technological Institute of Massachusetts, the Southeastern Massachusetts Technological Institute, the University of Massachusetts and the regional community colleges under the control of the Massachusetts board of regional community colleges; 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. Pursuant to section twenty-five B of chapter fifty-eight of the General Laws, amounts shall be paid for the purposes and in the manner prescribed in said section twenty-five B from the fund established by paragraph (*b*) of section twenty-eight of chapter sixty-four C, and the comptroller shall reflect such transactions under the heading "Agency Fund".

SECTION 22. 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-five. However, beginning June first, nineteen hundred and sixty-five, 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-five; 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-five. 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-five.

SECTION 23. The budget director is hereby directed to send a copy of sections three to twenty-two, inclusive, of this act to each departmental, divisional and institutional head immediately following passage of this act.

SECTION 24. Sections one to twenty-one, inclusive, of this act shall take effect as of July first, nineteen hundred and sixty-five, and sections twenty-two and twenty-three shall take effect upon the passage of this act. *Approved December 31, 1965.*

Chap. 825. AN ACT AUTHORIZING THE CITY OF CHICOPEE AND THE TOWN OF WEST SPRINGFIELD TO CONSTRUCT A CERTAIN BRIDGE OVER THE CONNECTICUT RIVER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the construction of a certain bridge over the Connecticut river between the city of Chicopee and the town of West Springfield, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. The city of Chicopee and the town of West Springfield, acting by and through an agency to be known as the Chicopee, West Springfield Bridge Agency, hereinafter called the agency, are hereby authorized to construct a new bridge, with suitable approaches thereto, over the Connecticut river connecting Exchange street in said city with Wayside avenue in said town to replace the existing bridge thereat.

SECTION 2. The agency shall consist of five members, of whom three shall be residents of the city of Chicopee, to be appointed by the mayor with the approval of the board of aldermen, and two shall be residents of the town of West Springfield, to be appointed by the board of selectmen thereof. Each such member shall serve at the pleasure of his respective appointing authority but may be removed for cause after notice and hearing. Any vacancy occurring in the agency shall be filled in the same manner as the original appointment. The members of the agency shall receive no compensation for their services, but shall be reimbursed for necessary expenses incurred in the performance of their duties.

SECTION 3. The costs of construction, maintenance and repairs and liability for defects of said bridge shall be borne by said city and town in the following proportions: — two thirds by the city and one third by the town. The agency is hereby authorized to apply for and receive funds for such costs from the federal government or the commonwealth.

SECTION 4. The commonwealth shall, upon certification by the agency, and subject to reimbursement as hereinafter provided, pay the

cost of construction of said bridge, and for said purpose the state treasurer shall, upon request of the governor, 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 from time to time, but not exceeding the sum of two million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Chicopee, West Springfield Bridge Loan, Act of 1965, 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 issuance thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-eight.

The state treasurer shall annually issue his warrant requiring the assessors of the city of Chicopee and the town of West Springfield to assess a tax in the amount of the annual debt service requirements for such bonds in the proportions specified in section three, 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 said city or town may in any year anticipate in whole or in part its assessment, and appropriate, raise and deposit the amount thereof with the state treasurer, and any sum so deposited shall be credited against such assessment.

SECTION 5. This act shall take effect upon its acceptance by the mayor and the board of aldermen of the city of Chicopee and the board of selectmen of the town of West Springfield.

Approved January 3, 1966.

Chap. 826. AN ACT AUTHORIZING THE COMMISSIONER OF ADMINISTRATION TO CONTRACT WITH THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY TO CONTINUE PASSENGER SERVICE THROUGH JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-SIX ON CERTAIN LINES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available forthwith certain funds to insure the continuation, without interruption, of interstate railroad passenger service between the commonwealth and certain other states, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of administration, with the approval of the Governor, is hereby authorized and empowered to negotiate and enter into a contract on behalf of the commonwealth with the court-appointed trustees of the New York, New Haven and Hartford Rail-

road Company to insure the continuation through June thirtieth, nineteen hundred and sixty-six, of through passenger service now operating between Boston, on the one hand, and the cities of Providence, Kingston and Westerly, Rhode Island; New London, Saybrook, New Haven, Bridgeport, South Norwalk and Stamford, Connecticut; New York City and points south of New York, on the other; as well as between Springfield, Massachusetts, on the one hand, and the cities of Hartford, New Britain, Meriden, New Haven and New York on the other.

Said contract shall, under no circumstances, obligate the commonwealth to make payment to said New York, New Haven and Hartford Railroad Company in excess of two hundred and fifty thousand dollars.

SECTION 2. To provide the funds required as provided in section one of this act, the sum set forth in section three is hereby appropriated from the General Fund, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 3.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Executive Office for Administration and Finance.

Item		
0441-07	For the commonwealth's share of the cost of a contract with the trustees of the New York, New Haven and Hartford Railroad Company as authorized by section one of this act	**$250,000**

Approved January 3, 1966.

Chap. 827. AN ACT PROVIDING THAT MEDICAL ASSISTANCE TO THE AGED BE GIVEN TO CERTAIN RECIPIENTS OF PUBLIC ASSISTANCE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to receive and secure forthwith funds available from the federal government under certain amendments to the Social Security Act, 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 27 of chapter 118A of the General Laws, as amended by section 8 of chapter 432 of the acts of 1963, is hereby further amended by inserting after the word "chapter", in line 6, the words: —, except that medical assistance for the aged may be furnished to said persons in accordance with any exceptions allowed in the federal Social Security Act, as amended. *Approved January 3, 1966.*

Chap. 828. AN ACT RELATIVE TO THE SALARY OF THE PRESIDENT OF THE LOWELL TECHNOLOGICAL INSTITUTE OF MASSACHUSETTS.

Be it enacted, etc., as follows:

The first paragraph of section 12 of chapter 75A of the General Laws is hereby amended by striking out the last sentence, as most recently

amended by section 76 of chapter 801 of the acts of 1963, and inserting in place thereof the following sentence: — The president shall devote his full time during business hours to the duties of his office and he shall be paid such salary as the board of trustees may approve; provided, however, that the said salary shall not exceed the salary rates in the professional salary schedule in section forty-six B of chapter thirty.

Approved January 3, 1966.

Chap. 829. AN ACT AMENDING THE LAW PROVIDING FOR THE RETIREMENT OF CERTAIN ALCOHOLIC BEVERAGE LICENSES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 804 of the acts of 1965 is hereby amended by inserting before the enacting clause the following preamble: —

"*Whereas,* More than a quarter of a century ago statutory provisions were enacted providing that no further original licenses for the sale of all alcoholic beverages in the city of Boston should be granted until, in the case of licenses for the sale of such beverages to be served and drunk on the premises, the number thereof should have been reduced to less than seven hundred, which was thereafter to be the maximum number of such licenses, and in the case of licenses for the sale of such beverages at retail not to be drunk on the premises, the number thereof should have been reduced to less than two hundred and fifty, which was thereafter to be the maximum number of such licenses; but notwithstanding a decline of more than one hundred thousand in population, neither on-premises nor off-premises licenses in said city have ever been reduced in number to the aforesaid quotas, there being seven hundred and seventy-seven on-premises and two hundred and ninety-seven off-premises licenses currently outstanding, of which twenty on-premises and eight off-premises are reserved pursuant to statute; and

"*Whereas,* It appears that an excessive number of establishments licensed to sell all alcoholic beverages in said city is inimical to the public health, safety, morals and welfare, constitutes an economic and social liability, and substantially impairs the sound growth of the city; and that due to such excess, many such establishments in said city net only a marginal economic return from a lawful operation with the result that there is a strong incentive to engage in illicit operations; and

"*Whereas,* It further appears that one hundred and thirty-five premises in said city on which the sale of all alcoholic beverages is now licensed will be taken by eminent domain in the near future in carrying out extensive urban renewal and redevelopment programs, but that by reason of changes in permissible land uses or for other reasons less than forty such licenses will be relocated in the renewed and redeveloped areas; that there are few, if any, suitable locations or areas in said city which are not already adequately served by licensed establishments; that while the general court may revoke, without compensation, all licenses of a class, seemingly it may not arbitrarily revoke individual licenses; that although a liquor license conveys no vested interest, it is considered by some as something of value because of the preference which the purchaser of the business incident to such license acquires in the renewal thereof; and that there is a moral obligation to provide against

the substantial financial hardship which licensees will suffer if they are unable to continue in business because they cannot obtain transfer of their licenses to other suitable locations within the time limited by law for the reservation of their licenses; now, therefore".

SECTION 2. This act shall take effect as of the effective date of chapter eight hundred and four of the acts of nineteen hundred and sixty-five. *Approved January 3, 1966.*

Chap. 830. AN ACT TO PROVIDE DISTINGUISHING PLATES FOR DEALERS WHO SELL BOATS AND BOAT TRAILERS.

Be it enacted, etc., as follows:

Section 5 of chapter 90 of the General Laws is hereby amended by striking out the first three sentences and inserting in place thereof the following four sentences: — Every manufacturer, dealer, repairman, owner-repairman, transporter, farmer and dealer in both boats and boat trailers, instead of registering each motor vehicle or trailer owned or controlled by him, may make application for a general distinguishing number or mark, and the registrar, if satisfied of the facts stated in the application, may issue to the applicant a certificate of registration containing the name and business address of the applicant and the general distinguishing number or mark assigned to him and made in such form and containing such further information as the registrar may determine. All motor vehicles or trailers owned or controlled by such manufacturer, dealer, repairman or dealer in boats and boat trailers, and all trucks except those used in the regular delivery substantially on a daily schedule for sale of farm products or the delivery of flowers or for distances in excess of a radius of twenty miles from the farm, tractors, trailers, or self-propelled agricultural implements, owned or controlled by a farmer, and equipped with rubber tires, shall be regarded as registered under the general distinguishing number or mark assigned to him until sold, or let for hire, or loaned for a period of more than five successive days, except that any vehicle owned or controlled by a farmer shall be deemed to be registered under the provisions of this section only when it is operated within the commonwealth, and all motor vehicles or trailers owned by such owner-repairman which are in the process of being repaired, altered, equipped or transferred from one location to another and which are not being used during such time in the operation of the principal business of said owner-repairman shall be regarded as registered under the general distinguishing number or mark assigned to him, and all motor vehicles which are under the control of but not owned by such transporter while being delivered by him under their own power shall be regarded as registered under the general distinguishing number or mark assigned to him; provided, that number plates, furnished as hereinafter provided, are properly displayed thereon. Such plates issued to a dealer in boats and boat trailers may be used only in connection with the business of said boat trailers but this should not be construed to limit the use of plates issued to dealers in other trailers. The registrar shall, upon payment of the fee provided in section thirty-three, furnish at his office to every manufacturer, dealer, repairman, owner-repairman, transporter, farmer and dealer in both boats

and boat trailers, whose vehicles are registered in accordance with this section, such number of number plates as he may request in writing of suitable design having displayed upon them the register number which is assigned to the vehicles of such manufacturer, dealer, repairman, owner-repairman, transporter, farmer or dealer in both boats and boat trailers, with a different letter or letters or mark on each number plate, and, in addition, the registrar shall furnish to every transporter with each number plate a corresponding certificate of registration.

Approved January 3, 1966.

Chap. 831. AN ACT AUTHORIZING THE ISSUANCE TO FOXBOROUGH POST 2626 VETERANS OF FOREIGN WARS OF THE UNITED STATES, INC. OF A LICENSE TO SELL ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON ITS PREMISES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section sixteen C of chapter one hundred and thirty-eight of the General Laws, but subject, however, to all other provisions of said chapter, the licensing authority of the town of Foxborough is hereby authorized to grant to Foxborough Post 2626 Veterans of Foreign Wars of the United States, Inc. a license to sell all alcoholic beverages to be drunk at its post headquarters, on Cocasset street in said town, to members of said post and to guests introduced by such members, and to no others.

SECTION 2. This act shall take effect upon its acceptance by the town of Foxborough. *Approved January 3, 1966.*

Chap. 832. AN ACT PROVIDING FOR REIMBURSEMENT BY THE COMMONWEALTH TO THE TOWN OF LENOX FOR CERTAIN EXPENDITURES FOR VETERANS' BENEFITS.

Be it enacted, etc., as follows:

There shall be allowed and paid out of the state treasury to the town of Lenox, subject to appropriation and subject to the approval of the commissioner of veterans' services, such sum, not exceeding forty-four hundred and eighty-four dollars and eighty-seven cents, as said town would have been entitled to receive in reimbursement for veterans' benefits paid by it in the years nineteen hundred and sixty-one, nineteen hundred and sixty-two and nineteen hundred and sixty-three under the provisions of section six of chapter one hundred and fifteen of the General Laws, had said town made a proper and seasonable report thereof to said commissioner as required by said section six.

Approved January 3, 1966.

Chap. 833. AN ACT PROVIDING THAT THE STATE TREASURER PAY THE CITY OF TAUNTON A SUM OF MONEY AS ADDITIONAL REIMBURSEMENT FOR VETERANS' BENEFITS GRANTED IN THE YEAR NINETEEN HUNDRED AND SIXTY-THREE.

Be it enacted, etc., as follows:

The state treasurer shall, from funds appropriated for the reimbursement of cities and towns for amounts expended for veterans' benefits

under the provisions of section six of chapter one hundred and fifteen of the General Laws, pay to the city of Taunton the sum of twenty-three thousand eight hundred and forty-six dollars and forty-five cents as additional reimbursement for veterans' benefits granted by said city in the year nineteen hundred and sixty-three.

Approved January 3, 1966.

Chap. 834. AN ACT AUTHORIZING THE COMMONWEALTH TO CONTRIBUTE A SUM OF MONEY TO THE FEDERAL GOVERNMENT TOWARD THE COST OF A CERTAIN PROJECT IN THE ANDREWS RIVER AREA OF THE TOWN OF HARWICH.

Be it enacted, etc., as follows:

SECTION 1. The department of public works 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 a project in the Andrews river area of South Harwich, authorized as a Section 107 project under Public Law 86–645, 86th Congress, as amended by Public Law 89–298, 89th Congress, and to give to said Secretary of the Army the assurances required for this project; provided, that the town of Harwich has 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 said project, and has given to said department of public works satisfactory assurances that conditions imposed upon said town with respect to such project will be met.

SECTION 2. Any sums borrowed by the town of Harwich pursuant to section three of chapter five hundred and forty-one of the acts of nineteen hundred and sixty-four may be used for the purpose of meeting the payments required to be made by it under section one of this act.

Approved January 3, 1966.

Chap. 835. AN ACT PROVIDING LIFE TENURE FOR MICHAEL RUSSO, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF THE PARK DEPARTMENT OF THE TOWN OF PALMER.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Michael Russo, incumbent of the office of superintendent of the park department of the town of Palmer, 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 Palmer. *Approved January 3, 1966.*

Chap. 836. AN ACT RELATIVE TO THE EXCLUSION OF GENERAL BIDDERS BY SUBBIDDERS ON THE CONSTRUCTION OF PUBLIC BUILDINGS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to amend and clarify forthwith the provisions relating

to the "Form for General Bid" and the "Form for Subbid", as used in bids on the construction of public buildings, 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 "Form for Subbid" in section 44G of chapter 149 of the General Laws, as appearing in section 1 of chapter 679 of the acts of 1956, is hereby amended by striking out the first line and inserting in place thereof the following line: — To All General Bidders Except Those Excluded:

SECTION 2. Said "Form for Subbid" in said section 44G of said chapter 149, as so appearing, is hereby further amended by striking out paragraph C and inserting in place thereof the following paragraph: —

C. This subbid

☐ may be used by any general bidder except.....
.....
.....

☐ may only be used by the following general bidders:
.....
.....

[To exclude general bidders, insert "X" in one box only and fill in blank following that box. Do not answer C if no general bidders are excluded.]

SECTION 3. Said "Form for Subbid" in said section 44G of said chapter 149 is hereby further amended by striking out paragraph E, as amended by section 6 of chapter 604 of the acts of 1961, and inserting in place thereof the following paragraph: —

E. The names of all persons, firms and corporations furnishing to the undersigned labor or labor and materials for the class or classes or part thereof of work for which the provisions of the section of the specifications for this subtrade require a listing in this paragraph, (including the undersigned if customarily furnished by persons on his own payroll and in the absence of a contrary provision in the specifications), the name of each such class of work or part thereof and the bid price for each such class of work or part thereof are:

NAME	CLASS OF WORK	BID PRICE
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

[Do not give bid price for any class or part thereof furnished by undersigned.]

SECTION 4. The second sentence of the first paragraph of section 44H of said chapter 149, as appearing in section 1 of chapter 679 of the acts of 1956, is hereby amended by striking out, in lines 9 and 10, the words "names of all general contractors expressly precluded" and inserting in place thereof the words: — general bidders excluded.

SECTION 5. The fourth sentence of the first paragraph of said section 44H of said chapter 149, as appearing in section 5 of chapter 771 of the

acts of 1960, is hereby amended by striking out, in line 2, the words "named in said list as expressly precluded" and inserting in place thereof the words: — excluded in said list.

SECTION 6. The second paragraph of said section 44H of said chapter 149, as appearing in section 1 of chapter 679 of the acts of 1956, is hereby amended by striking out, in line 3, the word "expressly".

SECTION 7. Any subbid opened after the passage of this act and prior to February first, nineteen hundred and sixty-six in which an exclusion is clearly stated under paragraph C of the "Form for Subbid" in section forty-four G of chapter one hundred and forty-nine of the General Laws, as in effect prior to the effective date of this act, and which is stated in a form different from that required by law, shall be binding in accordance with the terms of the stated exclusion.

SECTION 8. This act shall take effect on February first, nineteen hundred and sixty-six. *Approved January 3, 1966.*

Chap. 837. AN ACT RELATIVE TO THE LIMITATION ON THE AMOUNT OF THE PENSIONS OF CERTAIN PROBATION OFFICERS.

Be it enacted, etc., as follows:

Section 76A of chapter 32 of the General Laws, as amended by chapter 757 of the acts of 1960, is hereby further amended by striking out, in line 14, the words "or six thousand dollars, whichever is less". *Approved January 3, 1966.*

Chap. 838. AN ACT AUTHORIZING CHANGES IN THE CAPITAL STRUCTURE OF THE MASSACHUSETTS HOSPITAL LIFE INSURANCE COMPANY.

Be it enacted, etc., as follows:

SECTION 1. Upon such terms and for such purposes as the commissioner of banks shall in writing approve, Massachusetts Hospital Life Insurance Company may from time to time by vote of the holders of a majority of each class of its stock entitled to vote for the election of directors increase or reduce its capital stock of any class then authorized, change the par value of its authorized shares of any class, change or provide for the exchange of its authorized shares of any class with par value into or for any number of shares with or without par value and change or provide for the exchange of its authorized shares of any class without par value into or for any number of shares with or without par value, and with similar approval and by vote of the holders of at least two-thirds of each class of its stock entitled to vote for the election of directors, said company may authorize one or more new classes of stock and at that time specify, and thereafter at any time with similar approval and by such two-thirds vote change, any preferences, voting powers, qualifications, rights and privileges attached to the authorized shares of any class; provided, however, that except as may be permitted by prior action taken pursuant to this section, no change may be made under this section which impairs or diminishes any preferences, voting powers, restrictions, qualifications, rights or privileges of any outstanding shares without the vote or consent of all the holders of shares so affected. Any reference in this section to action with respect to au-

thorized shares shall be deemed to refer to and include both the unissued and the issued shares. The aggregate par value of shares becoming outstanding by virtue of any change or exchange effected pursuant to the provisions of this section shall not exceed the amount of capital shown on the balance sheet of said company 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 2. Within sixty days after any action taken under section one, a certificate, in such form as the commissioner of banks may prescribe or approve, reporting the action taken and signed and sworn to by the president or any vice president and by the secretary or an assistant secretary, and approved in writing by said commissioner, shall be filed in the office of the state secretary, and there shall be paid such fee as would be payable if said company were a business corporation subject to chapter one hundred and fifty-six B of the General Laws.

SECTION 3. Capital stock of said company may be issued for cash or property. Stock having par value shall not be issued for cash or property worth less than the par value. For the purposes of this section, a debt or note of the purchaser secured or unsecured shall not be considered property.

SECTION 4. Any unissued capital stock from time to time authorized under section one may be issued by vote of the holders of a majority of each class of stock entitled to vote for the election of directors, or by vote of the directors under authority of a provision of the by-laws or of such a majority vote of stockholders, which provision or vote may be adopted before or after the stock is authorized. No stock shall be issued unless the cash or the property for which it was authorized to be issued has been actually received or conveyed to said company, or is in its possession as surplus.

SECTION 5. Shares of stock issued in accordance with section four shall be fully paid stock and not liable to any further call or assessment thereon.

SECTION 6. No stockholder of said company shall have any preemptive right to acquire stock of said company except to the extent provided in action taken under sections one or four or in a by-law adopted by and subject to amendment only by the stockholders.

SECTION 7. Every stock certificate issued by said company 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 authorized to be issued, as set forth in vote authorizing the same, or

(*b*) a statement that said company will furnish a copy thereof to the holder of such certificate upon written request and without charge.

SECTION 8. Said company 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 said company 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 said company and the proceeds thereof distributed to the holders of such scrip.

SECTION 9. So much of section one of chapter three hundred and thirty-seven of the acts of nineteen hundred and thirty-nine, as is inconsistent with the provisions of this act, is hereby repealed.

SECTION 10. This act shall take full effect upon its acceptance, ninety days or more after its passage, by the Massachusetts Hospital Life Insurance Company. *Approved January 3, 1966.*

Chap. 839. AN ACT GRANTING CERTAIN ANNUITY RIGHTS TO RUTH A. ALMEIDA OF TAUNTON.

Be it enacted, etc., as follows:

For the purpose of promoting the public good and notwithstanding the provisions of any law to the contrary, Ruth A. Almeida of Taunton, the widow of Francis G. Almeida, a former employee of the department of public works, who died prior to paying into the annuity savings fund of the state retirement system a make-up payment as required by chapter thirty-two of the General Laws, shall, upon the payment by her into said annuity fund of a sum equal to such make-up payment plus regular interest to the date of the repayment, be entitled to all the rights to which she would have been entitled as a surviving spouse of a state employee under the provisions of said chapter thirty-two had this make-up payment been made on the date of her husband's last reemployment with said department. *Approved January 3, 1966.*

Chap. 840. AN ACT TO PROVIDE A CONTRIBUTORY GROUP HOSPITAL, SURGICAL, MEDICAL AND OTHER HEALTH INSURANCE PROGRAM TO BE KNOWN AS OPTIONAL MEDICARE EXTENSION TO ACTIVE AND RETIRED EMPLOYEES OF THE COMMONWEALTH AND OF CERTAIN POLITICAL SUBDIVISIONS AS A SUPPLEMENT TO THE FEDERAL HEALTH INSURANCE FOR THE AGED ACT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available immediately a contributory group hospital, surgical, medical and other health insurance program, to be known as optional medicare extension, to active and retired employees of the commonwealth and their dependents, and to active and retired employees of certain counties, cities, towns and districts and their dependents as a supplement for coverage under the federal health insurance for the aged act, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 32A of the General Laws is hereby amended by adding after paragraph (*f*) the following paragraph: —

(*g*) "Optional medicare extension", a program of hospital, surgical, medical, dental and other health insurance for such active and retired

employees of the commonwealth and their dependents, and such active and retired employees of certain counties, cities, towns and districts and their dependents as are eligible or insured under the federal health insurance for the aged act as may be amended from time to time.

SECTION 2. Said chapter 32A is hereby amended by striking out section 5, as most recently amended by section 2 of chapter 389 of the acts of 1960, and inserting in place thereof the following section: — *Section 5.* Each employee shall be automatically insured for two thousand dollars of group life insurance and two thousand dollars of group accidental death and dismemberment insurance and group general or blanket insurance providing hospital, surgical, medical and other health insurance benefits provided under said policy or policies, commencing on the date he first becomes eligible or on the effective date of such coverage or coverages, including dependent benefits, whichever last occurs; provided, that any employee desiring not to be so insured shall, on an appropriate form prescribed by the commission, give written notice to the commission that he is not to be insured for such coverages, including dependent benefits, provided under such policy or policies. Such notice shall be mailed to the office of the commission at least thirty days prior to the effective date the employee becomes eligible or insured. If an employee fails to give such notice or, if an employee desires to terminate said insurance, he may withdraw, and such insurance benefits shall cease to be effective on the date to which the premium has been paid. In determining said date, payroll deductions or direct payments on behalf of the employee shall continue to be made until the expiration of fifteen days from the receipt of notice of withdrawal by the commission.

When an employee insured under this section becomes eligible for health insurance coverage, as provided in section ten C, he may terminate by notice, as aforesaid, his hospital, surgical, medical and other health benefits provided herein and retain his two thousand dollars of group life insurance and two thousand dollars of group accidental death and dismemberment insurance.

Every policy whether original or renewal shall, in the case of employees who immediately prior to the effective date of such original or new policy were covered by group insurance benefits under this chapter, provide protection by continuing uninterrupted coverage without regard to waiting periods for benefits.

SECTION 3. Section 6 of chapter 32A of the General Laws, as amended by section 3 of chapter 389 of the acts of 1960, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — The amount of the hospital, surgical, medical and other health benefits to be provided each employee and his dependents shall be determined by the commission as provided under sections four and ten C.

SECTION 4. Paragraph (*a*) of section 8 of said chapter 32A is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 628 of the acts of 1955, and inserting in place thereof the following sentence: — With respect to any period of insurance authorized by this chapter which is in effect for an active or retired employee and dependent, there shall be withheld from each payment of salary, wages, pension or retirement allowance fifty per cent of the premium for such

insurance, and the commonwealth shall contribute the remaining fifty per cent of said premium.

SECTION 5. Said chapter 32A is hereby amended by striking out section 10 and inserting in place thereof the following section: — *Section 10.* The commission shall require that, on retirement of an employee, the policy or policies providing two thousand dollars of group life insurance and two thousand dollars of group accidental death and dismemberment insurance shall be reduced to one thousand dollars of group life insurance and the retired employee shall make payment of fifty per cent of the average group premium as determined by the commission for the group life insurance. The group general or blanket insurance providing hospital, surgical, medical and other health insurance, as provided under sections five and ten C, as may be applicable, shall be continued, and the retired employee shall pay fifty per cent of the average group premium, as determined by the commission, for such hospital, surgical, medical and other health insurance. The commonwealth shall contribute the remaining fifty per cent of the average group premium costs.

Prior to retirement, an insured employee who terminates his service with the commonwealth and who has a right to retire but whose retirement is deferred as provided in section ten of chapter thirty-two shall for the purposes of this chapter only be deemed to have been granted a leave of absence without pay, and may continue all insurance coverages to which he would have been entitled if he had not terminated his services; provided, he files an application therefor with the commission, and makes payment for the entire cost of such insurance, with no contribution by the commonwealth, to the commission in such manner as it may prescribe.

Any policy or policies issued under this chapter shall provide that, on termination of employment, an employee shall be entitled to convert his insurance to an individual type of policy, subject to the provisions of section one hundred and thirty-four of chapter one hundred and seventy-five with respect to life insurance, and subject to the requirements of the commission with respect to the other insurance coverages provided in this chapter. No employee will be permitted to convert his insurance on separation from service more than one time, if such converted insurance would result in a greater amount of insurance than is provided in section six.

SECTION 6. The first paragraph of section 10B of said chapter 32A, as amended by section 1 of chapter 461 of the acts of 1964, is hereby further amended by inserting after the second sentence the following sentence: — Such schedule of benefits for elderly governmental retirees may include the payment of any premium which may be required by the federal health insurance for the aged act to be paid by the enrollee thereof.

SECTION 6A. Paragraph (*e*) of said section 10B of said chapter 32A, as appearing in section 2 of chapter 647 of the acts of 1962, is hereby amended by adding the following sentence: — Each such retiree or his dependent may also authorize the withholding of any premium which may be required by the federal health insurance for the aged act, to be paid by any enrollee thereof, or make direct payment to the commission as it may determine, and the commission shall transmit all such amounts

to the appropriate federal agency on behalf of such enrollee in a manner prescribed by said agency.

SECTION 7. Said chapter 32A of the General Laws is hereby further amended by inserting after section 10B the following section: —

Section 10C. 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 been approved by the commission for inclusion under this section, and the active and retired employees and their dependents insured or eligible to be insured under this chapter, including the surviving spouse of said employees who are eligible for coverage under the federal health insurance for the aged act, from one or more insurance companies or nonprofit hospital, medical, or other service corporations, a policy or policies of group general or blanket insurance providing hospital, surgical, medical, dental and other health insurance, to be known as optional medicare extension. Said policy or policies shall consist of one or more schedules of benefits which, as determined by the commission, may be related to the schedule of benefits purchased by the commonwealth under the provisions of section four, or the schedule of benefits purchased by counties, cities, towns and districts under the provisions of sections three and five of chapter thirty-two B. Such schedule of benefits may include on behalf of any person insured under this section the payment of any premium which may be required by the federal health insurance for the aged act, to be paid by any enrollee thereof. The claim experience of persons insured for optional medicare extension may, as determined by the commission, be maintained apart from, or made a part of, the claim experience applicable to the schedules of benefits provided under section four of this chapter, or sections three and five of chapter thirty-two B. 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 such period not exceeding five years, as it may deem the most advantageous to the commonwealth; provided, however, that the portion of the cost of the premium to be borne by the commonwealth shall not exceed the estimated monthly cost for which funds have been appropriated by the general court for the then current fiscal year.

Every policy whether original or renewal shall, in the case of all persons insured under this section who immediately prior to the effective date of such original or new policy were covered by group insurance benefits under this chapter or under chapter thirty-two B, provide protection by continuing uninterrupted coverage without regard to waiting periods for benefits.

(*a*) Each person or his dependent to which this section applies shall furnish the commission, in such form as it shall prescribe, such information as is necessary to be insured for optional medicare extension, and shall authorize the withholding of the appropriate premium from salary, wages, compensation, pension, annuity or retirement allowance by the appropriate governmental agency or public authority. Each person may also authorize the withholding of any premium which may be required by the federal health insurance for the aged act, to be paid by any enrollee thereof, or may make direct payment to the commission as it may determine, and the commission shall transmit all such amounts to the appropriate federal agency on behalf of such enrollee in a manner prescribed by said agency.

(*b*) With respect to any period of insurance authorized by this section which is in effect for an active employee or a retired employee and his dependent, payment for such insurance shall be made as provided in section eight.

(*c*) With respect to any period of insurance authorized by this section which is in effect for an active employee or an active employee and his dependent of a county, city, town or district, notwithstanding any general or special law to the contrary, there shall be withheld from each monthly payment of salary, wages or other compensation by the appropriate public authority or the duly authorized representative thereof fifty per cent of the premium for such insurance and the commonwealth shall make primary payment of the remaining fifty per cent of said premium subject to reimbursement as authorized in paragraph (*f*).

(*d*) With respect to any period of insurance authorized by this section which is in effect for a retired employee or a retired employee and his dependent of a county, city, town or district notwithstanding the provisions of section nineteen of chapter thirty-two or any other general or special law to the contrary, there shall be withheld from each monthly payment of pension, annuity or retirement allowance, by the respective retirement system or by the appropriate retiring authority, fifty per cent of the premium for such insurance, and the commonwealth shall make primary payment of the remaining fifty per cent of said premium subject to reimbursement as provided in paragraph (*f*).

(*e*) All amounts withheld from the salary, wages or other compensation of an active employee of a county, city, town or district shall be forwarded at least as often as monthly by the responsible governmental official to the commission in a manner prescribed by it and all amounts withheld from the pension, annuity or retirement allowance of a retiree of a county, city, town or district shall be forwarded at least as often as monthly by the responsible governmental official of the teachers' retirement system, and of the retirement system established in a county, city, town or district as well as under any noncontributory pension or annuity to the commission in a manner prescribed by it.

(*f*) The commission shall determine at least annually, or sooner, the amount of premiums which shall be reimbursed to the commonwealth by agencies thereof, by housing and redevelopment authorities and counties, cities, towns and districts having persons insured under this section. The commission shall also determine, at least annually, the portion of the commission's expense of administering this optional medicare extension program for such persons applicable to the agency, authority or political subdivision where they are employed or from which they have retired. After such determinations, the commission shall certify the amounts determined as aforesaid to the state treasurer for assessment. The state treasurer shall issue a warrant in the manner provided by section twenty of chapter fifty-nine requiring the counties, cities, towns and districts concerned to pay into the treasury of the commonwealth the amounts of such premium and administrative expenses attributable to such political subdivisions. The aforementioned manner of payment shall not prevent the commission, when deemed necessary, to require a political subdivision from making payment directly to the state treasurer.

(*g*) Upon the death of an active or retired employee insured under this section, the surviving spouse may continue the insurance under this sec-

tion, or the group hospital, surgical, medical, dental and other health insurance benefits provided under section five, whichever may be applicable, and the duration of such insurance, the determination and the amount of premium to be paid will be in accordance with section eleven.

(*h*) Any dividend or refund, accepted by the commission from the carrier as a result of the contract negotiated under this section, shall be deposited by the commission with the state treasurer as provided in section nine. The commission shall determine the amount of dividend or refund apportionable to the various counties, cities, towns and districts having persons insured hereunder, and shall notify the state treasurer to reduce the premium charges and administrative expenses attributable to the applicable political subdivision by the amount of refund so applicable. If no premium is payable by a political subdivision for the succeeding year, the commission shall certify same to the state treasurer who shall pay over the amount of such refund to the political subdivision entitled thereto.

(*i*) The commission may issue rules and regulations implementing the provisions of this section and such rules and regulations shall not be subject to the provisions of chapter thirty A.

Approved January 4, 1966.

Chap. 841. AN ACT TO PROVIDE A CONTRIBUTORY GROUP HOSPITAL, SURGICAL, MEDICAL AND OTHER HEALTH INSURANCE PROGRAM TO BE KNOWN AS OPTIONAL MEDICARE EXTENSION TO ACTIVE AND RETIRED EMPLOYEES OF CERTAIN COUNTIES, CITIES, TOWNS AND DISTRICTS AS A SUPPLEMENT TO THE FEDERAL HEALTH INSURANCE FOR THE AGED ACT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available immediately a contributory group hospital, surgical, medical and other health insurance program, to be known as optional medicare extension, to active and retired employees of certain political subdivisions and their dependents as a supplement for coverage under the federal health insurance for the aged act, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 32B of the General Laws is hereby amended by adding after paragraph (*h*) the following paragraph: —

(*i*) "Optional medicare extension", a program of hospital, surgical, medical, dental and other health insurance for such active employees and their dependents and such retired employees and their dependents, except elderly governmental retirees insured as provided under section eleven B, as are eligible or insured under the federal health insurance for the aged act, as may be amended from time to time.

SECTION 2. Said chapter 32B is hereby further amended by striking out section 4 and inserting in place thereof the following section: —

Section 4. Each employee shall be automatically insured for two thousand dollars of group life insurance and two thousand dollars of group accidental death and dismemberment insurance and group general or blanket insurance, providing hospital, surgical, medical and other health insurance benefits provided under said policy or policies, com-

mencing on the date he first becomes eligible or on the effective date of such coverage or coverages, including dependent benefits, whichever last occurs; provided, that any employee desiring not to be so insured shall, on an appropriate form prescribed by the appropriate public authority, give written notice at least thirty days prior to the effective date of the coverage or coverages to the treasurer of the governmental unit indicating that he is not to be insured for such coverages, including dependent benefits, provided under such policy or policies. If such notice is received before the employee shall have become insured under such policy, he shall not be so insured; but if he has been automatically insured and said notice is received after he has been insured, such notice shall be invalid. In order to terminate his insurance the employee may withdraw, and such insurance benefits shall cease to be effective on the date to which the premium has been paid. In determining said date, payroll deductions of the employee shall continue to be made until the expiration of fifteen days from the receipt of notice of withdrawal by the treasurer of the governmental unit. In the event an employee is not entitled to receive salary, wages or other compensation for a calendar month but may make direct payment of his required premium contribution, the appropriate public authority or administrator of the insurance plan shall provide for the giving of timely notice to the employee of his right to make payment of the required premium contribution.

When an employee insured under this section becomes eligible for health insurance coverage as provided in section eleven C, he may terminate by withdrawal notice, as aforesaid, his hospital, surgical, medical and other health benefits provided herein, and retain his two thousand dollars of group life insurance and two thousand dollars of group accidental death and dismemberment insurance.

Every policy, whether original or renewal, shall, in the case of employees who immediately prior to the effective date of such original or new policy were covered by group insurance benefits under this chapter, provide protection by continuing uninterrupted coverage without regard to waiting periods for benefits.

SECTION 3. Said chapter 32B is hereby further amended by striking out section 5, as most recently amended by section 3 of chapter 334 of the acts of 1961, and inserting in place thereof the following section: — *Section 5.* The amount of group life insurance on each employee shall be two thousand dollars, and the amount of group accidental death and dismemberment insurance on each employee shall be two thousand dollars as provided under section eleven except that those employees desiring to elect optional coverage in excess of two thousand dollars group life insurance and two thousand dollars group accidental death and dismemberment insurance may do so as provided in section eleven A which shall also be subject to the rules and regulations of the commission as provided under section eleven. The amount of hospital, surgical, medical and other health insurance benefits as provided under sections three and eleven C shall not exceed the schedule of benefits provided under section eleven for the county in which the city, town or district lies. Subject to the foregoing, the schedules of hospital, surgical, medical and other health insurance benefits and the amount to be provided each employee and his dependents shall be determined by the appropriate public authority subject to the amount of the appropriation made available for such purpose.

SECTION 4. Paragraph (*a*) of section 7 of said chapter 32B is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 730 of the acts of 1956, and inserting in place thereof the following sentence: — With respect to any period of insurance which is in effect for an active or retired employee and dependent there shall be withheld from each payment of salary, wages, other compensation, pension or retirement allowance, subject to the provisions of section nine A, fifty per cent of the premium for the insurance of the employee and his dependents and the governmental unit shall contribute the remaining fifty per cent of such premium.

SECTION 5. Said chapter 32B is hereby further amended by striking out section 9, as most recently amended by section 4 of chapter 334 of the acts of 1961, and inserting in place thereof the following section: — *Section 9.* The policy or policies of insurance shall provide that upon retirement of an employee, the policy or policies providing two thousand dollars of group life insurance and two thousand dollars of group accidental death and dismemberment insurance as set forth in section five, except the optional coverage referred to therein, shall be reduced to one thousand dollars of group life insurance and the retired employee shall make payment of the full premium cost, subject to the provisions of section nine A, of the average group premium as determined by the appropriate public authority for the group life insurance; and, the group general or blanket insurance providing hospital, surgical, medical and other health insurance as provided under sections four and eleven C, as may be applicable, shall be continued and the retired employee shall pay the full premium cost, subject to the provisions of section nine A, of the average group premium as determined by the appropriate public authority for such hospital, surgical, medical and other health insurance.

The policy or policies may provide for group life insurance not to exceed one thousand dollars on the lives of retired employees who, up to the effective date of such policy or policies, were insured under a group life policy purchased pursuant to the provisions of clause (44) of section five of chapter forty.

Prior to retirement, an insured employee who terminates his service with the governmental unit and who has a right to retire but whose retirement is deferred under any applicable law shall for the purpose of this chapter only be deemed to have been granted a leave of absence without pay and may continue all insurance coverages to which he would have been entitled if he had not terminated his services; provided he files an application therefore with the treasurer of the governmental unit and makes payment for the full premium cost of his insurance with no contribution by the governmental unit notwithstanding the provisions of section nine A.

The policy or policies shall also provide that upon termination of employment an employee shall be entitled to convert his insurance to an individual type of policy, subject to the provisions of section one hundred and thirty-four of chapter one hundred and seventy-five with respect to life insurance, and subject to the requirements of the appropriate public authority, which shall not be less than the minimum hospital, medical and surgical benefits provided in an individual policy regularly issued by the insurance carrier at the time of conversion. No employee will be permitted to convert his insurance on separation from service more than

one time if such converted insurance would result in a greater amount of insurance than is provided in section five.

SECTION 6. Said chapter 32B is hereby further amended by striking out section 11 and inserting in place thereof the following section: —

Section 11. In accordance with the provisions of section three of chapter thirty-two A, the commission shall issue from time to time rules and regulations establishing a schedule of group life, accidental death and dismemberment insurance for each employee and a schedule of hospital, surgical, medical and other health insurance benefits for active and retired employees and their dependents which schedules shall be the maximum schedules of insurance coverage to be made available, including schedules for optional medicare extension provided under section ten C of chapter thirty-two A, for active and retired employees and their dependents of counties, cities, towns and districts.

The amount of group life insurance on each employee shall be two thousand dollars, and the amount of group accidental death and dismemberment insurance on each employee shall be two thousand dollars. The amount of hospital, surgical, medical and other health insurance benefits, including the amount available under section eleven C, shall not exceed the schedule of benefits provided to employees of the commonwealth and their dependents under chapter thirty-two A, unless authorized by the commission and deemed by it to be in the best interest of the governmental unit and its employees.

On or before December thirty-first in each year, the county commissioners of each county shall establish a schedule of group life, accidental death and dismemberment insurance for each employee and a schedule of hospital, surgical, medical and other health insurance benefits including optional medicare extension, for active and retired employees, and their dependents, of the county, and of cities and towns within the county and of districts which are wholly or principally within the county which schedules may be the same as, or lower, but no higher than the schedules, issued by said commission except as hereinbefore provided.

The appropriate public authority in each city, town or district which has accepted this chapter may notify the county commissioners of its election to participate in the aforementioned schedules of insurance made available by said county for its employees; and subject to the approval of said commissioners, the employees of the city, town or district so applying will become insured at the earliest practicable date, but in no event later than the commencement of the next policy anniversary date. Such coverage shall be furnished at uniform premium rates to all participating counties, cities, towns and districts. Two or more counties establishing identical benefit schedules may join under one such policy or policies and may be considered as one governmental unit. The county commissioners may at their discretion establish a central administrative office and employ such personnel as may be necessary to carry out the provisions of this chapter.

Upon request, the commission shall furnish information and advisory rulings in accordance with the provisions of section eight of chapter thirty A.

SECTION 7. Said chapter 32B is hereby further amended by inserting after section 11B the following section: —

Section 11C. Upon acceptance of this chapter as provided in section ten, the appropriate public authority of the governmental unit shall

negotiate with and purchase on such terms as it deems to be in the best interest of the governmental unit and its active and retired employees and their dependents insured or eligible to be insured under this chapter including the surviving spouse of said employees, who are eligible for coverage under the federal health insurance for the aged act, from one or more insurance companies or nonprofit hospital, medical or other service corporations, a policy or policies of group general or blanket insurance providing hospital, surgical, medical, dental and other health insurance, to be known as optional medicare extension. Said policy or policies shall consist of one or more schedules of benefits which, as determined by the appropriate public authority, may be related to the schedule of benefits purchased under the provisions of sections three and five. Such schedule of benefits may include on behalf of any person insured under this section the payment of any premium which may be required by the federal health insurance for the aged act, to be paid by any enrollee thereof. The claim experience of persons insured for optional medicare extension may, as determined by the appropriate public authority, be maintained apart from, or made a part of, the claim experience applicable to the schedules of benefits provided under sections three and five.

The appropriate public authority, after receiving the recommendations if any from the advisory committee as provided in section three, shall execute all agreements or contracts pertaining to said policy or policies or any amendment thereto for a period, not exceeding five years, as it may deem the most advantageous to the governmental unit; provided, however, that the portion of the cost of the premium to be borne by the governmental unit shall not exceed the estimated monthly cost for which funds have been appropriated for the then current fiscal year.

A copy of said agreements or contracts shall be filed with the commission by the appropriate public authority no later than thirty days after their effective date for review by the commission to determine compliance with section eleven. Where noncompliance is noted, the commission shall send a report to the director of the bureau of accounts, department of corporations and taxation, and to the county commissioners, to the mayor or manager and city governments in cities, to the selectmen, or manager and selectmen in towns or to the prudential committee and commissioners in a district, as the case may be, for appropriate action. Any insurance carrier issuing a policy or policies of group life insurance and group accidental death and dismemberment insurance, or any nonprofit hospital, medical or other service corporation issuing a group general or blanket hospital, surgical, medical, dental and other health insurance to any governmental unit under the provisions of this section, shall no later than thirty days after the issuance thereof, notify the commission and certify that the benefits provided in any such policy or policies do not exceed the benefits authorized under section eleven.

Every policy whether original or renewal shall, in the case of all persons insured under this section who immediately prior to the effective date of such original or new policy were covered by group insurance benefits under this chapter, provide protection by continuing uninterrupted coverage without regard to waiting periods for benefits.

(*a*) Each person or his dependent to which this section applies shall furnish the treasurer of the governmental unit or the appropriate retire-

ment authority in such form as he or they may prescribe, such information as is necessary to be insured for optional medicare extension, and shall authorize the withholding of the appropriate premium from salary, wages, other compensation, pension, annuity or retirement allowance. Each person may also authorize the withholding of any premium which may be required by the federal health insurance for the aged act, to be paid by any enrollee thereof, or to make direct payment to the treasurer as he may determine, and he shall transmit all such amounts to the appropriate federal agency on behalf of such enrollee in a manner prescribed by said agency.

(*b*) With respect to any period of insurance authorized by this section which is in effect for an active employee or a retired employee and his dependent, payment for such insurance shall be made as provided in section seven.

(*c*) Upon the death of an active or retired employee insured under this section, the surviving spouse may continue the insurance under this section, or the group hospital, surgical, medical, dental and other health insurance benefits provided under section three, whichever may be applicable, and the duration of such insurance, the determination and the amount of premium to be paid will be in accordance with section nine B.

(*d*) If it is determined by the appropriate public authority to be in the best interests of the governmental unit and its active and retired employees and dependents eligible for optional medicare extension under this section that the optional medicare extension program administered by the commission under section ten C of chapter thirty-two A would be less costly to the governmental unit and the employees as well as being administratively advantageous to the governmental unit, the appropriate public authority may make application to the commission in accordance with the procedure the commission may establish and upon approval by the commission the employees of the governmental unit shall become so insured.

Approved January 4, 1966.

Chap. 842. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS AND THE BOSTON REDEVELOPMENT AUTHORITY TO EXERCISE CERTAIN POWERS IN REGARD TO CERTAIN TIDELANDS LOCATED IN THE CHARLESTOWN URBAN RENEWAL AREA IN THE CITY OF BOSTON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to have the title in certain tidelands located in the Charlestown district of the city of Boston vest in the Boston Redevelopment Authority on the ninetieth day after the execution of an agreement, under the Federal Housing Act of 1949 as amended, of a loan and grant contract for a project in the area covered by the Charlestown urban renewal plan, including said tidelands, which agreement was entered into on October twenty-second, nineteen hundred and sixty-five, and thereby allow the said Authority to proceed as expeditiously as possible with said project, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

SECTION 1. The following areas containing tidelands are located in the Charlestown urban renewal area as provided in an urban renewal

plan approved by the Boston Redevelopment Authority under chapter one hundred and twenty-one of the General Laws for that part of the city of Boston known as Charlestown and are described as follows: —

Area 1: Beginning at a point described by the intersection of the northerly sideline of Medford Street and the easterly sideline of Terminal Street;

Thence proceeding in a generally northeasterly direction along the easterly sideline of Terminal Street to a point where said sideline turns in a generally easterly direction;

Thence running in a generally easterly direction by various courses and distances along the southerly sideline of Terminal Street to the easterly sideline of Chelsea Street;

Thence turning and running in a generally southwesterly direction along the easterly sideline of Chelsea Street to a point intersecting with the extended northerly sideline of Medford Street;

Thence turning and running in a generally westerly direction by various courses and distances along the northerly sideline of Medford Street to a point which intersects the easterly sideline of Terminal Street, which is the point and place of beginning.

Area 2: Beginning at a point which is described by the intersection of the northeasterly sideline of Rutherford Avenue and the northerly sideline of Essex Street;

Thence proceeding in a southeasterly direction along the northerly sideline of Essex Street to the extended southerly sideline of Main Street;

Thence turning and running in a southeasterly direction along the southerly sideline of Main Street to the northerly sideline of Austin Street;

Thence turning and running in a southwesterly direction along the northerly sideline of Austin Street to a point which is described by the intersection of the northerly sideline of Austin Street extended with the extended northeasterly sideline of Rutherford Avenue as it lies between Tibets Town Way and Dunstable Street (with the latter meaning and intending to follow the northeasterly sideline of the realigned Rutherford Avenue);

Thence turning and running in a northwesterly direction along said extended northeasterly sideline of Rutherford Avenue and continuing in a northwesterly direction along the northeasterly sideline of Rutherford Avenue to the northerly sideline of Essex Street, which is the point and place of beginning.

SECTION 2. On the ninetieth day after the execution under the Federal Housing Act of 1949, as amended, of a loan and grant contract for a project covered by the Charlestown urban renewal plan that has been approved by the division of urban renewal in the department of commerce and development and that includes the areas described in section one, all right, title and interest of the commonwealth in and to the tidelands within said areas shall vest in the Authority; provided, that, within said ninety 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, 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 and said appraiser shall file his appraisal within one year from the date of his appointment. The department, after consideration of such appraisal, shall recommend to the governor an amount which in its opinion constitutes just compensation for the right, title and interest so vesting. The governor, after considering such appraisal and such recommendation, shall determine the amount to be paid to the commonwealth therefor. No license to fill or maintain a structure within the area described in section one shall thereafter be approved by the Authority until the amount determined by the governor to be paid to the commonwealth has been paid in full by the Authority.

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-two, no license to fill or maintain fill or erect or maintain a structure within the areas 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 areas, 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, and subject to such conditions as may be imposed by the Authority as aforesaid, 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-two, 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 January 4, 1966.*

Chap. 843. AN ACT INCREASING THE NUMBER OF DEPUTY COMMISSIONERS OF PROBATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the appointment of deputy commissioners of probation, 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 98 of chapter 276 of the General Laws is hereby amended by striking out the second paragraph, as amended by section 80 of chapter 801 of the acts of 1963, and inserting in place thereof the following paragraph: —

The commissioner, with the approval of the committee on probation, shall appoint three deputy commissioners, and may, with like approval, remove them. Each deputy commissioner shall be paid by the commonwealth such salary, not less than ten thousand nor more than fourteen thousand dollars, as the committee on probation may determine, and shall devote his full time during business hours to the duties of his office. *Approved January 4, 1966.*

Chap. 844. AN ACT INCREASING THE SALARIES OF CERTAIN CONSTITUTIONAL OFFICERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay additional compensation for certain officers of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 6 of the General Laws, as most recently amended by section 2 of chapter 744 of the acts of 1963, is hereby further amended by striking out, in line 2, the word "sixteen" and inserting in place thereof the word: — twenty, — so as to read as follows: — *Section 2.* The lieutenant governor shall receive a salary of twenty thousand dollars; but if the office of governor shall be vacant for a period of more than thirty days he shall, for the time during which he performs the duties of governor, receive at the rate allowed to the governor.

SECTION 2. Section 1 of chapter 9 of the General Laws is hereby amended by striking out the third sentence, as most recently amended by section 3 of said chapter 744, and inserting in place thereof the following sentence: — The state secretary shall receive a salary of twenty thousand dollars.

SECTION 3. Section 1 of chapter 10 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 4 of said chapter 744 and inserting in place thereof the following sentence: — The state treasurer shall receive a salary of twenty thousand dollars.

SECTION 4. Section 1 of chapter 12 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 6 of said chapter 744, and inserting in place thereof the following sentence: — The attorney general shall receive a salary of twenty-five thousand dollars. *Approved January 4, 1966.*

Chap. 845. AN ACT INCREASING THE AMOUNT OF BONDS WHICH MAY BE ISSUED BY THE UNIVERSITY OF MASSACHUSETTS BUILDING AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide additional funds forthwith for urgently needed dormitory facilities for students at the University of Massachusetts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 773 of the acts of 1960, as most recently amended by section 11 of chapter 684 of the acts of 1963, is hereby further 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 sixty million dollars.

SECTION 2. Section 10 of said chapter 773, as most recently amended by said section 11 of said chapter 684, is hereby further amended by striking out the third 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 sixty 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.

Approved January 4, 1966.

Chap. 846. 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-seven, 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 five hundred and twenty-two of the acts of nineteen hundred and sixty-three or chapter three hundred and ninety-eight of the acts of nineteen hundred and sixty-four, as provided in section fifteen of chapter twenty-nine of the General Laws, or to supplement such appropriations unless specifically stated in section two of this act. Said amounts are based upon schedules approved by the joint committee on ways and means, a copy of which shall be deposited with the budget director and shall be expended according to the priority order of such schedules unless exceptions are approved by the budget director on written application of the head of the spending agency.

SECTION 2.

Legislature.

Item		
8166-01	For certain repairs and improvements, including the legislative reference rooms, state library, to be expended with the approval of the sergeant-at-arms	$14,751

Judiciary.

8166-02	For equipment, Massachusetts defenders committee	$3,850
8166-03	For equipment, administration of district courts	1,000
8166-04	For equipment, administration of probate and insolvency courts	500
8166-05	For equipment, office of the commissioner of probation	2,180

Executive.

8166-06	For equipment, civil defense agency	$12,600
8166-07	For the purchase and installation of certain equipment to be allocated to the state civil defense program; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities and shall be expended with at least an equivalent amount of federal grants for the purposes of this item	53,650

Military Division.

8166-08	For equipment, office of the adjutant general	$4,425
8166-09	For equipment, training camps	1,000
8166-10	For certain repairs and painting, military reservation	500
8166-11	For equipment, war records office	900
8166-12	For equipment, state quartermaster	8,400
8166-13	For repairs and improvements, armories	200,000
8166-14	For equipment, armories	1,700
8166-15	For repairs and improvements, Camp Curtis Guild	3,500
8166-16	For repairs and improvements, storage and maintenance facilities	2,500
8166-17	For repairs and improvements, national guard aviation facilities	2,000

Executive Office for Administration and Finance.

Item		
8166-18	For equipment, office of the commissioner of administration	$1,000

Fiscal Affairs Division.

8166-19	For equipment	$5,000
8166-20	For equipment, bureau of hospital costs and finances	400

Central Services Division.

8166-21	For equipment, bureau of building construction	$1,000
8166-22	For repairs and improvements, state house and Ford building	15,780
8166-23	For equipment, state house and Ford building	3,600
8166-24	For certain renovations, governor's office	6,000
8166-25	For waterproofing exterior balconies, state house	12,500

Comptroller's Division.

8166-26	For equipment	$475

Purchasing Agent's Division.

8166-27	For equipment	$2,000

The Group Insurance Commission.

8166-28	For equipment	$430

Other Boards and Commissions serving under Governor and Council.

George Fingold Library.

8166-29	For repairs and improvements	$2,500
8166-30	For equipment	4,800

State Racing Commission.

8166-31	For equipment	$300

Records Conservation Board.

8166-32	For equipment	$150

Commission on Aging.

8166-33	For equipment	$120

Metropolitan Area Planning Council.

8166-34	For equipment	$2,000

Consumers' Council.

8166-35	For equipment	$700

Medical, Dental and Nursing Scholarship Board.

8166-36	For equipment	$120

Soldiers' Home in Massachusetts.

8166-37	For repairs and improvements	$42,100
8166-38	For equipment	16,000
8166-39	For certain X-ray equipment	14,000
8166-40	For certain renovations to the canteen	10,000

Soldiers' Home in Holyoke.

Item		
8166-41	For repairs and improvements	$25,250
8166-42	For equipment	16,510

Commissioner of Veterans' Services.

8166-43	For equipment	$500

Massachusetts Aeronautics Commission.

8166-44	For equipment	$8,500
8166-45	For the installation and maintenance of air navigational facilities, to be available for matching federal funds	40,000

Secretary of the Commonwealth.

8166-46	For equipment	$5,908
8166-47	For equipment, bureau of corporate organization	8,475
8166-48	For equipment, primary and other elections	300
8166-49	For equipment, Massachusetts historical commission	700

Treasurer and Receiver-General.

8166-50	For equipment	$7,645
8166-51	For equipment, office of the state board of retirement	2,740

Auditor of the Commonwealth.

8366-71	For equipment	$1,350

Department of the Attorney General.

8166-52	For equipment	$5,015

Department of Agriculture.

8166-53	For equipment, division of poultry and poultry products	$1,800
8166-54	For equipment, division of dairying and animal husbandry	5,400
8166-55	For equipment, milk control commission	2,100
8166-56	For equipment, division of livestock disease control	2,175

Department of Natural Resources.

8166-57	For equipment, administration	$27,200
8166-58	For equipment, state fire warden	80,000
8166-59	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	8,000
8166-60	For equipment, development of state forests	17,000
8166-61	For equipment, suppression of insect pests and shade tree diseases	5,500
8166-62	For equipment, federal-state co-operative forest management program	200
8166-63	For equipment, division of law enforcement; provided, that the comptroller shall transfer to the General Fund the sum of six thousand five hundred dollars from the Inland Fisheries and Game Fund	25,000
8166-64	For equipment, division of water resources	750

Department of Banking and Insurance.

8166-65	For equipment, division of banks	$1,250
8166-66	For equipment, division of insurance	6,000
8166-67	For equipment, division of savings bank life insurance; provided, that the commonwealth shall be reimbursed for expenditures made from this item, as provided in section seventeen of chapter one hundred and seventy-eight of the General Laws	1,155

Department of Corporations and Taxation.

Item		
8166-68	For equipment	$2,300
8166-69	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	20,000
8166-70	For equipment, division of accounts	1,250
8166-72	For equipment, appellate tax board	400

Department of Education.

8166-73	For repairs and improvements, state building on Newbury street	$3,500
8166-74	For equipment, board of education	400
8166-75	For the purchase of scientific, technological, and other educational reference material, division of public libraries	16,000
8166-76	For equipment, division of the blind, administration	2,240
8166-77	For equipment, local shops	500
8166-78	For equipment, operation of Cambridge industries for the blind	4,600
8166-79	For equipment, teachers' retirement board	2,250
8166-80	For the purchase of scientific, technological, and other educational reference material, to be allocated to the state colleges, with the approval of the board of trustees of state colleges	200,000
8166-81	For repairs and improvements, state college at Bridgewater	17,000
8166-82	For equipment, state college at Bridgewater	18,300
8166-83	For repairs and improvements, state college at Fitchburg	20,000
8166-84	For equipment, state college at Fitchburg	16,000
8166-85	For repairs and improvements, state college at Framingham	14,000
8166-86	For equipment, state college at Framingham	5,000
8166-87	For equipment, state college at Framingham, boarding hall	4,100
8166-88	For repairs and improvements, state college at Lowell	16,000
8166-89	For equipment, state college at Lowell	10,000
8166-90	For equipment, state college at North Adams	6,600
8166-91	For equipment, state college at North Adams, boarding hall	4,000
8166-92	For repairs and improvements, state college at Salem	12,500
8166-93	For equipment, state college at Salem	10,000
8166-94	For repairs and improvements, state college at Westfield	7,500
8366-72	For the renovation and modernization of the Albrecht house, state college at Westfield	25,000
8166-95	For equipment, state college at Westfield	8,000
8166-96	For equipment, state college at Westfield, boarding hall	2,000
8166-97	For repairs and improvements, state college at Worcester	11,200
8166-98	For equipment, state college at Worcester	12,500
8166-99	For repairs and improvements, state college at Boston	15,000
8266-01	For equipment, state college at Boston	25,000
8266-02	For repairs and improvements, Massachusetts college of art	3,000
8266-03	For equipment, Massachusetts college of art	10,000
8266-04	For equipment, Massachusetts maritime academy	1,450

Lowell Technological Institute of Massachusetts.

8266-05	For repairs and improvements	$34,500
8266-06	For maintenance and office equipment	12,250
8266-07	For classroom and laboratory equipment	100,000
8266-08	For the purchase of scientific, technological, and other educational reference material for the library	50,000

Southeastern Massachusetts Technological Institute.

8266-09	For equipment	$55,000
8266-10	For the purchase of scientific, technological, and other educational reference material for the library	50,000

University of Massachusetts.

8266-11	For repairs and improvements	$150,500
8266-12	For equipment	327,000
8266-13	For the purchase of scientific, technological and other educational reference material for the university library	200,000

Massachusetts Board of Regional Community Colleges.

Item		
8266-14	For equipment, office of the board	$280
8266-15	For the purchase of scientific, technological and other education reference material to be allocated to the community colleges with the approval of the board	100,000
8266-16	For equipment, Massachusetts bay community college	15,000
8266-17	For equipment, northern Essex community college	10,000
8266-18	For equipment, Cape Cod community college	8,600
8266-19	For equipment, Berkshire community college	10,000
8266-20	For equipment, Quinsigamond community college	60,000
8266-21	For equipment, Greenfield community college	9,700
8266-22	For equipment, Holyoke community college	15,000
8266-23	For equipment, Mount Wachusett community college	50,000

Division of Youth Service.

8266-24	For equipment, division of youth service, administration	$4,600
8266-25	For repairs and improvements, industrial school for boys	7,000
8266-26	For equipment, industrial school for boys	1,050
8266-27	For equipment, industrial school for girls	1,680
8266-28	For repairs and improvements, Lyman school for boys	16,000
8266-29	For equipment, Lyman school for boys	5,350
8266-30	For repairs and improvements, reception and detention facilities for boys	11,000
8266-31	For equipment, reception and detention facilities for boys	4,000
8266-32	For equipment, institute of juvenile guidance	1,800
8266-33	For repairs and improvements, reception and detention facilities for girls	3,900
8266-34	For equipment, reception and detention facilities for girls	3,000
8266-35	For repairs and improvements, detention center in Hampden county	800
8266-36	For equipment, detention center in Hampden county	1,250
8266-37	For repairs and improvements, detention center, Worcester county	3,600
8266-38	For equipment, detention center, Worcester county	1,700
8266-39	For equipment, youth forestry camp	3,900

Department of Civil Service and Registration.

8266-40	For equipment, division of civil service, administration	$18,780
8266-41	For heavy duty folding equipment, division of civil service	13,000
8266-42	For equipment, division of registration, administration	1,500
8266-43	For equipment, board of registration in pharmacy	5,400
8266-44	For equipment, board of registration of architects	425
8266-45	For equipment, board of registration of real estate brokers and salesmen	2,000
8266-46	For equipment, board of registration of barbers	450

Department of Commerce.

8266-47	For equipment	$3,400

Department of Labor and Industries.

8266-48	For equipment, administration, including employment of older workers	$450
8266-49	For equipment, division of industrial safety	850
8266-50	For equipment, division of occupational hygiene	1,890
8266-51	For equipment, division of statistics	800
8266-52	For equipment, division of motor fuel sales	2,000
8266-53	For equipment, board of conciliation and arbitration	450
8266-54	For equipment, commission on minimum wage	250
8266-55	For equipment, division of standards	1,735
8266-56	For equipment, health, welfare and retirement trust funds board	750
8266-57	For equipment, division of industrial accidents, administration and rehabilitation board	8,300

Department of Mental Health.

Item		
8266-58	For repairs and improvements, administration	$3,500
8266-59	For equipment, administration	10,924
8266-60	For repairs and improvements, Massachusetts mental health center	15,620
8266-61	For the installation of steel sash, Massachusetts mental health center, wards two and three	20,000
8266-62	For equipment, Massachusetts mental health center	15,915
8266-63	For repairs and improvements, Boston state hospital	36,900
8266-64	For equipment, Boston state hospital	83,500
8364-83	Item 8364-83 of section two of chapter five hundred and twenty-two of the acts of nineteen hundred and sixty-three is hereby amended by inserting after the word "sash", in line one, the words: — administration wing "B" building.	
8266-65	For repairs and improvements, Danvers state hospital	29,220
8266-66	For the replacement of silos, Danvers state hospital	13,000
8266-67	For equipment, Danvers state hospital	55,800
8266-68	For repairs and improvements, Foxborough state hospital	25,330
8266-69	For roof repairs, Foxborough state hospital	15,050
8266-70	For a certain fire line, Foxborough state hospital	10,500
8266-71	For equipment, Foxborough state hospital	33,135
8266-72	For repairs and improvements, Gardner state hospital	22,740
8266-73	For equipment, Gardner state hospital	31,565
8266-74	For repairs and improvements, Grafton state hospital	20,028
8266-75	For equipment, Grafton state hospital	39,133
8265-87	Item 8265-87 of section two of chapter three hundred and ninety-eight of the acts of nineteen hundred and sixty-four is hereby amended by striking out the wording and inserting in place thereof the following: — For the purchase of certain power plant equipment.	
8266-76	For repairs and improvements, Medfield state hospital	27,000
8266-77	For certain plumbing renovations, Medfield state hospital	33,500
8266-78	For equipment, Medfield state hospital	31,295
8266-79	For repairs and improvements, Metropolitan state hospital	43,000
8266-80	For equipment, Metropolitan state hospital	36,750
8266-81	For repairs and improvements, Northampton state hospital	27,000
8266-82	For equipment, Northampton state hospital	82,000
8266-83	For repairs and improvements, Taunton state hospital	24,000
8266-84	For equipment, Taunton state hospital	35,515
8266-85	For repairs and improvements, Westborough state hospital	26,500
8266-86	For roof repairs, Westborough state hospital	12,000
8266-87	For equipment, Westborough state hospital	27,806
8266-88	For repairs and improvements, Worcester state hospital	31,900
8266-89	For roof repairs, Worcester state hospital	12,200
8266-90	For equipment, Worcester state hospital	38,000
8266-91	For repairs and improvements, Monson state hospital	22,180
8266-92	For equipment, Monson state hospital	57,190
8266-93	For repairs and improvements, Belchertown state school	47,600
8266-94	For certain improvements to the cold water system, Belchertown state school	18,000
8266-95	For equipment, Belchertown state school	71,760
8365-15	Item 8365-15 of section two of chapter three hundred and ninety-eight of the acts of nineteen hundred and sixty-four is hereby amended by inserting after the word "buildings", in line one, the following: — and certain patient buildings, .	
8266-96	For repairs and improvements, Walter E. Fernald state school	37,335
8266-97	For equipment, Walter E. Fernald state school	75,391
8266-98	For repairs and improvements, Wrentham state school	34,200
8266-99	For the renewal of refrigeration units, Wrentham state school	15,000
8366-01	For equipment, Wrentham state school	70,625
8366-02	For repairs and improvements, Paul A. Dever state school	10,750
8366-03	For equipment, Paul A. Dever state school	53,535
8366-04	For repairs and improvements, Cushing hospital	27,890
8366-05	For the renovation of storage refrigerators, Cushing hospital	30,000
8366-06	For equipment, Cushing hospital	42,305
8366-07	For the replacement of X-ray equipment, Cushing hospital	17,000

Department of Correction.

Item		
8366–08	For equipment, department of correction, administration	$2,800
8366–09	For repairs and improvements, M.C.I., Bridgewater	10,900
8366–10	For the renewal of certain roofs, M.C.I., Bridgewater	25,000
8366–11	For equipment, M.C.I., Bridgewater	28,900
8366–12	For a two-way radio system, M.C.I., Bridgewater	12,000
8366–13	For the installation and renovation of laundry equipment, M.C.I., Bridgewater	28,350
8366–14	For repairs and improvements, M.C.I., Walpole	9,000
8366–15	For equipment, M.C.I., Walpole	7,300
8366–73	For the installation of emergency lighting in certain areas, M.C.I., Walpole	11,000
8366–16	For equipment, M.C.I., Walpole, industries	2,250
8366–17	For repairs and improvements, M.C.I., Concord	3,500
8366–18	For equipment, M.C.I., Concord	10,100
8366–19	For equipment, M.C.I., Concord, industries	3,150
8366–20	For repairs and improvements, M.C.I., Framingham	4,000
8366–21	For equipment, M.C.I., Framingham	16,000
8366–22	For equipment, M.C.I., Framingham, industries	540
8366–23	For repairs and improvements, M.C.I., Norfolk	32,000
8366–24	For equipment, M.C.I., Norfolk	34,000
8366–25	For X-ray equipment, M.C.I., Norfolk	35,500
8366–26	For the replacement of tear gas equipment, M.C.I., Norfolk	12,000
8366–27	For equipment, M.C.I., Norfolk, industries	6,890
8366–28	For repairs and improvements, M.C.I. prison camps	3,000
8366–29	For equipment, M.C.I. prison camps	6,350
8366–30	For equipment, parole board	2,500

Department of Public Welfare.

8366–31	For equipment	$21,595

Department of Public Health.

8366–32	For equipment, administration	$12,950
8366–33	For repairs and improvements, bureau of environmental sanitation	5,000
8366–34	For equipment, bureau of environmental sanitation	8,500
8366–35	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	375
8366–36	For equipment, bureau of preventive disease control	3,675
8366–37	For equipment, bureau of health services	2,000
8366–38	For equipment, bureau of hospital facilities	900
8366–39	For equipment, bureau of tuberculosis and institutions	1,600
8366–40	For repairs and improvements, institute of laboratories	4,500
8366–41	For equipment, institute of laboratories	6,500
8366–42	For equipment, bureau of consumer products protection	9,600
8366–43	For repairs and improvements, Tewksbury hospital	12,000
8366–44	For equipment, Tewksbury hospital	21,800
8366–45	For equipment, Lakeville hospital	4,000
8065–91	Item 8065–91 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four is hereby amended by striking out the wording and inserting in place thereof the following: — For the renovations of various buildings at the Rutland heights hospital, including the relocation of existing equipment from the Rutland hospital, the cost of furnishings and equipment, and the preparation of plans for the development of the hospital facilities.	
8366–46	For repairs and improvements, western Massachusetts hospital	7,000
8366–47	For equipment, western Massachusetts hospital	27,250

Item		
8366-48	For emergency lighting, western Massachusetts hospital	$75,000
8366-49	For certain elevator improvements, western Massachusetts hospital	21,000
8366-50	For repairs and improvements, Lemuel Shattuck hospital	13,000
8366-51	For equipment, Lemuel Shattuck hospital	23,600
8366-52	For a research program, Lemuel Shattuck hospital	7,900
8366-53	For repairs and improvements, Massachusetts hospital school	19,500
8366-54	For equipment, Massachusetts hospital school	13,275
8366-55	For repairs and improvements, Pondville hospital	14,400
8366-56	For equipment, Pondville hospital	17,200
8366-57	For certain X-ray equipment and repairs, Pondville hospital	75,000
8366-58	For equipment, cancer research program, Pondville hospital	2,000

Department of Public Safety.

8366-59	For equipment, administration	$18,000

Department of Public Works.

8366-60	For equipment, division of waterways	$11,750
8366-61	For the repair of shore line damages, dredging of harbors, bays, channels and rivers, and the maintenance of structures	250,000
8366-62	For equipment, Plymouth property	2,125
8366-63	For repairs and improvements, New Bedford state pier	7,500
8366-64	For equipment, New Bedford state pier	3,000
8366-65	For the demolition of certain buildings on platform, New Bedford state pier	6,000
8366-66	For repairs and improvements, outdoor advertising division	400
8366-67	For equipment, outdoor advertising division	575

Department of Public Utilities.

8366-68	For equipment, administration	$2,455
8366-69	For equipment, commercial motor vehicle division	800
8366-70	For equipment, securities division	400

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 no expenditure in excess of three hundred dollars shall be authorized for the repair of a motor vehicle by any department or agency in a garage or shop other than one maintained and operated by such department or agency without the approval of the commissioner of administration; 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, Lowell Technological Institute of Massachusetts, Southeastern Massachusetts Technological Institute, the University of Massachusetts and the regional community colleges — shall be available for expenditure by the respective trustees of said institutions of higher education or the Massachusetts board of regional community colleges in accordance with the provisions of the General Laws specifically regulating the expenditure of public funds at each of said institutions.

SECTION 5. 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 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 and section six of chapter three hundred and ninety-eight of the acts of nineteen hundred and sixty-four, or to meet the cost of expenditures authorized by section two of said chapter seven hundred and sixteen and section two of said chapter five hundred and twenty-two and section two of said chapter three hundred and ninety-eight already in the main incurred during the fiscal years nineteen hundred and sixty-four and nineteen hundred and sixty-five, the sum of five million two hundred and fifty 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 seven hundred and sixteen by one hundred and fifty thousand dollars and said chapter five hundred and twenty-two by one million nine hundred thousand dollars and said chapter three hundred and ninety-eight by three million two 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-eight. 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 January 4, 1966.

Chap. 847. AN ACT TO PROVIDE FUNDS FOR THE PLANNING AND DEVELOPMENT OF THE UNIVERSITY OF MASSACHUSETTS MEDICAL SCHOOL IN THE CITY OF WORCESTER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds immediately for the planning and development of the University of Massachusetts medical school in the city of Worcester, 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 the acquisition and development of a site for the University of Massachusetts medical school in the city of Worcester, and for the preparation of plans for the construction thereon of suitable buildings for the purpose, the sum set forth in section two of this act is hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

Department of Education.

University of Massachusetts.

Item		
8066-98	For the acquisition of certain land in the city of Worcester for a site for the medical school, 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; for the preparation of a master plan and the necessary engineering for the development of the site; and for the preparation of plans for medical science facilities, a teaching hospital and staff housing facilities; and further provided that expenditures for the construction of buildings shall be contingent upon the prior approval by the proper federal authorities of any federal allocation available for the cost of the establishment of the said medical school	**$1,750,000**

SECTION 3. The department of education 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 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 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, 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 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 University of Massachusetts Medical School Loan, Act of 1965, 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-one. *Approved January 4, 1966.*

Chap. 848. AN ACT AUTHORIZING THE CONSTRUCTION AND MAINTENANCE OF STRUCTURES BRIDGING NEWBURY STREET IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The city of Boston is hereby authorized to build and permanently maintain structures bridging Newbury street in said city for the purpose of providing access to a public off-street parking facility proposed to be built under the provisions of chapter four hundred and seventy-four of the acts of nineteen hundred and forty-six, as amended, over lands of the Massachusetts Turnpike Authority to be leased by said Authority to said city under the provisions of chapter five hundred and sixty-seven of the acts of nineteen hundred and sixty-four.

Approved January 4, 1966.

Chap. 849. AN ACT PROVIDING FOR THE CONSTRUCTION OF AN ADDITION TO THE CRANBERRY EXPERIMENTAL STATION OF THE UNIVERSITY OF MASSACHUSETTS IN THE TOWN OF WAREHAM.

Be it enacted, etc., as follows:

The trustees of the University of Massachusetts are hereby authorized and directed to construct an addition to the cranberry experimental station of said university in the town of Wareham. Said addition shall consist of a laboratory, seminar room, and work space on a single floor, and a basement for utilities and common storage space together with a darkroom. Said trustees may, in addition to any federal funds which may be available therefor, expend such sums as may be appropriated therefor. *Approved January 4, 1966.*

Chap. 850. AN ACT AUTHORIZING THE PAYMENT OF COMPENSATION FOR SERVICES RENDERED BY DENNIS F. KEARNEY AS TEMPORARY ASSISTANT CLERK OF THE DISTRICT COURT OF SOMERVILLE AFTER HIS RETIREMENT.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section ninety-one of chapter thirty-two of the General Laws to the contrary, Dennis F. Kearney, a retired police officer of the city of Somerville, may be paid the compensation attached to the position of temporary assistant clerk of the district court of Somerville for services rendered from August second to December thirty-first, nineteen hundred and sixty-five; provided, that he repays to the treasurer of the city of Somerville the pension or retirement allowance which he has received for the period during which such compensation is payable, and that he files with said treasurer a written statement wherein he waives and renounces for himself, his heirs and his legal representatives, his right to receive such pension or retirement allowance for such period. *Approved January 4, 1966.*

Chap. 851. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO SELL AND CONVEY CERTAIN LAND IN THE TOWN OF BOYLSTON TO SAID TOWN FOR THE CONSTRUCTION OF A MUNICIPAL BUILDING.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the county commissioners of Worcester county are hereby authorized to sell and convey to the town of Boylston, for a price to be determined by an independent, qualified appraiser selected by agreement between said commissioners and the board of selectmen of said town, and subject to such terms and conditions as may be agreed upon by said commissioners and said board, for the purpose of constructing a municipal building thereon, a certain parcel of land in said town, being a part of the Worcester county tuberculosis hospital grounds located on Sanatorium road off state highway route 70, bounded and described as follows: —

Beginning at a point in the northerly line of Sanatorium road, being the southwesterly corner of land of Bilazarian, and being the southeasterly corner of the parcel to be conveyed; thence North 77° 03′ 10″ West by the northerly line of Sanatorium road, a distance of three hundred and seventy-four and four tenths (374.4) feet more or less to a concrete bound marking the beginning of a curve to the right in the northerly line of Sanatorium road; thence North 12° 56′ 50″ East by other land of the county of Worcester a distance of four hundred (400.00) feet to a point; thence South 77° 03′ 10″ East by other land of the county of Worcester a distance of three hundred and eighty-five (385) feet more or less to a point in a wall at land now or formerly Werme; thence Southeasterly by land now or formerly of Werme, a distance of two hundred and five (205) feet more or less to land of Bilazarian; thence Southwesterly at right angles to the course last mentioned above by land of Bilazarian, a distance of two hundred and forty-three (243) feet more or less to a point at the northerly edge of a brook; thence Southeasterly by land of Bilazarian, a distance of one hundred and eighteen (118) feet more or less to the place of beginning.

Containing an area of 3.7 acres, more or less.

Approved January 4, 1966.

Chap. 852. AN ACT FURTHER REGULATING THE MANAGEMENT OF SAVINGS BANKS, TRUST COMPANIES AND NATIONAL BANKS.

Be it enacted, etc., as follows:

Provision 3 of section 10 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by adding the following sentence: — No trustee or other officer of a savings bank shall, at the same time, serve as a director or officer of a trust company or national banking association; provided, that any person so serving on the effective date of this act may continue to do so.

Approved January 4, 1966.

Chap. 853. AN ACT PROVIDING FOR THE PROMPT DISPOSITION OF GRIEVANCES OF STATE EMPLOYEES RELATIVE TO ASSIGNMENTS OF TOURS OF DUTY.

Be it enacted, etc., as follows:

Section 53 of chapter 30 of the General Laws is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The director of personnel and standardization shall make and from time to time may amend, subject to the approval of the commissioner of administration, rules and regulations providing informal procedure for the prompt disposition of any grievance of any employee of the commonwealth, or of any group of such employees employed by the same appointing authority, relating to classification, hours of employment, vacations, sick leave or other forms of leaves of absence, overtime, and other matters relating to conditions of employment.

Approved January 4, 1966.

Chap. 854. AN ACT ESTABLISHING A PROGRAM FOR THE VOCATIONAL REHABILITATION OF EPILEPTICS UNDER THE MASSACHUSETTS REHABILITATION COMMISSION.

Be it enacted, etc., as follows:

Section 79 of chapter 6 of the General Laws, as appearing in section 2 of chapter 602 of the acts of 1956, is hereby amended by striking out paragraphs (*e*) and (*f*) and inserting in place thereof the following three paragraphs: —

(*e*) it shall maintain records of all persons who are determined by the commission to be fit and eligible for vocational rehabilitation, and the order to be followed in selecting those to whom vocational rehabilitation services will be provided;

(*f*) it shall establish and operate a program for the vocational rehabilitation of epileptics, supervised by a supervisor in education to be appointed by the commission; and

(*g*) it shall make an annual report to the general court, a copy of which shall be filed with the clerk of the house of representatives on or before the first Wednesday in December. *Approved January 4, 1966.*

Chap. 855. AN ACT FURTHER REGULATING THE DUTIES OF THE COMMISSIONER OF ADMINISTRATION AND THE COMPTROLLER RELATIVE TO ANNUAL REPORTS.

Be it enacted, etc., as follows:

SECTION 1. Section 31 of chapter 7 of the General Laws, as most recently amended by section 7 of chapter 757 of the acts of 1962, is hereby further amended by striking out the second sentence.

SECTION 2. Section 33 of said chapter 7, as most recently amended by section 32 of said chapter 757, is hereby further amended by striking out, in lines 1 and 2, the word "commissioner" and inserting in place thereof the word: — comptroller.

SECTION 3. Section 35 of said chapter 7, as amended by section 33 of said chapter 757, is hereby further amended by striking out the fourth, fifth and sixth sentences. *Approved January 4, 1966.*

Chap. 856. AN ACT CLARIFYING THE PROCEDURE FOR DIRECT PAYMENTS TO SUBCONTRACTORS AND MATERIAL SUPPLIERS.

Be it enacted, etc., as follows:

Section 39F of chapter 30 of the General Laws is hereby amended by inserting after the first paragraph, as appearing in section 1 of chapter 677 of the acts of 1956, the following paragraph: —

On all contracts entered into by the commonwealth or any agency thereof for public works construction, except as hereinafter provided, the term "subcontractor" as used in this section shall include a supplier of materials who does not furnish labor and who sells to the general contractor materials used or employed on the particular public works project for a total amount exceeding five thousand dollars; provided, however, that this paragraph shall not apply to contracts for public buildings awarded under the provisions of sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine.

Approved January 4, 1966.

Chap. 857. AN ACT CLARIFYING THE STATE RETIREMENT LAW WITH REGARD TO THE DISPOSITION OF THE ACCOUNTS OF DECEASED MEMBERS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*a*) of subdivision (2) of section 11 of chapter 32 of the General Laws, as amended by section 1 of chapter 670 of the acts of 1950, is hereby further amended by inserting after the word "twelve", in line 9, the words: — , to the provisions of section twelve B.

SECTION 2. The last sentence of paragraph (*c*) of subdivision (2) of said section 11 of said chapter 32, added by section 6 of chapter 618 of the acts of 1949, is hereby further amended by inserting after the word "option", in line 5, the words: — , nor if the deceased member is a male and is survived by a widow, or a widow and child eligible to receive the allowance provided for in section twelve B, or is a female and is survived by a child eligible to receive the allowances provided for in section twelve B, unless the widow or person acting for such child elects, in lieu of receiving allowances provided for in said section twelve B, to have payment of any moneys due made in accordance with the provisions of this paragraph.

SECTION 3. The last paragraph of option (*d*) of subdivision (2) of section 12 of said chapter 32, as most recently amended by chapter 515 of the acts of 1963, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — A widow, eligible to receive the survivor benefits under this option, who also meets the conditions of eligibility for allowances under section twelve B, may in the alternative, in addition to any existing right of election under this option, elect to receive either the member survivor benefits under this option or the allowances provided by section twelve B.

Approved January 4, 1966.

Chap. 858. AN ACT PROVIDING THAT THE TOWN ENGINEER OF THE TOWN OF WEST SPRINGFIELD SHALL EXERCISE THE POWERS AND DUTIES OF THE SUPERINTENDENT OF STREETS, AND PLACING THE OFFICE OF TOWN ENGINEER UNDER THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary the office of superintendent of streets of the town of West Springfield is hereby abolished and the powers and duties formerly exercised by the superintendent of streets shall be exercised by the town engineer.

SECTION 2. The office of town engineer of the town of West Springfield shall, upon the effective date of this act, become subject to the civil service law and rules, and the tenure of office of the incumbent thereof on said effective date shall be unlimited, subject, however, to said law. Said incumbent shall be subjected by the division of civil service to a qualifying examination, and if he passes said examination he shall be certified for said office and shall be deemed to be permanently appointed thereto, without being required to serve any probationary period.

SECTION 3. 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-six 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-five, entitled 'An Act providing that the town engineer of the town of West Springfield shall exercise the powers and duties of the superintendent of streets, and placing the office of town engineer under the civil service law and rules', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved January 4, 1966.*

Chap. 859. AN ACT AUTHORIZING INDIVIDUALS TO UNDERTAKE OR ACQUIRE AND CARRY ON URBAN REDEVELOPMENT PROJECTS UNDER THE LAWS APPLICABLE TO URBAN REDEVELOPMENT CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 121A of the General Laws is hereby amended by inserting after section 18B the following section: —

Section 18C. Individuals, and associations of individuals in the form of joint ventures, partnerships, limited partnerships or trusts resident or organized in the commonwealth may undertake projects under this chapter or acquire projects from corporations organized under this chapter, which projects shall be exempt from taxation, betterments, excises and special assessments, provided that such persons or associations, with respect to any such project undertaken or acquired by them, shall:

(*a*) be subject to rules made pursuant to section four;

(*b*) make an application for approval of a project containing the same facts required of a corporation by section five;

(*c*) agree by regulatory agreement entered into with the department of commerce and development, or in Boston with the Boston Redevelopment Authority, as to financing the cost of the project;

(*d*) keep accounts for such project separate from any other activities conducted by them and shall not expend the income from such project, other than earnings described in clause (*e*) upon or for the benefit of any other of their activities;

(*e*) agree by regulatory agreement entered into with the department of commerce and development, or in Boston with the Boston Redevelopment Authority, that they will comply with the provisions contained in section eight, relative to the inspection of buildings, and the enforcement of compliance with the financing program and rules and regulations applicable to a project, and will not receive or accept as net income from a project any sum in excess of six per cent of the amount invested by them in such project for each year in which they own or have owned the project, except that, if in any year they have so received a sum less than the aforesaid six per cent, they may so receive in a subsequent year or years additional sums not exceeding, in the aggregate, such deficiency without interest. Nothing in this section shall be applicable to the payment of dividends out of profits from the sale of the capital assets of the corporation;

(*f*) agree by regulatory agreement with the department of commerce and development, or in Boston with the Boston Redevelopment Authority, that in consideration of exemption from taxation of real and personal property and from betterments and special assessments and from the payment of any tax, excise or assessment to or for the commonwealth or any of its political subdivisions on account of a project, they will pay the excises with respect to a project which a corporation would be bound to pay under the formulae and provisions set forth in section ten.

Any such regulatory agreement shall be binding upon the heirs and assigns of the parties thereto.

An application under this section shall be reviewed and disposition thereof made in accordance with the criteria and provisions of section six or eighteen B, except that the provisions relating to an agreement of association shall not apply.

The provisions of section six A, seven A, twelve, thirteen, fourteen, fifteen and sixteen relative to corporations organized under this chapter shall extend to anyone undertaking or acquiring a project under this section, so far as apt.

The provisions of the first and third paragraphs of section eleven shall extend to anyone undertaking a project under this section, except that nothing in this section shall empower such person or combination of persons to take land by eminent domain.

If the persons or organizations described in this section have carried out their obligations and performed their duties as imposed by this chapter for a period of forty years from the date of approval of a project to the satisfaction of the housing board, or in Boston, to the satisfaction of the Boston Redevelopment Authority, as evidenced by a certificate issued by the board, or by said authority, as the case may be, they shall thereafter no longer be subject to the obligations of this chapter nor enjoy the rights and privileges hereby granted.

Every project undertaken or acquired under this section shall be deemed to have been undertaken or acquired to serve a public purpose.

SECTION 2. Chapter 652 of the acts of 1960 is hereby amended by striking out section 13 and inserting in place thereof the following section: — *Section 13.* Persons intending to associate themselves by written agreement of association with intent to form a corporation under chapter one hundred and twenty-one A of the General Laws for the purpose of undertaking and carrying out under said chapter a project in Boston before so associating themselves, or an insurance company, savings bank or group of savings banks intending to carry out under said chapter a project in Boston, or individuals, or associations of individuals in the form of joint ventures, partnerships, limited partnerships or trusts intending to undertake under said chapter a project in Boston, before undertaking such project, shall submit to the Boston Redevelopment Authority an application for its approval of such project and for its consent to the formation of such corporation, if any. An application for approval of a project or formation of a corporation shall specify the location of the proposed project, shall state the reasons why the project is necessary or desirable and the uses to which the project is to be put, shall contain in general terms a description of the buildings, structures or facilities which it is proposed to furnish, and shall be accompanied by a site plan and drawings of the proposed buildings and other improvements adequate to show the nature and extent of the project.

Whenever the authority is so asked to consent to the formation of such a corporation or the carrying out of a project by an insurance company, savings bank or group of savings banks, or the undertaking of a project by individuals, or associations of individuals in the form of joint ventures, partnerships, limited partnerships or trusts, it shall, after a public hearing of which reasonable notice shall be given, make such determinations as may be required by the provisions of said chapter one hundred and twenty-one A, and shall determine whether conditions exist which warrant the carrying out of the proposed project, whether in its opinion such project will be practicable, whether such project conflicts with the master plan for the city, whether such project would be in any way detrimental to the best interest of the public or the city or to the public safety and convenience or inconsistent with the most suitable development of the city, and whether the project will constitute a public use and benefit.

If the authority finds that the application or the project proposed therein does not meet the requirements of said chapter one hundred and twenty-one A, or that conditions warranting the carrying out of the project do not exist, or that the project will not be practicable, or conflicts with the master plan for the city, or is detrimental or inconsistent as aforesaid, or will not constitute a public use and benefit, it shall disapprove the project.

If the carrying out of the project will involve the destruction or rehabilitation of buildings occupied in whole or in part as dwellings, the authority shall also determine whether or not there is a feasible method for the temporary relocation of families displaced from the project area and whether or not there are, or are being provided, in the project area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families displaced from the project area, decent,

safe and sanitary dwellings equal in number to the number of, and available to, such displaced families and reasonably accessible to their places of employment; and unless it finds that there is such a feasible method and that such dwellings exist or are being provided, it shall not approve the project.

If a project includes land within any location approved by the state department of public works for the extension of the Massachusetts Turnpike into the city of Boston, the authority shall not approve the project unless the Massachusetts Turnpike Authority determines that the project will not unreasonably interfere with such extension.

The authority shall prepare, adopt and make open to public inspection a report approving or disapproving the application and setting forth its reasons for approval or disapproval. If the authority disapproves the application, it may suggest changes in the application, in the project, or in the plans therefor, which, if adopted, would meet its objections. If the persons intending to associate as aforesaid or an insurance company, savings bank or group of savings banks intending to carry out a project in Boston determine to proceed in accordance with the changes suggested, they shall amend their application accordingly. If the proposed change is not a fundamental one, the authority may approve or disapprove the application as amended without further hearing or report; otherwise, the authority shall proceed as if it were a new application.

Whenever the authority approves an application, it shall make and embody in its report reasonable rules and regulations setting minimum standards for the financing, construction, maintenance and management of such project insofar as the same are not specified in the application for the approval thereof.

As soon as conveniently may be after the mayor of Boston approves the authority's approval of an application, the authority shall issue a certificate of such approval and of its consent, if any, to the formation of a corporation to carry it out. An agreement of association to form a corporation for the purposes of carrying out in Boston a project under said chapter one hundred and twenty-one A shall not be presented to the state secretary for filing, nor shall he file it, unless it is accompanied by such a certificate.

In the construction and use of a project, such a corporation, insurance company, savings bank or group of savings banks or individuals or associations shall not deviate from any zoning, building, health or fire law, code, ordinance or regulation in effect in Boston; provided, however, that notwithstanding the provisions of any such law, code, ordinance, or regulation, the authority with the approval of the mayor of Boston shall have exclusive power, both before and after the approval of a project, to grant from time to time permission for the project to deviate from such law, code, ordinance or regulation if it finds that such permission may be granted without substantially derogating from the intent and purposes of such law, code, ordinance or regulation, and also to grant from time to time permission for the project to deviate from any building, health or fire law, code, ordinance or regulation so in effect if it finds that a particular design or construction or a particular material, apparatus or equipment, or a particular method of construction or installation is specified, but the authority is satisfied by reliable and generally accepted tests, or by experience in other cities, that some other design, construction, material, apparatus, equipment or method will sufficiently satisfy

the purpose for which it is to be used and the purposes of such law, code, ordinance or regulation or that the specification was not designed for a structure of the nature proposed and that such purposes can in some other requested manner be satisfied.

If a project in Boston includes a garage within five hundred feet of one or more buildings occupied in whole or in part as a public or private school having more than fifty pupils or as a public or private hospital having more than twenty-five beds, or as a church, the authority shall further determine whether or not such garage will be substantially detrimental to such school, hospital or church; and if it finds that it will not, an application may be granted and a permit issued for the erection, maintenance and use of such garage anything in chapter three hundred and sixteen of the acts of nineteen hundred and twenty-two to the contrary notwithstanding.

If a project in Boston involves the construction of units which constitute a single building under the Boston Building Code and zoning law, the authority with the approval of the mayor of the city may declare such units separate buildings for the purposes of chapter one hundred and thirty-eight of the General Laws, in which case, notwithstanding any contrary provision of general or special law and without publication of notice or sending of notice to abutting owners or others, any license provided for by said chapter may be approved and issued by the licensing board of the city for any place within such units, and transferred from such place to any other place in such units.

After the approval of a project by the authority, the corporation, insurance company, savings bank or group of savings banks, individuals or associations, carrying out such project may apply to the authority for leave to change the type and character of the buildings on such project; and the authority may grant such application unless in its opinion the proposed change is a fundamental one, in which case the authority shall proceed as if such application to change were an application for the original approval of the project.

When any vote of the authority under this or the preceding section becomes final, the secretary of the authority shall file with the city clerk of the city of Boston a copy of such vote attested by such secretary with, in cases where approval of such vote by the mayor is required, a copy of such approval likewise attested. Within thirty days after such filing, any person, whether previously a party to the proceeding or not, who is aggrieved by such vote, or any municipal officer or board, may file a petition in the supreme judicial or superior court sitting in Suffolk County for a writ of certiorari against the authority to correct errors of law therein; and the provisions of section one D of chapter two hundred and thirteen, and of section four of chapter two hundred and forty-nine, of the General Laws, shall apply to said petition except as herein provided with respect to the time for the filing thereof. The remedy provided by this paragraph shall be exclusive.

SECTION 3. Said chapter 652 is hereby further amended by inserting after section 13 the following section: —

Section 13A. Three or more persons wishing to associate themselves by written agreement of association, in a form furnished or approved by the commissioner of corporations and taxation, and individuals, and associations of individuals in the form of joint ventures, partnerships,

limited partnerships or trusts resident or organized in the commonwealth may apply to the Boston Redevelopment Authority for its approval of their acquisition of a project which has been authorized and approved and which has been developed or is being developed in accordance with the provisions of the foregoing section, or for the purpose of acquiring any severable portion of such project. Their application shall specify the project or portion thereof which it is proposed to acquire, the terms upon which the same is to be acquired, and the amount of capital which it is intended to raise. If it is proposed that any changes in the project be made, the application shall include such information concerning the proposed changes as the authority shall require. If the authority determines that such persons or associations appear to have the ability requisite to perform the obligations and carry out the duties imposed by chapter one hundred and twenty-one A of the General Laws with respect to the project, and if it determines that none of the proposed changes, if any, in the project are fundamental, it shall issue a certificate that it approves the application. The agreement of association, if any, shall not be presented to the state secretary for filing, nor shall he file it, unless it is accompanied by such certificate. If any changes in the project are proposed in the application, and if the authority determines that any such changes are fundamental, the authority shall proceed as if such application to change were an application for the original approval of the project. Any person receiving approval under this section shall have all of the powers, rights, privileges, benefits and exemptions and shall be subject to all the duties of a corporation organized under chapter one hundred and twenty-one A of the General Laws; provided, however, that the periods of forty years set forth in sections ten and sixteen shall be computed from the date of organization of the corporation which initiated the project regardless of any default upon the part of such corporation which initiated such project. *Approved January 4, 1966.*

Chap. 860. AN ACT AUTHORIZING THE COMMISSIONER OF NATURAL RESOURCES TO REIMBURSE THE TOWN OF MENDON FOR MONIES APPROPRIATED FOR THE PURCHASE OF CERTAIN LAND FOR CONSERVATION PURPOSES.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section eleven of chapter one hundred and thirty-two A of the General Laws, and the failure of the town of Mendon to specify in a vote taken by it under Article 4 of the warrant for the special town meeting held on June twenty-ninth, nineteen hundred and sixty-four that the sum of twenty-two thousand dollars appropriated for the "White's Beach Property" was appropriated to the conservation fund and was to be expended therefrom, the commissioner of natural resources shall accept and act upon the application of said town for reimbursement as though all provisions of said law were complied with, and such land shall be managed and controlled by the conservation commission of said town. *Approved January 4, 1966.*

Chap. 861. AN ACT AUTHORIZING THE COMMISSIONER OF NATURAL RESOURCES TO REIMBURSE THE TOWN OF UPTON FOR MONIES APPROPRIATED FOR THE PURCHASE OF CERTAIN LAND FOR CONSERVATION PURPOSES.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section eleven of chapter one hundred and thirty-two A of the General Laws, and the failure of the town of Upton to specify in a vote taken by it under Article 27 of the warrant for the annual town meeting held in the year nineteen hundred and sixty-four that the sum of forty-five hundred dollars appropriated for the purchase of land adjacent to Lake Wildwood was appropriated to the conservation fund and was to be expended therefrom, the commissioner of natural resources shall accept and act upon the application of said town for reimbursement as though all provisions of said law were complied with, and such land shall be managed and controlled by the conservation commission of said town. *Approved January 4, 1966.*

Chap. 862. AN ACT AUTHORIZING THE COMMONWEALTH TO REIMBURSE THE TOWN OF ABINGTON FOR EXPENSES INCURRED IN FIGHTING FOREST FIRES IN THE YEAR NINETEEN HUNDRED AND SIXTY-FIVE.

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 Abington the sum of twenty-three hundred dollars as reimbursement for expenses incurred by said town in fighting forest fires in the year nineteen hundred and sixty-five.

Approved January 4, 1966.

Chap. 863. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A CERTAIN BRIDGE OVER THE ACUSHNET RIVER BETWEEN THE CITY OF NEW BEDFORD AND THE TOWN OF FAIRHAVEN.

Be it enacted, etc., as follows:

The department of public works is hereby authorized to construct a bridge without a draw, subject to the laws of the United States, to carry the route 6 connector over the Acushnet river between the city of New Bedford and the town of Fairhaven approximately five hundred feet downstream from the Senator Arthur J. Mullen Bridge.

Approved January 4, 1966.

Chap. 864. AN ACT AUTHORIZING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO CONVEY A PART OF A CERTAIN TRACT OF LAND IN CAMBRIDGE TO THE UNITED STATES OF AMERICA, AND TO SELL THE REST OF SAID TRACT TO JOHN FITZGERALD KENNEDY LIBRARY INCORPORATED, AND PROVIDING THAT THE COMMONWEALTH REIMBURSE THE SAID AUTHORITY FOR THE LAND GIVEN TO THE UNITED STATES OF AMERICA.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of paragraph (*b*) of section five of chapter one hundred and sixty-one A of the General Laws or any other provision of general or special law, the Massachusetts Bay Transportation Authority, hereinafter called the Authority, is authorized: —

(1) To convey to the United States of America, without consideration, in order to provide a site for the presidential archival depository of the John Fitzgerald Kennedy Library, a part of the train yards owned by said Authority and located at the terminus of the Dorchester-Cambridge rapid transit line in the city of Cambridge, said part not to exceed ten acres and to be bounded on the east by Boylston street and on the south by Memorial Drive. The exact metes and bounds of said part shall be agreed upon by the Authority and the United States of America, acting by and through the Administrator of General Services. The deed conveying such portion of the yard to the United States shall provide that the United States or the Library Corporation shall cause a suitable memorial to be placed in a prominent place indicating that the site of said library was a gift from the people of the commonwealth;

(2) To sell and convey to the John Fitzgerald Kennedy Library Incorporated, a corporation duly organized under the laws of the commonwealth, the remaining part of said train yards, meaning the part not so conveyed to the United States of America, at its fair market value.

SECTION 2. To reimburse the Authority for that part of the train yards conveyed without consideration to the United States, the commonwealth shall pay, subject to appropriation, an amount equal to the fair market value of said part of said train yards.

Approved January 4, 1966.

Chap. 865. AN ACT AUTHORIZING SAINT JOHN'S HOSPITAL TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

Saint John's Hospital, a corporation organized under chapter one hundred and nine of the acts of eighteen hundred and sixty-seven, 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 fifteen million dollars.

Approved January 4, 1966.

Chap. 866. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO RECONSTRUCT A BRIDGE OVER THE MONATIQUOT RIVER IN THE TOWN OF BRAINTREE.

Be it enacted, etc., as follows:

The department of public works is hereby authorized to reconstruct, without a draw, subject to the laws of the United States, the Quincy avenue bridge, over the Monatiquot river, on state highway route 53 in the town of Braintree. *Approved January 4, 1966.*

Chap. 867. AN ACT PERMITTING A FACSIMILE SIGNATURE TO BE USED BY THE COMPLAINANT IN CERTAIN PARKING VIOLATION CASES.

Be it enacted, etc., as follows:

Section 14 of chapter 218 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following paragraph: —

Complaints for violations of the parking law, brought under section twenty A or section twenty C of chapter ninety, may be signed by the complainant by imprinting thereon a facsimile of his signature. Said facsimile signature shall have the same validity as his written signature.

Approved January 4, 1966.

Chap. 868. AN ACT AUTHORIZING THE MERGER AND UNION OF EMMANUEL EVANGELICAL LUTHERAN CHURCH OF BOSTON WITH THE ST. MARK'S EVANGELICAL LUTHERAN CHURCH OF BOSTON UNDER THE NAME OF RESURRECTION EVANGELICAL LUTHERAN CHURCH OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. St. Mark's Evangelical Lutheran Church, duly incorporated under the laws of the commonwealth and whose charter is dated June twenty-third, eighteen hundred and ninety-three, is hereby authorized to merge and unite with Emmanuel Evangelical Lutheran Church of Boston, which was duly incorporated by charter dated November thirteenth, eighteen hundred and seventy-seven; and Emmanuel Evangelical Lutheran Church of Boston shall be known as Resurrection Evangelical Lutheran Church of Boston, and in all respects shall be a continuance of and the lawful successor to the Emmanuel Evangelical Lutheran Church of Boston with all privileges, powers and immunities to which other religious corporations in the commonwealth are entitled.

SECTION 2. Upon such merger and union, all real and personal property of St. Mark's Evangelical Lutheran Church, including all bequests, devises, gifts and transfers of any kind heretofore made to it, shall vest in and may be received by Resurrection Evangelical Lutheran Church of Boston, and all bequests, devises, gifts and transfers of any kind hereafter made to or for the benefit of St. Mark's Evangelical Lutheran Church shall vest in Resurrection Evangelical Lutheran Church of Boston, which shall have with respect to such property and with respect

to such bequests, devises, gifts and transfers whether heretofore or hereafter made, the same rights, privileges and powers of St. Mark's Evangelical Lutheran Church had such merger and union not been effected.

SECTION 3. The Resurrection Evangelical Lutheran Church of Boston, notwithstanding the provisions of its present by-laws, may adopt new by-laws and therein determine the time for holding its annual meeting, the number and manner of elections, the duties and terms of officers and trustees, standing and other committees and other offices now existing or hereafter to be established by by-law, and such other matters as may be consistent with law.

SECTION 4. The proceedings and votes of St. Mark's Evangelical Lutheran Church and Emmanuel Evangelical Lutheran Church of Boston relating to the merger and union of said churches, and acts and doings thereunder, are hereby ratified and confirmed, notwithstanding any informalities, errors, or omissions.

SECTION 5. Upon the acceptance of this act by a majority vote of the members of St. Mark's Evangelical Lutheran Church and Emmanuel Evangelical Lutheran Church of Boston present and voting at meetings duly called for the purpose, certified copies of the respective votes of the respective churches, sworn to by their respective clerks, shall be filed for record in the registry of deeds of the county of Suffolk and in the office of the secretary of the commonwealth, and upon such filing, said merger and union shall be completed, and thereupon the persons who are members of St. Mark's Evangelical Lutheran Church shall be and become members of Emmanuel Evangelical Lutheran Church of Boston under the name of the Resurrection Evangelical Lutheran Church of Boston. *Approved January 4, 1966.*

Chap. 869. AN ACT AUTHORIZING THE COMMONWEALTH TO REIMBURSE THE TOWN OF SANDISFIELD FOR EXPENSES INCURRED IN FIGHTING FOREST FIRES IN THE YEAR NINETEEN HUNDRED AND SIXTY-FOUR.

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 Sandisfield, the sum of forty-three hundred and forty dollars as reimbursement for expenses incurred by said town in fighting forest fires in the year nineteen hundred and sixty-four. *Approved January 4, 1966.*

Chap. 870. AN ACT INCREASING THE SALARY OF THE CLERKS OF THE DISTRICT COURT OF FITCHBURG AND THE FIRST DISTRICT COURT OF NORTHERN WORCESTER.

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 4, reading "district court of Fitchburg" and line 14, reading "first district court of northern Worcester", as appearing in chapter 725 of the acts of 1962, and in

Class IV by inserting after line 8, as so appearing, reading "district court of southern Essex" the following line: — district court of Fitchburg, and by striking out, in line 15, as so appearing, the word "and" and by inserting after said line 15 the following line: — first district court of northern Worcester, and. *Approved January 5, 1966.*

Chap. 871. AN ACT AUTHORIZING THE USE OF A VOTER COMPUTER SYSTEM AT THE TOWN ELECTION IN THE TOWN OF BRAINTREE IN THE YEAR NINETEEN HUNDRED AND SIXTY-SIX.

Be it enacted, etc., as follows:

SECTION 1. The town of Braintree is authorized, with the approval of its board of selectmen and town clerk, to use a voter computer system with automatic tabulating equipment at its annual town election in the year nineteen hundred and sixty-six.

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

Approved January 7, 1966.

Chap. 872. AN ACT AUTHORIZING THE CITY OF GLOUCESTER TO OBTAIN AN ADDITIONAL SOURCE OF WATER SUPPLY BY DIVERTING WATER FROM THE IPSWICH RIVER.

Be it enacted, etc., as follows:

SECTION 1. The city of Gloucester is hereby authorized for a period of two years from the effective date of this act to take water from the Ipswich river in the town of Ipswich under the provisions of section forty of chapter forty of the General Laws. Notwithstanding any contrary provision of law, said city may lay the necessary pipes and conduits for the conveyance of such water to said city under any public way.

SECTION 2. For the purposes of paying the necessary costs incurred under the provisions of section one, said city may borrow from time to time such sums as may be necessary not to exceed, in the aggregate, three million dollars and may issue bonds or notes therefor which shall bear on their face the words, City of Gloucester Water Loan, Act of 1965. Each authorized issue shall constitute a separate loan and such separate loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this section may 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 3. This act shall take effect upon its passage.

Approved January 7, 1966.

Chap. 873. AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO TRANSFER CERTAIN LAND IN THE CITY OF BOSTON TO THE DIVISION OF YOUTH SERVICE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to transfer forthwith certain land from the department of mental health to the division of youth service for the purpose

of constructing a special treatment unit for delinquent juveniles committed to the youth service board, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of mental health is hereby authorized to transfer to the division of youth service a certain parcel of land in the Roslindale section of the city of Boston, bounded on the north by Canterbury street, on the east by Morton street, on the south by American Legion highway, and on the west by land transferred to the control of the youth service board by section two of chapter five hundred and eighty-two of the acts of nineteen hundred and fifty-three.

SECTION 2. The director of the division of youth service is authorized and directed to construct upon the land transferred under section one a special treatment unit for delinquent juveniles committed to the youth service board. Said director shall remove to a location, on the grounds of the Boston state hospital selected by said commissioner, the building on said parcel of land known as the superintendent's house. Said building shall be put into a condition acceptable to said commissioner with all foundations constructed and facilities connected.

Approved January 7, 1966.

Chap. 874. AN ACT AUTHORIZING THE DEPARTMENTS OF PUBLIC WELFARE AND PUBLIC HEALTH TO ENTER INTO CERTAIN AGREEMENTS FOR THE PURPOSE OF ENABLING THE COMMONWEALTH TO COMPLY WITH, AND BE ELIGIBLE FOR, CERTAIN ASSISTANCE AND FUNDS UNDER THE SOCIAL SECURITY ACT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to facilitate the eligibility of the commonwealth to receive federal funds and assistance under the provisions of Public Law 89–97 of 1965, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

SECTION 1. The departments of public welfare and public health, respectively, are hereby authorized to enter into agreements with the Department of Health, Education and Welfare or any other federal authority, or any board, commission or agency of the commonwealth or any political subdivision thereof, or any private organization, for the purpose of complying with the provisions of Public Law 89–97 of 1965 in order to qualify the commonwealth to receive federal funds available thereunder. Federal funds so received by said departments shall be expended without specific appropriation under the authority of the commissioners of public welfare and public health, respectively.

SECTION 2. Each of said departments are hereby further authorized to adopt such rules and regulations and do all other things as may be necessary or desirable to implement the purposes of said Public Law and to continue the eligibility of the commonwealth for funds and assistance

thereunder. The governor shall designate the provisions of said law for which each of said departments shall be responsible.

SECTION 3. Section 4 of chapter 40 of the General Laws is hereby amended by inserting after the second paragraph, as most recently amended by section 2A of chapter 613 of the acts of 1958, the following paragraph: —

For health services. Contracts for health services may be made by the board of health or any legally constituted board performing the powers and duties of a board of health.

SECTION 4. For the purposes of the requirement of chapter thirty-one of the General Laws, that an applicant for examination under civil service be a citizen of the United States, a physician employed under authority of this act shall be deemed to have met the requirement of citizenship, if he presents a certificate from the court in which he shall have filed his declaration of intention to become a citizen of the United States, or from the Immigration and Naturalization Service of the United States, showing that he has declared his intention to become such a citizen or a copy of such declaration of intention, certified by the clerk of such court. *Approved January 7, 1966.*

Chap. 875. AN ACT EXTENDING THE RIGHTS AND PRIVILEGES OF VETERANS TO CERTAIN MEMBERS OF THE ARMED FORCES WHO WERE AWARDED CERTAIN MEDALS FOR SERVICE IN VIETNAM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the suitable recognition of certain members of the armed forces who were awarded certain medals for certain service performed in Vietnam, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Clause Forty-third of section 7 of chapter 4 of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 627 of the acts of 1954, and inserting in place thereof the following paragraph: —

"Wartime service" shall mean service performed by a "Spanish War veteran", a "World War I veteran", a "World War II veteran", a "Korean veteran", a "Vietnam veteran", or a member of the "WAAC", as defined in this clause during any of the periods of time described herein or for which such medals described below are awarded.

SECTION 2. Said clause Forty-third of said section 7 of said chapter 4 is hereby further amended by inserting after the seventh paragraph the following paragraph: —

"Vietnam veteran" shall mean any veteran who has been awarded the armed forces expeditionary medal or the Vietnam service medal for military service performed in Vietnam between July first, nineteen hundred and fifty-eight and the termination of the Vietnam emergency as declared by proper federal authority. *Approved January 7, 1966.*

Chap. 876. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO RENEGOTIATE WITH ANTHONY J. CATALANI OF SAID CITY A CERTAIN LEASE OF CERTAIN PREMISES NOW HELD BY HIM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter six hundred and eight of the acts of nineteen hundred and fifty-four, the city of Fitchburg is hereby authorized to renegotiate with Anthony J. Catalani doing business under the firm name and style of Catalani Furniture Store, the present lease held by him on the real estate located in the city of Fitchburg and there numbered 9 Putnam street, and to establish a monthly rental in said lease as the city council and mayor shall determine.

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

Approved January 7, 1966.

Chap. 877. AN ACT FURTHER PROVIDING FOR ACTIVITIES AT THE UNIVERSITY OF MASSACHUSETTS.

Be it enacted, etc., as follows:

Section 11 of chapter 75 of the General Laws, as appearing in section 1 of chapter 648 of the acts of 1962, is hereby amended by adding the following two sentences: — The trustees may determine that among the projects and activities for which trust funds may be established as aforesaid shall be (1) the supplying of services and materials incidental or ancillary to classes and courses offered by the university, including special supplies and equipment, lectures, programs and written materials, and (2) the conduct of activities at the university pertaining to regulating the use by members of the professional and nonprofessional staff of the university and persons enrolled in courses and classes thereat of any property on the campus or on other land of the university. Fees and other charges made for any of the foregoing shall be deemed to be trust fund income and the trustees may designate any officer or office of the university or agency or organization of the university or operated by university personnel or students as the person or agency to receive and disburse such trust fund income. *Approved January 7, 1966.*

Chap. 878. AN ACT PROVIDING THAT CERTAIN LICENSES HEREAFTER GRANTED FOR PLACING AND MAINTAINING FILL OR ERECTING AND MAINTAINING STRUCTURES ON CERTAIN LAND, NOW OR FORMERLY IN TIDEWATER, IN THE SOUTH BAY AREA OF THE CITY OF BOSTON SHALL BE IRREVOCABLE.

Be it enacted, etc., as follows:

Any provision of general or special law to the contrary notwithstanding, any and all licenses hereafter issued or granted pursuant to law by the department of public works or any successor authority to fill or maintain fill or to erect or to maintain structures or do other work on the following described parcels of land:

Three certain parcels of land situated in the South Bay area of the city of Boston, in the area bounded by the John F. Fitzgerald Express-

way, Moore street, Southampton street, Dorchester avenue, and West Fourth street, consisting of *Parcel #1*, bounded southwesterly by Southampton street, southeasterly by the Midland Division of the New York, New Haven and Hartford Railroad Company, northeasterly by the John F. Fitzgerald Expressway, and northwesterly by Moore Street, excepting, however, so much of said parcel #1 as is now or formerly was owned by Domenic Passanesi, Boston Edison Company, and International Harvester Company; *Parcel #2*, bounded westerly and southwesterly by the John F. Fitzgerald Expressway Service Road, southeasterly and easterly by the Midland Division leading to South Station, northeasterly by the West Fourth Street Bridge, northwesterly by the harbor line established by chapter one hundred and thirty-seven of the acts of nineteen hundred and twenty-one, excepting, however, so much of said parcel #2 as now is or was formerly owned by the Boston and Taunton Transportation Company; and *Parcel #3*, bounded southwesterly by the John F. Fitzgerald Expressway Service Road and Southampton Street, easterly by the easterly property line of said Railroad, and northwesterly by the Midland Division leading to the Boston Freight Terminal, and containing about twenty-six acres of land, shall, upon compliance with the following conditions, be irrevocable:

(1) Application therefor pursuant to the provisions of section fourteen of chapter ninety-one of the General Laws;

(2) Recording thereof with accompanying plan within one year after the date thereof in the registry of deeds for Suffolk county, pursuant to the provisions of section eighteen of said chapter;

(3) Payment to the commonwealth of such compensation, if any, as may properly be assessed by said department for tidewater displacement, pursuant to the provisions of section twenty-one of said chapter;

(4) Payment to the commonwealth of such compensation, if any, as may be determined for rights granted in any land the title to which is in the commonwealth, pursuant to the provisions of section twenty-two of said chapter;

(5) As to Parcels #1 and #2, commencement, within eighteen months of the approval hereof by the governor, of work authorized by any such license in accordance with plans submitted to and approved by the Boston Redevelopment Authority as providing adequate facilities for food wholesalers being relocated from the Downtown Waterfront-Faneuil Hall Urban Renewal Project Area;

(6) As to Parcel #3, commencement of work authorized by any such license by Railway Express Agency, Inc. or on its behalf within eighteen months of the approval hereof by the governor;

(7) 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;

(8) Completion of such 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;

(9) 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.

Any such license shall contain the following condition, to wit, that 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 such license is granted, 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 with respect to said land, and from the date of acquisition or construction by such owner, as the case may be, with respect to such buildings and improvements.

Compliance with clause (5) shall be conclusively determined by the recording of an appropriate instrument in the registry of deeds for Suffolk county, executed by said Boston Redevelopment Authority, certifying as to such compliance. *Approved January 7, 1966.*

Chap. 879. AN ACT RELATIVE TO THE COMPENSATION OF THE PUBLIC ACCOUNTANT MEMBER OF THE BOARD OF PUBLIC ACCOUNTANCY FOR THE PERFORMANCE OF HIS DUTIES IN CALENDAR YEAR NINETEEN HUNDRED AND SIXTY-FIVE.

Be it enacted, etc., as follows:

The public accountant member of the board of public accountancy shall not receive as compensation for the performance of his duties in calendar year nineteen hundred and sixty-five more than five thousand dollars, but may, notwithstanding any provision of section thirty-five of chapter thirteen of the General Laws to the contrary, receive more than three thousand dollars for the performance of his duties in said year. *Approved January 7, 1966.*

Chap. 880. AN ACT AUTHORIZING THE CITY OF MALDEN TO PAY AN ANNUITY TO THOMAS H. HUGHES, A FORMER EMPLOYEE OF THE PUBLIC WORKS DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good and in consideration of the long and meritorious service of Thomas H. Hughes, who was employed in the public works department of the city of Malden for a period of twenty-seven years, and who is now physically incapacitated, and notwithstanding any provision of law to the contrary, said city is hereby authorized to appropriate and pay to said Thomas H. Hughes an annuity in the sum of sixty-five per cent of his annual rate of regular compensation for full time service as a laborer at the time of his termination of service.

SECTION 2. This act shall take effect upon its acceptance by the city of Malden. *Approved January 7, 1966.*

Chap. 881. AN ACT GRANTING AN EXEMPTION OF REAL ESTATE TAXES TO WIDOWS OF MEMBERS OF THE ARMED FORCES KILLED IN COMBAT IN A CERTAIN MILITARY ACTION.

Be it enacted, etc., as follows:

Section 5 of chapter 59 of the General Laws is hereby amended by inserting after clause Twenty-second C the following clause: —

Twenty-second D, Real estate to the amount of two thousand dollars of the widows of soldiers or sailors who lost their lives in combat as members of the armed forces of the United States in military action at the islands of Quemoy and Matsu in the Pacific Ocean; provided, such widow has remained unmarried and has been domiciled in the commonwealth for five consecutive years next prior to the date for filing for exemption under this clause; and provided, further, that said real estate is occupied by such widow as her domicile. No real estate shall be so exempt which has been conveyed to such widow to evade taxation. The amount of the exemption 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 but for this exemption. *Approved January 7, 1966.*

Chap. 882. AN ACT EXCLUDING OPERATIONS OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY WITH EQUIPMENT OWNED AND OPERATED BY SAID AUTHORITY FROM THE JURISDICTION AND CONTROL OF CITY, TOWN AND CERTAIN OTHER LICENSING AUTHORITIES.

Be it enacted, etc., as follows:

Section 3 of chapter 161A of the General Laws, inserted therein by section 18 of chapter 563 of the acts of 1964, is hereby amended by striking out paragraph (*i*) and inserting in place thereof the following paragraph: —

(*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 and, with respect only to operations of the authority with equipment owned and operated by the authority, without, except as otherwise provided in this chapter, being subject to the jurisdiction and control of any city or town or other licensing authority; provided that schedules and routes shall not be considered matters of safety subject to the jurisdiction and control of said department. Except as otherwise provided in this chapter, the directors of the authority shall determine the character and extent of the services and facilities to be furnished, and in these respects their authority shall be exclusive and shall not be subject to the approval, control or direction of any state, municipal or other department, board or commission. Nothing contained in this paragraph shall be construed as exempting any privately owned or controlled carrier, whether operating independently, jointly or under contract with the authority, from obtaining any license required under section one of chapter one hundred and fifty-nine A. *Approved January 7, 1966.*

Chap. 883. AN ACT AUTHORIZING THE CITY OF WESTFIELD TO PAY WILLIAM E. MOORE, INC. 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 William E. Moore, Inc. a sum not to exceed two hundred and eighty-nine dollars as compensation for services rendered by said corporation to said city in the year nineteen hundred and fifty-nine in connection with the Sackett Reservoir. 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 January 7, 1966.*

Chap. 884. AN ACT ABOLISHING DEDUCTIONS FROM SENTENCE FOR GOOD CONDUCT IN THE CASE OF CERTAIN OFFENDERS AND REDUCING SUCH DEDUCTIONS IN THE CASE OF VIOLATORS OF PAROLE.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 129 of chapter 127 of the General Laws, as appearing in section 66 of chapter 770 of the acts of 1955, is hereby amended by inserting after the word "month", in line 20, the following: — ; provided, however, that no prisoner serving a sentence imposed for a violation of section thirteen B, twenty-two, twenty-two A, twenty-three, twenty-four or twenty-four B of chapter two hundred and sixty-five or section seventeen, thirty-five or thirty-five A of chapter two hundred and seventy-two, or for an attempt to commit any crime referred to in said sections shall be entitled to have the term of his imprisonment under such sentence reduced under the provisions of this section.

SECTION 2. The next to the last sentence of the second paragraph of said section 129 of said chapter 127, as appearing in chapter 282 of the acts of 1961, is hereby amended by striking out, in lines 11 to 20, inclusive, the words "; provided, however, that when any person serving a sentence imposed for a violation of section thirteen B, twenty-two, twenty-two A, twenty-three, twenty-four or twenty-four B, of chapter two hundred and sixty-five, or section seventeen, thirty-five or thirty-five A of chapter two hundred and seventy-two, or for an attempt to commit any crime referred to in said sections is released in accordance with the provisions hereof, he shall not be given any certificate of discharge hereunder, but shall be released on parole and shall be subject to the provisions of law governing parole until the expiration of the term of imprisonment to which he has been sentenced".

SECTION 3. The last paragraph of said section 129 of said chapter 127, as amended by chapter 535 of the acts of 1963, is hereby further amended by adding the following sentence: — A prisoner released on parole by the parole board, who has failed to observe all the rules of his parole and has been returned to a correctional institution for the violation of his

parole, shall not receive deductions described in this section for any of the first six months after he is returned to the correctional institution.

SECTION 4. The provisions of section one hundred and twenty-nine of chapter one hundred and twenty-seven of the General Laws, as amended by sections one and two of this act, shall not apply to the deductions or term of imprisonment of any person sentenced prior to the effective date of this act. The provisions of section one hundred and twenty-nine of chapter one hundred and twenty-seven of the General Laws, as amended by section three of this act, shall not apply to any person who is paroled by the parole board prior to said effective date. *Approved January 7, 1966.*

Chap. 885. AN ACT INCREASING THE COMPENSATION GRADES OF COURT OFFICERS IN THE DISTRICT COURTS IN SUFFOLK COUNTY OTHER THAN IN THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any other provision of law, the compensation grade under the classification and compensation plan for the officers and employees of Suffolk County for the court officers in the district courts in Suffolk County, other than the municipal court of the city of Boston, shall be as follows: — the municipal court of the Roxbury district, chief court officer, compensation grade R16, other court officers, compensation grade R14; the municipal court of the Dorchester district, chief court officer, compensation grade R16, other court officers, compensation grade R14; and each of the other district courts in said county, chief court officer, compensation grade R15, other court officers, compensation grade R13.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved January 7, 1966.*

Chap. 886. AN ACT RELATIVE TO PROTECTION AT GRADE CROSSINGS.

Be it enacted, etc., as follows:

Section 147 of chapter 160 of the General Laws, as amended by chapter 498 of the acts of 1947, is hereby further amended by striking out the last sentence and inserting in place thereof the following three sentences: — The cost of installing, maintaining and operating such protection shall be apportioned by the department between the railroad passing over the crossing, the town or city in which the highway is located, the county, if the highway is a county road, or the commonwealth, if the highway is a state highway, and any land in a limited and determinable area receiving benefit or advantage, other than the general advantage to the community, from such protection, and in accordance with the relative benefit to be derived by each from such protection, giving due consideration to whether the railroad or the highway was first constructed, to the nature and volume of highway travel, to the number of trains operated by the railroad over the crossing, and to all other relevant facts and circumstances. The provisions of this section

shall not apply to the Massachusetts Bay Transportation Authority or any railroad or railroad corporation operated under any contract with said authority. Any costs apportioned against land under this section shall be levied, assessed and collected in the same manner as a betterment under chapter eighty, so far as applicable.

Approved January 7, 1966.

Chap. 887. AN ACT REQUIRING THE PAROLE BOARD TO NOTIFY STATE AND LOCAL POLICE OF THE EFFECTIVE DATE AND THE CONDITIONS OF PAROLE PERMITS.

Be it enacted, etc., as follows:

Chapter 127 of the General Laws is hereby amended by inserting after section 131 the following section: —

Section 131A. Not less than twenty-four hours prior to the effective date of any parole permit the parole board shall notify in writing the division of state police in the department of public safety and the police department in the city or town to which the parolee will return of such parole, specifying the terms and conditions thereof.

Approved January 7, 1966.

Chap. 888. AN ACT PROVIDING THAT VIOLATIONS OF STANDARDS OF FITNESS FOR HUMAN HABITATION SHALL CONSTITUTE A DEFENSE IN ACTIONS OF SUMMARY PROCESS TO RECOVER POSSESSION OF RENTED OR LEASED PREMISES.

Be it enacted, etc., as follows:

Chapter 239 of the General Laws is hereby amended by inserting after section 8 the following section: —

Section 8A. There shall be no recovery under this chapter, pursuant to a notice to quit for nonpayment of rent, of any tenement rented or leased for dwelling purposes if such premises are in violation of the standards of fitness for human habitation established under the state sanitary code or any ordinance, by-law, rule or regulation and if such violation may endanger or materially impair the health or safety of persons occupying the premises; provided, however (1) that the person occupying the premises, while not in arrears in his rent, gave notice in writing to the person to whom he customarily paid his rent (*a*) that he would, because of such violation, withhold all rent thereafter becoming due until the conditions constituting such violation were remedied and (*b*) that a report of an inspection of such premises has been issued by the board of health, by a local agency having like powers of inspection relative to the fitness of premises for human habitation or relative to conditions which may endanger or materially impair the health or safety of persons occupying premises for dwelling purposes, or, in the city of Boston, by the commissioner of housing inspection, which report states that such violation exists and that it may endanger or materially impair the health or safety of persons occupying said premises; (2) that such violation was not caused by the person occupying the premises or any other person acting under his control; (3) that the premises are not situated in a hotel, motel, lodging house or rooming house; and (4) that

the conditions constituting the violation can be remedied without the premises being vacated.

A copy of such report, certified under the penalties of perjury, by the official who inspected the premises shall be admissible in evidence in any proceeding in which the provisions of this section are applicable, as evidence of facts therein stated.

The court may require the person claiming a defense under this section to pay all or any portion of the rent due or to become due into court in a manner prescribed by it. *Approved January 7, 1966.*

Chap. 889. AN ACT PROVIDING FOR THE DEVELOPMENT AND PROMOTION OF NUTRITION EDUCATION PROGRAMS IN THE SCHOOLS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 548 of the acts of 1948 is hereby amended by inserting after section 8, inserted by chapter 637 of the acts of 1953, the following two sections: —

Section 9. The department of education in co-operation with the department of public health and local superintendents of schools shall be responsible for the development, promotion, supervision and co-ordination of nutrition education programs in the schools of the commonwealth.

Section 10. There shall be employed in the office of school lunch programs a senior supervisor in education, whose duties shall include, among others, the development, promotion, supervision and co-ordination of nutrition education in the schools of the commonwealth as provided for in section nine. *Approved January 7, 1966.*

Chap. 890. AN ACT FURTHER INCREASING THE AMOUNT OF INDEMNIFICATION PAYABLE BY THE COMMONWEALTH FOR THE PROTECTION OF STATE EMPLOYEES IN CERTAIN ACTIONS ARISING OUT OF THE OPERATION OF STATE-OWNED VEHICLES.

Be it enacted, etc., as follows:

The first paragraph of section 3B of chapter 12 of the General Laws, as most recently amended by section 1 of chapter 633 of the acts of 1957, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — The attorney general may adjust or settle any such action, at any time before, during or after trial, if he finds after investigation that the plaintiff is entitled to damages from such officer or employee, and in such case there shall be paid from the state treasury for settlement in full of such action from such appropriation as may be made by the general court for the purposes of this section such sum, not exceeding twenty-five thousand dollars on account of injury to or death of one person, and not exceeding ten thousand dollars on account of damage to property, as the attorney general shall determine to be just and reasonable and as the governor and council shall approve. *Approved January 7, 1966.*

Chap. 891. AN ACT RELATIVE TO REIMBURSEMENT UNDER THE WORKMEN'S COMPENSATION LAW OUT OF THE SPECIAL FUND FOR VETERANS IN THE DEPARTMENT OF THE STATE TREASURER.

Be it enacted, etc., as follows:

Section 37A of chapter 152 of the General Laws, inserted by section 1 of chapter 623 of the acts of 1945, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Such compensation shall be paid by the insurer or self-insurer, who shall be reimbursed in an amount not to exceed fifty per cent thereof by the state treasurer from the fund established by section sixty-five N. *Approved January 7, 1966.*

Chap. 892. AN ACT PROVIDING FOR THE ENTRY OF THE COMMONWEALTH INTO AN INTERSTATE COMPACT TO PROVIDE FOR AGREEMENT ON DETAINERS OUTSTANDING AGAINST PRISONERS BASED ON UNTRIED INDICTMENTS, INFORMATIONS, OR COMPLAINTS, IN ORDER TO SECURE SPEEDY TRIALS.

Be it enacted, etc., as follows:

SECTION 1. An agreement is hereby entered into by this commonwealth with all other jurisdictions legally joining therein in substantially the following form:

AGREEMENT ON DETAINERS.

The contracting states solemnly agree that:

ARTICLE I.

The party states find that charges outstanding against a prisoner, detainers based on untried indictments, informations or complaints, and difficulties in securing speedy trial of persons already incarcerated in other jurisdictions, produce uncertainties which obstruct programs of prisoner treatment and rehabilitation. Accordingly, it is the policy of the party states and the purpose of this agreement to encourage the expeditious and orderly disposition of such charges and determination of the proper status of any and all detainers based on untried indictments, informations or complaints. The party states also find that proceedings with reference to such charges and detainers, when emanating from another jurisdiction, cannot properly be had in the absence of cooperative procedures. It is the purpose of this agreement to provide such cooperative procedures.

ARTICLE II.

As used in this agreement:

(*a*) "State" shall mean a state of the United States; the United States of America; a territory or possession of the United States; the District of Columbia; the Commonwealth of Puerto Rico.

(*b*) "Sending state" shall mean a state in which a prisoner is incarcerated at the time that he initiates a request for final disposition pursuant to Article III hereof or at the time that a request for custody or availability is initiated pursuant to Article IV hereof.

(c) "Receiving state" shall mean the state in which trial is to be had on an indictment, information or complaint pursuant to Article III or Article IV hereof.

ARTICLE III.

(a) Whenever a person has entered upon a term of imprisonment in a penal or correctional institution of a party state, and whenever during the continuance of the term of imprisonment there is pending in any other party state any untried indictment, information or complaint on the basis of which a detainer has been lodged against the prisoner, he shall be brought to trial within one hundred eighty days after he shall have caused to be delivered to the prosecuting officer and the appropriate court of the prosecuting officer's jurisdiction written notice of the place of his imprisonment and his request for a final disposition to be made of the indictment, information or complaint; provided, that for good cause shown in open court, the prisoner or his counsel being present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance. The request of the prisoner shall be accompanied by a certificate of the appropriate official having custody of the prisoner, stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decisions of the state parole agency relating to the prisoner.

(b) The written notice and request for final disposition referred to in paragraph (a) hereof shall be given or sent by the prisoner to the warden, commissioner of correction or other official having custody of the prisoner, who shall promptly forward it together with the certificate to the appropriate prosecuting official and court by registered or certified mail, return receipt requested.

(c) The warden, commissioner of correction or other official having custody of the prisoner shall promptly inform him of the source and contents of any detainer lodged against him and shall also inform him of his right to make a request for final disposition of the indictment, information or complaint on which the detainer is based.

(d) Any request for final disposition made by a prisoner pursuant to paragraph (a) hereof shall operate as a request for final disposition of all untried indictments, informations or complaints on the basis of which detainers have been lodged against the prisoner from the state to whose prosecuting official the request for final disposition is specifically directed. The warden, commissioner of correction or other official having custody of the prisoner shall forthwith notify all appropriate prosecuting officers and courts in the several jurisdictions within the state to which the prisoner's request for final disposition is being sent of the proceeding being initiated by the prisoner. Any notification sent pursuant to this paragraph shall be accompanied by copies of the prisoner's written notice, request, and the certificate. If trial is not had on any indictment, information or complaint contemplated hereby prior to the return of the prisoner to the original place of imprisonment, such indictment, information or complaint shall not be of any further force or effect, and the court shall enter an order dismissing the same with prejudice.

(e) Any request for final disposition made by a prisoner pursuant to paragraph (a) hereof shall also be deemed to be a waiver of extradition

with respect to any charge or proceeding contemplated thereby or included therein by reason of paragraph (*d*) hereof, and a waiver of extradition to the receiving state to serve any sentence there imposed upon him, after completion of his term of imprisonment in the sending state. The request for final disposition shall also constitute a consent by the prisoner to the production of his body in any court where his presence may be required in order to effectuate the purposes of this agreement and a further consent voluntarily to be returned to the original place of imprisonment in accordance with the provisions of this agreement. Nothing in this paragraph shall prevent the imposition of a concurrent sentence if otherwise permitted by law.

(*f*) Escape from custody by the prisoner subsequent to his execution of the request for final disposition referred to in paragraph (*a*) hereof shall void the request.

ARTICLE IV.

(*a*) The appropriate officer of the jurisdiction in which an untried indictment, information or complaint is pending, shall be entitled to have a prisoner against whom he has lodged a detainer and who is serving a term of imprisonment in any party state made available in accordance with paragraph (*a*) of Article V upon presentation of a written request for temporary custody or availability to the appropriate authorities of the state in which the prisoner is incarcerated; provided, that the court having jurisdiction of such indictment, information or complaint shall have duly approved, recorded and transmitted the request; and, provided further, that there shall be a period of thirty days after receipt by the appropriate authorities before the request is honored, within which period the governor of the sending state may disapprove the request for temporary custody or availability, either upon his own motion or upon the motion of the prisoner.

(*b*) Upon receipt of the officer's written request as provided in paragraph (*a*) hereof, the appropriate authorities having the prisoner in custody shall furnish the officer with a certificate stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decisions of the state parole agency relating to the prisoner. Said authorities simultaneously shall furnish all other officers and appropriate courts in the receiving state who have lodged detainers against the prisoner with similar certificates and with notices informing them of the request for custody or availability and of the reasons therefor.

(*c*) In respect to any proceeding made possible by this Article, trial shall be commenced within one hundred twenty days of the arrival of the prisoner in the receiving state, but for good cause shown in open court, the prisoner or his counsel being present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance.

(*d*) Nothing contained in this Article shall be construed to deprive any prisoner of any right which he may have to contest the legality of his delivery as provided in paragraph (*a*) hereof, but such delivery may not be opposed or denied on the ground that the executive authority of the sending state has not affirmatively consented to or ordered such delivery.

(*e*) If trial is not had on any indictment, information or complaint contemplated hereby prior to the prisoner's being returned to the original place of imprisonment pursuant to Article V (*e*) hereof, such indictment, information or complaint shall not be of any further force or effect, and the court shall enter an order dismissing the same with prejudice.

ARTICLE V.

(*a*) In response to a request made under Article III or Article IV hereof, the appropriate authority in a sending state shall offer to deliver temporary custody of such prisoner to the appropriate authority in the state where such indictment, information or complaint is pending against such person in order that speedy and efficient prosecution may be had. If the request for final disposition is made by the prisoner, the offer of temporary custody shall accompany the written notice provided for in Article III of this agreement. In the case of a federal prisoner, the appropriate authority in the receiving state shall be entitled to temporary custody as provided by this agreement or to the prisoner's presence in federal custody at the place for trial, whichever custodial arrangement may be approved by the custodian.

(*b*) The officer or other representative of a state accepting an offer of temporary custody shall present the following upon demand:

(1) Proper identification and evidence of his authority to act for the state into whose temporary custody the prisoner is to be given.

(2) A duly certified copy of the indictment, information or complaint on the basis of which the detainer has been lodged and on the basis of which the request for temporary custody of the prisoner has been made.

(*c*) If the appropriate authority shall refuse or fail to accept temporary custody of said person, or in the event that an action on the indictment, information or complaint on the basis of which the detainer has been lodged is not brought to trial within the period provided in Article III or Article IV hereof, the appropriate court of the jurisdiction where the indictment, information or complaint has been pending shall enter an order dismissing the same with prejudice, and any detainer based thereon shall cease to be of any force or effect.

(*d*) The temporary custody referred to in this agreement shall be only for the purpose of permitting prosecution on the charge or charges contained in one or more untried indictments, informations or complaints which form the basis of the detainer or detainers or for prosecution on any other charge or charges arising out of the same transaction. Except for his attendance at court and while being transported to or from any place at which his presence may be required, the prisoner shall be held in a suitable jail or other facility regularly used for persons awaiting prosecution.

(*e*) At the earliest practicable time consonant with the purposes of this agreement, the prisoner shall be returned to the sending state.

(*f*) During the continuance of temporary custody or while the prisoner is otherwise being made available for trial as required by this agreement, time being served on the sentence shall continue to run but good time shall be earned by the prisoner only if, and to the extent that, the law and practice of the jurisdiction which imposed the sentence may allow.

(*g*) For all purposes other than that for which temporary custody as provided in this agreement is exercised, the prisoner shall be deemed to

remain in the custody of and subject to the jurisdiction of the sending state and any escape from temporary custody may be dealt with in the same manner as an escape from the original place of imprisonment or in any other manner permitted by law.

(*h*) From the time that a party state receives custody of a prisoner pursuant to this agreement until such prisoner is returned to the territory and custody of the sending state, the state in which the one or more untried indictments, informations or complaints are pending or in which trial is being had shall be responsible for the prisoner and shall also pay all costs of transporting, caring for, keeping and returning the prisoner. The provisions of this paragraph shall govern unless the states concerned shall have entered into a supplementary agreement providing for a different allocation of costs and responsibilities as between or among themselves. Nothing herein contained shall be construed to alter or affect any internal relationship among the departments, agencies and officers of and in the government of a party state, or between a party state and its subdivisions, as to the payment of costs, or responsibilities therefor.

ARTICLE VI.

(*a*) In determining the duration and expiration dates of the time periods provided in Articles III and IV of this agreement, the running of said time periods shall be tolled whenever and for as long as the prisoner is unable to stand trial, as determined by the court having jurisdiction of the matter.

(*b*) No provision of this agreement, and no remedy made available by this agreement, shall apply to any person who is adjudged to be mentally ill.

ARTICLE VII.

Each state party to this agreement shall designate an officer who, acting jointly with like officers of other party states, shall promulgate rules and regulations to carry out more effectively the terms and provisions of this agreement, and who shall provide, within and without the state, information necessary to the effective operation of this agreement.

ARTICLE VIII.

This agreement shall enter into full force and effect as to a party state when such state has enacted the same into law. A state party to this agreement may withdraw herefrom by enacting a statute repealing the same. However, the withdrawal of any state shall not affect the status of any proceedings already initiated by inmates or by state officers at the time such withdrawal takes effect, nor shall it affect their rights in respect thereof.

ARTICLE IX.

This agreement shall be liberally construed so as to effectuate its purposes. The provisions of this agreement shall be severable and if any phrase, clause, sentence or provision of this agreement is declared to be contrary to the constitution of any party state or of the United

States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this agreement and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this agreement shall be held contrary to the constitution of any state party hereto, the agreement shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matter.

SECTION 2. The phrase "Appropriate court", as used in the Agreement on Detainers, shall, with reference to the courts of this commonwealth mean the municipal court of the city of Boston, district courts, the superior court or the supreme judicial court.

SECTION 3. All courts, departments, agencies, officers and employees of this commonwealth and its political subdivisions are hereby directed to enforce the Agreement on Detainers and to cooperate with one another and with other party states in enforcing said agreement and effectuating its purpose.

SECTION 4. Nothing in the Agreement on Detainers shall be construed to require the application of the habitual offenders law to any person on account of any conviction had in a proceeding brought to final disposition by reason of the use of said agreement.

SECTION 5. A prisoner who escapes or attempts to escape from custody while in another state or while in this commonwealth pursuant to the Agreement on Detainers may be pursued and recaptured and shall be punished by imprisonment in the state prison in this commonwealth for not more than ten years or by imprisonment in a jail or house of correction in this commonwealth for not more than two and one half years.

SECTION 6. It shall be lawful and mandatory upon the superintendent or other official in charge of a penal or correctional institution of this commonwealth to give over the person of any inmate thereof whenever so required by the operation of the Agreement on Detainers.

SECTION 7. The governor may designate an officer of the commonwealth to act as compact administrator of and information agent for the Agreement on Detainers.

SECTION 8. Copies of this agreement shall, upon its approval, be transmitted to the governor of each contracting state, the attorney general of the United States, the administrator of general services of the United States, and the council of state governments.

Approved January 7, 1966.

Chap. 893. AN ACT AUTHORIZING THE TOWN OF MARBLEHEAD TO HOLD AND MAINTAIN CERTAIN CEMETERY PROPERTY IN SAID TOWN AS A PUBLIC CEMETERY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Marblehead may hold and maintain the cemetery property on Harris road and Harbor View road in said town as a public cemetery.

SECTION 2. All property rights acquired by said town under 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 said cemetery or any lots therein shall remain in force to the same extent as if this act had not been passed.

SECTION 3. This act shall take effect upon its acceptance by the town of Marblehead. *Approved January 7, 1966.*

Chap. 894. AN ACT INCREASING THE APPROPRIATION FOR THE EXPENSES OF THE FINANCE COMMISSION OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Chapter 486 of the acts of 1909 is hereby amended by striking out section 20, as most recently amended by chapter 40 of the acts of 1961, and inserting in place thereof the following section: — *Section 20.* The said commission is authorized to employ such experts, counsel and other assistants, and to incur such other expenses as it may deem necessary, and the same shall be paid by said city upon requisition by the commission, not exceeding, in the aggregate, in any year, the sum of eighty thousand dollars, or such additional sums as may be appropriated for the purpose by the city council and approved by the mayor. A sum sufficient to cover the salary of the chairman of the commission and the further sum of at least eighty thousand dollars to meet the expenses as aforesaid each year shall be appropriated by said city. The commission shall have the same right to incur expenses in anticipation of its appropriation as if it were a regular department of said city.

Approved January 7, 1966.

Chap. 895. AN ACT AUTHORIZING THE TREASURER OF THE COUNTY OF MIDDLESEX TO PAY A SUM OF MONEY TO FLORENCE W. PURCELL.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, and in order to discharge a moral obligation of the county of Middlesex, the treasurer of said county shall pay from any available funds to Florence W. Purcell, a retired employee of said county, the sum of one hundred and fifteen dollars and sixty-two cents as compensation for services rendered by her, after her retirement, as a junior clerk in the first district court of southern Middlesex for the period of two weeks commencing with March twenty-sixth, nineteen hundred and sixty-two.

Approved January 7, 1966.

Chap. 896. AN ACT PROVIDING FOR A FOURTH AND FIFTH ASSISTANT CLERK FOR THE DISTRICT COURT OF SPRINGFIELD.

Be it enacted, etc., as follows:

Section 10 of chapter 218 of the General Laws is hereby amended by striking out the fourth paragraph, inserted by chapter 692 of the acts of 1964, and inserting in place thereof 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 and, subject to the approval of the county commissioners, in the district court of Springfield. *Approved January 7, 1966.*

Chap. 897. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ESTABLISH WITHIN THE DEPARTMENT A HIGHWAY ENGINEER INTERN PROGRAM AND A CO-OPERATIVE ENGINEERING STUDENTS PROGRAM.

Be it enacted, etc., as follows:

Chapter 16 of the General Laws is hereby amended by inserting after section 4 the following two sections: —

Section 4A. With the approval of the director of personnel and standardization and the director of civil service, the commissioner of public works may establish in the department of public works a program of engineering internship and, with the assistance of the division of civil service, may recruit qualified persons to serve in the department as highway engineer interns.

The number of persons employed in the department as highway engineer interns shall at no time exceed seven in any fiscal year, nor may such highway engineer interns employed by the department be placed in a salary grade higher than that of a junior civil engineer in the department.

No person shall be appointed or employed as a highway engineer intern except upon requisition made by the commissioner of public works and upon certification by the director of civil service from an eligible list prepared in accordance with the provisions of chapter thirty-one and the rules made thereunder; provided, that the director shall establish such eligible list before June first in each calendar year by holding a competitive examination which shall be open only to persons who, as candidates for the degree of bachelor of science in civil engineering to be awarded to them in such year, are enrolled as students in any college of the commonwealth, or are Massachusetts residents attending a college of recognized standing outside the commonwealth, and to persons who, within the three years next preceding, have been awarded the degree of bachelor of science in engineering from a college of recognized standing. The eligible list established each year shall expire upon the establishment of the eligible list in the following year. No person shall be certified for appointment as a highway engineer intern unless he has been awarded the degree of bachelor of science in civil engineering.

Upon appointment as a highway engineer intern, made in accordance with chapter thirty-one of the General Laws and the rules made thereunder, the appointee shall sign an agreement binding him to serve as highway engineer intern for a minimum of two years unless his employment is sooner terminated by the commissioner. It shall be the duty of the commissioner to rotate the assignments of each intern during his period of employment in order that he may acquire diversified experience in the engineering programs of the department.

The names of persons appointed as highway engineer interns shall be entered in order of date of appointment on a list to be known as "Highway Engineer Intern List" in the division of civil service.

Upon completion of two years of employment as interns under agreements provided for in this section, persons shall be eligible without further examination for appointment as junior civil engineers providing a vacancy exists in said title in the department of public works and, upon requisition of the commissioner, the names of such persons shall be certified for appointment by the director of civil service from the

Highway Engineer Intern List, in accordance with the rules of the civil service commission, except that the basis of certification shall be the order of appointment to such Highway Engineer Intern List.

Section 4B. The commissioner of public works may establish a co-operative engineering program and may enter into agreements with colleges of recognized standing within the commonwealth, including colleges which have summer programs, which have established a curriculum leading to a degree of bachelor of science in civil engineering on a so-called co-operative basis, contemplating regularly rotating working activity in the field of engineering and an equal period of classroom training. He may employ persons enrolled as candidates for the degree of bachelor of science in civil engineering in any such colleges to serve in the department in the position of student engineer, provided that the position of student engineer shall be in a grade lower than that of junior civil engineer in the department, and provided that at no time shall the number of persons employed in the department as student engineers exceed eight in any fiscal year. Upon completion of not less than two years of employment as student engineer, a person shall be eligible to apply for the examination for highway engineer intern provided for by section four A provided he will graduate with the degree of bachelor of science in civil engineering in that year as set forth in said section four A, any other provision of this section notwithstanding. No person shall be employed as a student engineer for more than six years.

Approved January 7, 1966.

Chap. 898. AN ACT RELATIVE TO THE ENFORCEMENT OF THE MINIMUM STANDARDS OF FITNESS FOR HUMAN HABITATION EXISTING UNDER THE STATE SANITARY CODE.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 111 of the General Laws, as most recently amended by chapter 390 of the acts of 1963, is hereby further amended by striking out all after the first paragraph.

SECTION 2. Section 124 of said chapter 111 is hereby amended by striking out the second sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence: — If the order is directed against the owner and if the residence and whereabouts of the owner or his agent are unknown or without the commonwealth, the board may direct the order to be served by posting a copy thereof in a conspicuous place on the premises and by advertising it for at least three out of five consecutive days in one or more newspapers of general circulation within the municipality wherein the building affected is situated.

SECTION 3. Said chapter 111 is hereby further amended by adding after section 127 the following ten sections: —

Section 127A. Said department shall adopt, and may from time to time amend, public health regulations to be known as the state sanitary code, which may provide penalties for violations thereof not exceeding five hundred dollars for any one offence. Said code shall become effective and have the force of law upon filing with the state secretary or at such later date as may be specified by the department. The code shall deal with matters affecting the health and well-being of the public in

the commonwealth in subjects over which the department takes cognizance and responsibility. Nothing contained in the code shall be in conflict with any general or special law. This section shall not be deemed to limit the right of any board of health to adopt such rules and regulations as, in its opinion, may be necessary for the particular locality under its jurisdiction; provided, such rules and regulations do not conflict with the laws of the commonwealth or the provisions of the code. Said code may provide for the demolition, removal, repair or cleaning by local boards of health and, in the city of Boston, by the commissioner of housing inspection, of any structure which so fails to comply with the standards of fitness for human habitation or other regulations in said code, as to endanger or materially impair the health or well-being of the public.

Section 127B. Upon a determination by the board of health, or, in the city of Boston, by the commissioner of housing inspection, after examination as provided in said code, that a building, tenement, room, cellar, mobile dwelling place or any other structure (*a*) is unfit for human habitation, (*b*) is or may become a nuisance, or (*c*) is or may be a cause of sickness or home accident to the occupants or to the public, it may issue a written order to the owner or occupant or any of them thereof, requiring the owner or occupant to vacate, to put the premises in a clean condition, or to comply with the regulations set forth in said code which are not being complied with or to comply with the rules and regulations adopted by the board of health as being necessary for the particular locality. The order shall be served in the same manner as is provided for the service of an order by section one hundred and twenty-four. A copy of such order shall be served upon any mortgagee of record by sending the same by registered mail, return receipt requested. If the owner or occupant refuses to comply with such order, the board of health may cause the premises to be properly cleaned at the expense of the owner or occupant, remove the occupant forcibly and close up the premises, or it may issue a written notice to the owner of such building, as appearing in the current records of the assessors of such town, setting forth the particulars of such unfitness and requiring that the conditions be remedied. If the person so notified fails within a reasonable time to remedy the conditions thus set forth, the superior court on a petition in equity brought by the board of health, shall have jurisdiction, by injunction or otherwise, to enforce the requirements of the board of health. A copy of such written notice shall be served upon any mortgagee of record, by sending the same by registered mail, return receipt requested. Premises closed up under the provisions of this section shall not be occupied as a human habitation without written permission of the board of health. If within one year from the date the premises have been so closed up compliance with the regulations contained in said code has not been effected, the board of health may cause such structure to be demolished or removed, and a claim for the expense so incurred by said board shall constitute a debt due the city or town upon the completion of the work and the rendering of an account therefor to the owner of such structure, and shall be recoverable from such owner in an action of contract.

Any such debt, together with interest thereon at the rate of six per cent per annum from the date such debt becomes due, shall constitute a lien on the land upon which the structure is or was located if a statement

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

Local boards of health shall enforce said code in the same manner in which local health rules and regulations are enforced but if, any such local board fails after the lapse of a reasonable length of time to enforce the same, the department may in like manner enforce said code against any violator.

The superior court shall have jurisdiction in equity to enforce the provisions of said code.

A board of health and, in the city of Boston the commissioner of housing inspection, or local code enforcement agency may file a petition under section one hundred and twenty-seven H.

Section 127C. If the condition of any building or any part thereof used for residential purposes is in violation of the standards of fitness for human habitation established under the state sanitary code, as provided by section one hundred and twenty-seven A, or in violation of any board of health standards, a petition may be filed by any affected tenant or by the board of health, or, in the city of Boston, by the commissioner of housing inspection, in a district court within the judicial district of which such building is situated. The petition shall state that the premises have been inspected by the board of health or other appropriate inspection agency and that the condition of said premises has been found to be in violation of the state sanitary code; that such condition may endanger or materially impair the health or well-being of any tenant therein; and that said condition was not substantially caused by the tenant or any other person acting under his control.

Section 127D. The entry fee for a petition under section one hundred and twenty-seven C shall be two dollars. Upon the filing of such a petition, an order of notice shall issue requiring the owner of record to appear at a time not later than fourteen days after the issuance of said order of notice, to file an answer to the matters alleged in the petition including therein the names and addresses of any mortgagees or lienors of record known to the owner of record, and to submit to a hearing thereon.

Such order of notice shall be served at least seven days before the return day thereof, by any officer qualified to serve civil process by delivering to the respondent an attested copy thereof, or, by leaving such copy at his last and usual place of abode, or, at the address to which the

rent is sent or delivered, or, if the respondent is a corporation, service may also be made in the manner provided by law or by leaving an attested copy thereof at the last and usual place of abode of the president, treasurer or clerk of the corporation, or in such other manner as the court may direct.

Section 127E. A copy of the report of the investigation by the department of public health or the board of health, or, in the city of Boston, the commissioner of housing inspection, certified as a true copy by the custodian of the records of such agency shall be admissible in any proceeding brought under section one hundred and twenty-seven C without further authentication, and shall be prima facie evidence of the facts stated therein.

Section 127F. If the court finds after hearing that the facts are as alleged in said petition, it may by written order authorize the petitioner or any other tenant affected to make rental payments then due or thereafter becoming due to the clerk of the court; provided, the court finds that any such violation may endanger or materially impair the health and well-being of such tenant and that such rental payments are necessary to remedy the condition constituting the violation; and that said tenant is not in arrears in his rent or if he is in arrears is willing to pay any arrearage into the court as ordered. Any order of the court shall be forthwith sent by the clerk of court to any and all mortgagees and lienors of record as the court deems proper under the circumstances.

The court may direct the clerk by written order to disburse all or any portion of the rental payments received by him to the respondent for the purpose of effectuating the removal of the violation. The court may also direct the clerk to make such other disbursements of the rental payments to the respondent or to any other person as in the judgment of the court will permit the owner to maintain the property.

When the violation is removed, the court shall direct that the balance of funds, if any, remaining with the clerk be paid to the respondent. The court may render judgment for costs in its discretion.

Section 127G. At any time after thirty days from the date of the court's order authorizing the making of rental payments into court under section one hundred and twenty-seven F, upon application of any party and upon payment of a removal fee of five dollars, the clerk of the district court shall remove the case to the superior court for further proceedings therein, in the same manner and to the same extent as if the petition had originally been brought in said court pursuant to the provisions of section one hundred and twenty-seven B. The clerk of court shall forthwith transmit any rents held by him, as the result of a written order issued under section one hundred and twenty-seven F together with the removal fee, to the clerk of the superior court.

Section 127H. Any tenant who rents space in a building for residential purposes wherein a condition exists which is in violation of the standards of fitness for human habitation established under the state sanitary code or in violation of any board of health standards, which condition may endanger or materially impair his health or well-being or the health or well-being of the public, may file a petition against the owner of said building to enforce the provisions of the said code in the superior court. Such petition shall set forth the violation of the state sanitary code or the rules and regulations of the board of health shall state that such condition may endanger or materially impair the health or well-being of

any tenant therein; and that said condition was not substantially caused by the tenant or any other person acting under his control. The petition shall also state that the violation has been determined to exist by inspection of a board of health or, in the city of Boston, of the commissioner of housing inspection. Upon filing such petition, process shall issue and be served, and a hearing shall be held as provided in section one hundred and twenty-seven D. At least seven days prior to any hearing the petitioner shall send by certified or registered mail a copy of the petition to all mortgagees and lienors of record, and shall notify them of the time and place of the hearing.

The provisions of section one hundred and twenty-seven E shall apply in any such hearing.

The court may:

(*a*) issue appropriate restraining orders, preliminary injunctions and injunctions;

(*b*) authorize any or all tenants in the respondent's building wherein the violation exists to make rental payments then due or thereafter becoming due to the clerk of the court in the same manner and subject to the same provisions as contained in section one hundred and twenty-seven F;

(*c*) order all the tenants in the respondent's building wherein the violation exists to vacate the premises, and order the board of health to close up said premises; or

(*d*) appoint a receiver.

A copy of any order, finding or decree made by the court hereunder shall be forthwith sent by the clerk of the court to any mortgagee and lienor of record.

Section 127I. Upon appointment such receiver shall post such bond as may be deemed sufficient by the court, shall forthwith collect all rents and profits of the property as the court shall direct and use all or any of such funds, or funds received from the commonwealth as hereinafter provided, to enable such property to meet the standards of fitness for human habitation. A receiver shall have such powers and duties as the court shall determine, including the right to evict for nonpayment of rent. A receiver may be a person, partnership or corporation.

Section 127J. A receiver may petition the court for leave to apply for financial assistance from the commonwealth to supplement funds otherwise available from rents, if he deems that the rents are insufficient to effectuate the necessary repairs or rehabilitation. Seven days' notice of a hearing on said petition shall be given to the respondent as well as any mortgagees or lien holders of record. The court, after hearing, may, by decree, authorize the receiver to apply for such financial assistance, if it finds such assistance is necessary, that it is in a reasonable amount and that the sum required to repair and rehabilitate the premises is not so excessive as to constitute an imprudent and unreasonable expenditure to accomplish the purpose.

Application for financial assistance shall be made to the department of public health in such manner and on such forms as may be prescribed by said department.

Said department may expend for such assistance such sums as may be appropriated therefor.

The receiver shall return any unused portion of any sums received by him to the commonwealth. The balance owed by the receiver to the

commonwealth shall, together with interest thereon at the rate of six per cent per annum, constitute a debt due the commonwealth, upon the rendering of an account therefor to the owner of record, and shall be recoverable from such owner in an action of contract. Any such debt, including interest thereon, shall constitute a lien on the property involved, if a notice of such lien is recorded on behalf of the commonwealth in the proper registry of deeds within ninety days after the debt becomes due.

Any proceeding under this section may be advanced for speedy trial.

SECTION 4. Notwithstanding any contrary provision of law, in any action of summary process to recover possession of certain premises occupied for dwelling purposes where the tenancy has been terminated by a notice to quit for nonpayment of rent, no judgment and execution shall issue for the plaintiff while the rents payable for said premises are to be paid into court pursuant to an order issued under section one hundred and twenty-seven F or one hundred and twenty-seven H of chapter one hundred and eleven of the General Laws and are so being paid, nor during the nine month period next following the date said order ceases to be operative or is revoked.

SECTION 5. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions. *Approved January 7, 1966.*

Chap. 899. AN ACT RELATIVE TO THE ESTABLISHMENT BY THE DIVISION OF HOUSING IN THE DEPARTMENT OF COMMERCE AND DEVELOPMENT OF STANDARDS FOR UNIFORM TENANT SELECTION IN PUBLIC HOUSING PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. Section 26NN of chapter 121 of the General Laws is hereby amended by adding after subdivision (*g*), added by chapter 116 of the acts of 1954, the following subdivision: —

(*h*) The board shall promulgate rules and regulations relative to uniform standards for tenant selection which shall establish the order of priority governing the selection of tenants, and a housing authority thereafter shall be bound by such standards in its selection of tenants.

SECTION 2. Section 26UU of said chapter 121, as appearing in section 1 of chapter 667 of the acts of 1954, is hereby amended by adding after subdivision (*e*) the following subdivision: —

(*f*) The board shall promulgate rules and regulations relative to uniform standards for tenant selection which shall establish the order of priority governing the selection of tenants, and a housing authority thereafter shall be bound by such standards in its selection of tenants.

Approved January 7, 1966.

Chap. 900. AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE DISTRICT COURT OF FRANKLIN AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS OFFICIAL DUTIES AND INCREASING THE SALARY OF THE CLERK OF SAID COURT.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 77A of chapter 218 of the General Laws, as appearing in section 14 of chapter 810 of the acts of 1963, is hereby amended by inserting after the line reading "fourth district court of Bristol," the following line: — district court of Franklin,.

SECTION 2. The first paragraph of section 78 of said chapter 218, as appearing in section 16 of said chapter 810, is hereby amended by striking out the following line: — district court of Franklin,.

SECTION 3. Paragraph (1) of section 79 of said chapter 218 is hereby amended in *Class II* by striking out line 4 reading "district court of Franklin,", as appearing in chapter 725 of the acts of 1962, and in *Class III* inserting after the line reading "district court of Fitchburg,", as so appearing, the following line: — district court of Franklin,.

Approved January 7, 1966.

Chap. 901. AN ACT PROVIDING FOR THE TRANSFER BY THE COMMISSIONER OF MENTAL HEALTH OF CERTAIN PROPERTY IN THE CITY OF WORCESTER TO THE BOARD OF TRUSTEES OF THE UNIVERSITY OF MASSACHUSETTS FOR THE UNIVERSITY OF MASSACHUSETTS MEDICAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of mental health, in the name and on behalf of the commonwealth, is hereby authorized and directed to transfer and convey to the board of trustees of the University of Massachusetts, hereinafter called the trustees, without consideration, two parcels of land located in the city of Worcester and bounded and described as follows: —

Parcel A. Beginning at a point in the westerly sideline of Plantation Street, said point marking the southeasterly corner of land conveyed to Notre Dame Institute by deed recorded in Worcester District Deeds Book 1640 at Page 175 and the northeasterly corner of Parcel A described herein; thence southerly by the westerly sideline of Plantation Street to a point in the northerly sideline of Belmont Street; thence westerly by the northerly sideline of said Belmont Street a distance of 649.81 feet, more or less, to a point; thence North 3 degrees 10 minutes 15 seconds West a distance of 149.36 feet, more or less, to a point; thence North 20 degrees 50 minutes 30 seconds West a distance of 161.50 feet to a point; thence North 11 degrees 28 minutes 06 seconds West a distance of 195.03 feet to a point; thence South 77 degrees 58 minutes 30 seconds East a distance of 55.84 feet to a point; thence North 42 degrees 17 minutes 40 seconds East a distance of 1777.28 feet to a point; thence North 4 degrees 12 minutes 20 seconds East a distance of 195.54 feet to a point; thence North 0 degrees 45 minutes 00 seconds East a distance of 250.45 feet to a point; thence North 7 degrees 38 minutes 50 seconds West a distance of 288.71 feet to a point; thence North 15 degrees 38 minutes 45 seconds West a distance of 1055.09 feet to a

point; thence North 83 degrees 00 minutes 00 seconds West a distance of 461.28 feet to a point; the last ten courses being by land of the department of mental health; thence North 21 degrees 04 minutes 00 seconds West a distance of 287.35 feet to a point; thence North 52 degrees 10 minutes 50 seconds West a distance of 247.05 feet to a stone bound; thence North 34 degrees 56 minutes 10 seconds East a distance of 22.29 feet to a stone bound; thence North 66 degrees 40 minutes 00 seconds East a distance of 833.90 feet to a point; the last four courses being by land of city of Worcester known as Green Hill Park; thence South 43 degrees 22 minutes 40 seconds East a distance of 739.50 feet to a point; thence South 67 degrees 21 minutes 50 seconds East a distance of 730.17 feet to the point of beginning the last two courses being by land of said Notre Dame Institute; containing 75.86 acres, more or less.

Parcel B. Beginning at a point in the easterly sideline of Plantation Street, said point marking the southwesterly corner of land conveyed to Louis P. and Rita L. Mercadante by deed recorded in Worcester District Deeds Book 4129 at Page 254 and the northwesterly corner of the parcel described herein; thence North 79 degrees 32 minutes 10 seconds East by land of said Mercadante, land now or formerly of Peter Stapor, and land now or formerly of Joseph A. Donovan a distance of 1752.82 feet to a point in the westerly sideline of Lake Avenue North; thence southwesterly and southerly by the westerly sideline of said Lake Avenue North through two concrete bounds, each marked W. H., to a point South 3 degrees 14 minutes 03 seconds West a distance of 812.26 feet from the southerly of said bounds; thence South 85 degrees 52 minutes 10 seconds West a distance of 199.09 feet to a stone bound; thence South 40 degrees 55 minutes 30 seconds West a distance of 585.46 feet to an iron pipe, the last two courses being by land of the department of public works and formerly of the department of mental health; thence North 82 degrees 36 minutes 20 seconds West by land of the division of youth service and land of St. George's Syrian Antiochian Orthodox Church of Worcester, said land being formerly of the department of mental health, a distance of 1223.69 feet to a point in the easterly sideline of Plantation Street; thence northerly by the easterly sideline of Plantation Street to the point of beginning; containing 48.6 acres, more or less.

SECTION 2. The trustees are hereby authorized to use the land transferred and conveyed under section one, and buildings, structures and facilities now or hereafter located thereon, for the University of Massachusetts medical school and for uses related thereto, and shall have custody and control of such land and all such buildings, structures and facilities; provided, however, that the department of mental health shall retain the right of access to and custody and control of, and shall be responsible for the operation and maintenance of, all buildings and structures now on such land until, as to each such building and structure, twelve months after the trustees shall have given the commissioner of mental health notice in writing of their intention to utilize such building or structure, or the land upon which it stands, for the use of said medical school.

SECTION 3. The trustees shall not sell, convey or transfer any part of the land to be transferred and conveyed in section one. If they shall hereafter determine that any part of such land is no longer required for

said medical school, they shall give notice in writing to the commissioner of mental health of such determination, which notice shall refer to this section and shall include a description of the part no longer required, whereupon such part shall revert to the custody and control of the department of mental health.

SECTION 4. The commissioner of mental health shall not sell, convey or transfer any part of the land retained as the grounds for the Worcester state hospital unless he first shall have offered in writing to transfer and convey said part to the trustees. *Approved January 7, 1966.*

Chap. 902. AN ACT ESTABLISHING THE POSITIONS OF FIRST, SECOND AND THIRD DEPUTY DIRECTOR IN THE DIVISION OF YOUTH SERVICE.

Be it enacted, etc., as follows:

Chapter 120 of the General Laws is hereby amended by inserting after section 2 the following section: —

Section 2A. The director of the division of youth service shall appoint and may remove a first deputy director for administrative services, a second deputy director for field services and a third deputy director for institutional services, each of whom shall receive such salary, not exceeding thirteen thousand dollars for the first deputy director and not exceeding twelve thousand five hundred dollars for the second deputy director and the third deputy director, as the governor may, in each instance, determine. Said deputy directors shall not be subject to the provisions of sections nine A or nine B of chapter thirty.

Approved January 7, 1966.

Chap. 903. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT AND MAINTAIN CERTAIN RECREATIONAL FACILITIES ON CERTAIN LAND IN THE PATTEN'S COVE AREA OF THE DORCHESTER DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Chapter 566 of the acts of 1958 is hereby amended by adding the following sentence: — Said commission is hereby further authorized and directed to construct in such recreational area, and thereafter to maintain, basketball courts, tennis courts and suitable lighting facilities for night athletic events. *Approved January 7, 1966.*

RESOLVES.

Chap. 1. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO IMPROVING AND EXTENDING EDUCATIONAL FACILITIES IN THE COMMONWEALTH.

Resolved, That the special commission, established by chapter one hundred and eight of the resolves of nineteen hundred and sixty-two, is hereby revived and continued; provided, however, that said commission shall, notwithstanding the provisions of section two A of chapter four of the General Laws, file its final report not later than the last Wednesday in June, nineteen hundred and sixty-five.

Approved January 21, 1965.

Chap. 2. RESOLVE REVIVING AND CONTINUING CERTAIN SPECIAL COMMISSIONS.

Resolved, That all special commissions established, continued, or revived and continued, during the year nineteen hundred and sixty-four and required to file final reports not later than the last Wednesday of December in the year nineteen hundred and sixty-four, but which did not so file such reports or which so filed such reports and requested therein that they be revived and continued, are hereby revived and continued; provided, however, that such commissions shall, notwithstanding the provisions of section two A of chapter four of the General Laws, file final reports not later than the fourth Wednesday of April in the current year. *Approved January 28, 1965.*

Chap. 3. RESOLVE IN FAVOR OF HAZLE BLAKENEY AND DOROTHY CHING.

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 Hazle Blakeney, the sum of three hundred forty-seven dollars and sixty-seven cents, and to Dorothy Ching, the sum of eight hundred thirty-one dollars and sixty cents, for services rendered by both during the years nineteen hundred and sixty-three and nineteen hundred and sixty-four at Greenfield Community College, payment for which is not legally enforceable. *Approved March 1, 1965.*

Chap. 4. RESOLVE CONTINUING THE 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 continue its investigation and study relative to the dredging and cleaning of a certain

portion of the Blackstone river, as authorized by chapter one hundred and nine of the resolves of nineteen hundred and sixty-four. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December, nineteen hundred and sixty-five.

Approved March 3, 1965.

Chap. 5. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT A WILL SHALL NOT BE REVOKED BY A MARRIAGE IN WHICH THE SPOUSE OF THE TESTATOR PREDECEASES HIM LEAVING NO ISSUE.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 370, relative to providing that a will shall not be revoked by a marriage in which the spouse of the testator predeceases him leaving no issue, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved March 5, 1965.

Chap. 6. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT A DIVORCE SHALL ACT AS REVOCATION OF A WILL PREVIOUSLY MADE.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2152, relative to providing that a divorce shall act as revocation of a will previously made, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved March 5, 1965.

Chap. 7. RESOLVE FURTHER 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, the time for which was extended by chapter twelve of the resolves of nineteen hundred and sixty-four, is hereby further extended to the last Wednesday of December, nineteen hundred and sixty-six.

Approved March 9, 1965.

Chap. 8. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE INTRODUCTION OF CERTAIN EVIDENCE IN EMINENT DOMAIN CASES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2496, relative to the introduction of certain evidence in eminent domain cases, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved April 3, 1965.

Chap. 9. RESOLVE IN FAVOR OF THE WIDOW OF WALTER R. MCDONALD, A FORMER MEMBER OF THE STATE POLICE.

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, and after an appropriation has been made therefor, there shall be allowed and paid out of the state treasury to Mary T. McDonald of Waltham, widow of Walter R. McDonald, a former member of the department of public safety doing police duty, who, while on duty at the Wareham barracks on September nineteenth, nineteen hundred and forty, sustained injuries which resulted in his death on said date, an annuity of fifteen hundred dollars, payable in equal monthly instalments, for a period of five years, commencing on June first, nineteen hundred and sixty-five. Said annuity shall cease upon the remarriage of said Mary T. McDonald. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said Mary T. McDonald that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the maximum amount payable hereunder.

Approved April 14, 1965.

Chap. 10. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR PROBATION OFFICERS IN THE PROBATE COURTS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 329, relative to providing for probation officers in the probate courts, and to include its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved April 15, 1965.*

Chap. 11. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO RETARDED CHILDREN AND THE TRAINING FACILITIES AVAILABLE THEREFOR.

Resolved, That the 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, is hereby further revived and continued as of the last Wednesday in December, nineteen hundred and sixty-four. *Approved April 15, 1965.*

Chap. 12. RESOLVE EXTENDING THE TIME WITHIN WHICH THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE SELECTION OF AN OFFICIAL SONG FOR THE COMMONWEALTH SHALL COMPLETE ITS STUDY AND FILE ITS FINAL REPORT, AND INCREASING THE MEMBERSHIP OF SAID COMMISSION.

Resolved, That the time within which the special commission, established by chapter sixty-one of the resolves of nineteen hundred and sixty-four, and revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, shall complete its investigation and study and file its final report is hereby extended to the last Wednesday of December, nineteen hundred and sixty-five. The membership of said commission is hereby increased by the addition of one member of the Senate and two members of the House.

Approved April 15, 1965.

Chap. 13. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO IMPOSING A PENALTY FOR INCITING RACIAL TENSION OR FEAR AMONG TENANTS OR OWNERS OF REAL ESTATE FOR THE PURPOSE OF INDUCING THE SALE THEREOF.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 758, relative to imposing a penalty for inciting racial tension or fear among tenants or owners of real estate for the purpose of inducing the sale thereof, 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, 1965.

Chap. 14. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING A PENALTY FOR BREAKING AND ENTERING A MOTOR VEHICLE WITH INTENT TO COMMIT A MISDEMEANOR.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 281, relative to providing a penalty for breaking and entering a motor vehicle with intent to commit a misdemeanor, 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, 1965.*

Chap. 15. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES TO DETERMINE THE NEED FOR LICENSING THE IMPORTATION OF CERTAIN LOBSTERS.

Resolved, That the department of natural resources is hereby authorized and directed to make an investigation and study relative to the importation by vessel of lobsters caught without the commonwealth

and to determine whether such importation should be licensed by the commonwealth. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of June in the current year.

Approved May 3, 1965.

Chap. 16. RESOLVE IN FAVOR OF THE WIDOW OF THE LATE THOMAS F. COADY, JR.

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 Thomas F. Coady, Jr., who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected. *Approved May 3, 1965.*

Chap. 17. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR THE EXAMINATION BY EXPERTS OF RECORDS SUBPOENAED BY A GRAND JURY.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 287, relative to providing for the examination by experts of records subpoenaed by a grand jury, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved May 3, 1965.*

Chap. 18. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING UNIFORM RULES OF EVIDENCE.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2662, relative to providing uniform rules of evidence, and to include its conclusions and its recommendation, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved May 3, 1965.*

Chap. 19. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL OF THE PRACTICE OF NAMING BUT NOT INDICTING CO-CONSPIRATORS IN CRIMINAL CASES.

Resolved, That the judicial council be requested to investigate the practice of naming but not indicting co-conspirators in criminal cases, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 5, 1965.

Chap. 20. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REQUIRING ABSENTEE LANDLORDS TO PROVIDE THE NAME OF A RESIDENT AS AGENT FOR SERVICE OF PROCESS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2322, relative to requiring absentee landlords to provide the name of a resident as agent for service of process, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved May 5, 1965.*

Chap. 21. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO MAKING PRIVATE CONVERSATIONS BETWEEN HUSBANDS AND WIVES ADMISSIBLE AS EVIDENCE.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1574, relative to making private conversations between husbands and wives admissible as evidence, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved May 5, 1965.*

Chap. 22. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO FURTHER LIMITING THE PRACTICE OF EAVESDROPPING.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2843, relative to further limiting the practice of eavesdropping, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved May 5, 1965.*

Chap. 23. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE ADMISSIBILITY OF EVIDENCE OF DECEASED PERSONS IN CERTAIN CRIMINAL PROCEEDINGS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 3168, relative to the admissibility of evidence of deceased persons in certain criminal proceedings, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved May 5, 1965.*

Chap. 24. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO SEASONAL WORKERS ON FARMS.

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 seasonal workers on farms. *Approved May 10, 1965.*

Chap. 25. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ERECTION OF A SUITABLE MEMORIAL TO COMMEMORATE THE PRESIDENTS OF THE UNITED STATES FROM THE COMMONWEALTH.

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 to make an investigation and study relative to securing four suitable statues or busts, each commemorating a former president of the United States from the commonwealth, to wit: John Adams, John Quincy Adams, Calvin Coolidge and John F. Kennedy, said statues or busts to be placed in the four corners of the senate chamber. *Approved May 10, 1965.*

Chap. 26. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO CONSERVATION PROGRAMS FOR CITIES AND TOWNS.

Resolved, That the department of natural resources is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 452, providing for developing a conservation program for cities and towns. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of January, nineteen hundred and sixty-six. *Approved May 10, 1965.*

Chap. 27. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY OF THE LAWS RELATING TO CONVALESCENT OR NURSING HOMES, AND TO THE STANDARDS AND COSTS THEREOF.

Resolved, That the unpaid special commission, established by chapter one hundred and thirty-eight of the resolves of nineteen hundred and sixty-two, and most recently revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. *Approved May 10, 1965.*

Chap. 28. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE AND STUDY THE ADMINISTRATION OF THE DEPARTMENT OF MENTAL HEALTH AND CERTAIN OTHER MATTERS.

Resolved, That the unpaid special commission, established by chapter eighty-nine of the resolves of nineteen hundred and sixty-one, and most recently revived and continued by chapter fifty-five of the resolves of nineteen hundred and sixty-three, is hereby further revived and continued. *Approved May 10, 1965.*

Chap. 29. RESOLVE EXTENDING THE TIME WITHIN WHICH THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE STATUS OF WOMEN IN EMPLOYMENT AND OTHER AREAS SHALL COMPLETE ITS INVESTIGATION AND STUDY AND FILE ITS FINAL REPORT.

Resolved, That the time within which the special commission established by chapter seventy-two of the resolves of nineteen hundred and sixty-four, and revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, shall complete its investigation and study and file its final report is hereby extended to the fourth Wednesday of March, nineteen hundred and sixty-six. *Approved May 10, 1965.*

Chap. 30. RESOLVE EXTENDING THE TIME WITHIN WHICH THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO ALL PHASES OF OUR CIVIL DEFENSE PROGRAM SHALL COMPLETE ITS INVESTIGATION AND STUDY AND FILE ITS FINAL REPORT.

Resolved, That the time within which the special commission established by chapter seventy-four of the resolves of nineteen hundred and sixty-three, and revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, shall complete its investigation and study and file its final report is hereby extended to the fourth Wednesday of January, nineteen hundred and sixty-six. *Approved May 10, 1965.*

Chap. 31. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY OF THE PROBLEMS OF AIR POLLUTION, NOISES AND OTHER MENACES TO PUBLIC HEALTH AND SAFETY AFFECTING THE AREA SURROUNDING THE GENERAL EDWARD LAWRENCE LOGAN INTERNATIONAL AIRPORT.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the problems of air pollution, noises and other menaces to public health and safety affecting the area surrounding the General Edward Lawrence Logan International Airport. *Approved May 11, 1965.*

Chap. 32. RESOLVE FURTHER 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, and revived and continued by chapter forty-six of the resolves of nineteen hundred and sixty-four, is hereby further revived and continued.

Said commission shall file its final report not later than the third Wednesday in March, nineteen hundred and sixty-six.

Approved May 12, 1965.

Chap. 33. RESOLVE PROVIDING FOR A STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE MARINE BOUNDARIES OF THE COMMONWEALTH.

Resolved, That the department of natural resources is hereby authorized and directed to make a study of the subject matter of current house document numbered 86, relative to the marine boundaries of the commonwealth. Said department shall, in the course of its study, consult with the marine fisheries advisory commission. Said department shall report to the general court the results of its 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 house of representatives on or before the fourth Wednesday of March, nineteen hundred and sixty-six. *Approved May 12, 1965.*

Chap. 34. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING A LIMITATION OF TWO YEARS FOR THE BRINGING OF ACTIONS OF CONTRACT OR TORT FOR MALPRACTICE, ERROR, OR MISTAKE AGAINST ARCHITECTS AND PROFESSIONAL ENGINEERS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2135, relative to providing a limitation of two years for the bringing of actions of contract or tort for malpractice, error, or mistake against architects and professional engineers, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved May 12, 1965.*

Chap. 35. RESOLVE ESTABLISHING A SPECIAL COMMISSION TO ARRANGE A SUITABLE PUBLIC CELEBRATION OF THE CENTENNIAL OF THE ESTABLISHMENT OF THE STATE POLICE.

Resolved, That a special commission, consisting of three members of the senate, five members of the house of representatives, the commis-

sioner of public safety, the commanding officer of the uniformed branch of the state police, the captain of the state police detective division, the chief of inspections in the department of public safety, the public relations officer of the uniformed branch of the state police, the secretary of the Massachusetts State Trooper Association, Inc., the president of the Massachusetts Police Relief Association, the president of the Massachusetts Chiefs of Police Association, the president of the International Chiefs of Police Association, and five persons to be appointed by the governor, is hereby established for the purpose of arranging a suitable program in connection with the proper observance and celebration of the one hundredth anniversary of the establishment of the Massachusetts state police, and providing for public participation in said celebration. *Approved May 17, 1965.*

Chap. 36. RESOLVE IN FAVOR OF CHARLES M. STILLER.

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 Charles M. Stiller of Boston, who continued to act as secretary of the board of appeals on motor vehicle liability policies and bonds from the date of his retirement August thirty-first, nineteen hundred and sixty-four to December thirty-first, nineteen hundred and sixty-four, the sum of thirteen hundred and eighty-one dollars, representing the difference between his salary and the amount of his pension actually received by him during that period, plus one hundred and twenty-six dollars in actual expenses incurred by him for travel, food and lodging in connection with such employment.

Approved May 17, 1965.

Chap. 37. RESOLVE PROVIDING FOR A FURTHER INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE UNIFORM INTERSTATE AND INTERNATIONAL PROCEDURE ACT AND THE UNIFORM FOREIGN MONEY JUDGMENT ACT.

Resolved, That the judicial council be requested to further investigate the subject matter of so much of Public Document No. 144 of 1964 as relates to the uniform interstate and international procedure act and the uniform foreign money judgment act (pp. 71–72), and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 17, 1965.

Chap. 38. RESOLVE FURTHER REVIVING AND CONTINUING AND INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE OPERATION OF CERTAIN VESSELS BETWEEN THE MAINLAND AND THE ISLAND OF MARTHA'S VINEYARD OR THE ISLAND OF NANTUCKET.

Resolved, That the special commission established by chapter one hundred and thirty-one of the resolves of nineteen hundred and sixty-

three, and most recently revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. Said commission shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 752, relative to authorizing the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority to award vessel overhaul contracts to shipyards located in the commonwealth. *Approved May 17, 1965.*

Chap. 39. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING A MINIMUM SENTENCE FOR CONVICTION OF THEFT OF A MOTOR VEHICLE.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 367, relative to providing a minimum sentence for conviction of theft of a motor vehicle, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved May 17, 1965.*

Chap. 40. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO DISSEMINATION OF INFORMATION BY REGISTERED PHYSICIANS AND REGISTERED PHARMACISTS.

Resolved, That a special commission, to consist of the commissioner of public welfare or his designee, the commissioner of public health or his designee, and nineteen persons to be appointed by the governor, of whom three shall be physicians representing the Massachusetts Medical Society, three shall be attorneys representing the Massachusetts Bar Association, one shall be a representative of the Massachusetts Conference on Social Welfare, and one shall be a representative of the Massachusetts Public Health Association, is hereby established for the purpose of making an investigation and study of the subject matter of current house document numbered 1401, relative to dissemination of information by registered physicians and registered pharmacists.

Said commission shall file its report on or before the first Wednesday of July in the current year. *Approved May 20, 1965.*

Chap. 41. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PROBLEMS OF TAXATION.

Resolved, That the special commission established by chapter eighty-six of the resolves of nineteen hundred and forty-eight, and most recently revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. *Approved May 20, 1965.*

Chap. 42. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO ALL PHASES OF OUR CIVIL DEFENSE PROGRAM.

Resolved, That the special commission established by chapter seventy-four of the resolves of nineteen hundred and sixty-three, and most recently revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, shall in the course of its study consider the subject matter of current senate document numbered 546 providing that the governor appoint additional metropolitan area directors of civil defense. *Approved May 22, 1965.*

Chap. 43. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO MATTERS AFFECTING WORKMEN'S COMPENSATION.

Resolved, That the special commission established by chapter one hundred and eight of the resolves of nineteen hundred and sixty-four, and revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. Said commission may file interim reports from time to time. *Approved May 22, 1965.*

Chap. 44. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ESTABLISHING THE UNIFORM POST-CONVICTION PROCEDURE ACT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 143, Appendix B, relative to establishing the uniform post-conviction procedure 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 May 22, 1965.

Chap. 45. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ESTABLISHING THE UNIFORM RENDITION OF PRISONERS AS WITNESSES IN CRIMINAL PROCEEDINGS ACT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 143, Appendix E, as printed, relative to establishing the uniform rendition of prisoners as witnesses in criminal proceedings 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 May 22, 1965.*

Chap. 46. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CERTAIN PROJECTS.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 174, authorizing the department of public works to construct and maintain an indoor ice skating and hockey rink in the city of Northampton; 194, authorizing and directing the department of public works to landscape and develop certain land in the city of Lowell; 199, authorizing and directing the department of public works to install a pedestrian ramp between Thorndike street at Lord Overpass and Middlesex street in the city of Lowell; 497, authorizing and directing the division of waterways to dredge the Monatiquot river in the town of Braintree; 716, providing for dredging the harbor entrance at Westport Point, Westport and secondary channel at said harbor; 718, authorizing and directing the department of public works to construct a stone breakwater in the town of Rockport; 728, authorizing the department of public works to widen and resurface a certain portion of route 140 in the town of Milford; 1110, requiring safety barriers on highway median strips under certain conditions; 1182, authorizing the department of public health to make certain improvements at Forest Lake in the town of Methuen; 1915, providing for the establishment of a special commission to study the problem of providing better protection along the coast line of the commonwealth against loss of life and property caused by storms and to develop a master plan for the acquisition and preservation of tidal marshes of the commonwealth; 1919, authorizing and directing the department of public works to dredge a channel in the city of Quincy; 1929, 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; 1935, authorizing the department of public works to straighten out the curves in route 122 in the Pout Rock section of the town of Millville; 2099, providing for the control of water levels at Nutting's lake in Billerica; 2305, authorizing the division of beaches of the department of public works to develop and improve all recreation areas under its control; 2306, authorizing the division of beaches of the department of public works to develop and improve the recreational area at Gooseberry Island, Westport; 2373, authorizing and directing the department of public health, the department of public works and the department of natural resources, acting jointly, to eliminate and control submerged weeds in Lake Nipmuc in the town of Mendon; 2687, authorizing and directing the department of public works to construct an exit and access ramp off route 24 in the city of Taunton; and 2999, directing the department of public works to erect a sea wall in the Gun Rock area of the town of Hull. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty-six.

Approved May 26, 1965.

Chap. 47. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COUNTY COMMISSIONERS OF NORFOLK COUNTY OF THE NEED FOR A VOCATIONAL-EDUCATIONAL SCHOOL IN SAID COUNTY.

Resolved, That the county commissioners of Norfolk county are hereby authorized and directed to make a study of the need for a vocational-educational school in Norfolk county. Said study shall include a survey of the industries of Norfolk county to determine the need for skilled and semi-skilled labor in such industries in order that the said vocational-educational school may provide opportunities for employment. Said commissioners may expend such sums as may be appropriated therefor. *Approved June 7, 1965.*

Chap. 48. 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 eleven of the resolves of nineteen hundred and sixty-five, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 3205, authorizing and directing the department of public health to construct a school and hospital for emotionally disturbed children. *Approved June 8, 1965.*

Chap. 49. RESOLVE INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO PREPARE PLANS FOR THE OBSERVANCE BY THE COMMONWEALTH OF THE BICENTENNIAL OF THE HISTORIC EVENTS PRECEDING THE REVOLUTIONARY WAR.

Resolved, That the membership of the special commission established by chapter seventy-one of the resolves of nineteen hundred and sixty-four is hereby increased by one member of the house of representatives. *Approved June 8, 1965.*

Chap. 50. RESOLVE IN FAVOR OF THE WIDOW OF THE LATE JULIUS ANSEL.

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 Julius Ansel, 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 June 14, 1965.*

Chap. 51. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO CERTAIN CONSTRUCTION PROJECTS AND TO THE TRANSFER OF CERTAIN PARKS AND PLAYGROUNDS 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 239, authorizing and directing the metropolitan district commission to construct and maintain a public bathhouse on Wollaston beach in Quincy; 387, authorizing and directing the metropolitan district commission to construct and maintain a children's playground in the town of Dedham; 568, authorizing the metropolitan district commission to install certain push-button traffic signals and traffic signs in the city of Revere; 569, authorizing the metropolitan district commission to build a wall and divert the Winthrop parkway in the city of Revere so as to serve as a cistern for the purpose to catch the spray and overflow of the excessive sea water during exceptional high tides and storms and to channel same back to the ocean; 576, authorizing and directing the metropolitan district commission to take over the care, control and maintenance of Olmstead park and certain other park land in the city of Boston; 791, authorizing and directing the metropolitan district commission to eliminate the curve on Mystic parkway at the intersection of Auburn street in the city of Medford; 1602, authorizing and directing the metropolitan district commission to acquire the McLaughlin playground in the city of Boston and make certain improvements thereon; 1603, authorizing the city of Boston to transfer certain land to the metropolitan district commission and authorizing and directing said commission to construct and maintain certain facilities; 1604, authorizing the city of Boston to transfer certain land to the metropolitan district commission and authorizing and directing said commission to construct and maintain certain facilities; 1605, providing for the improvement of the intersection of the Charles river dam, Monsignor O'Brien highway, Commercial avenue and the approach to the Prison Point bridge in Cambridge; 1987, authorizing and directing the metropolitan district commission to construct a playground facility on land in the Roslindale section of the city of Boston; 2347, relative to authorizing the metropolitan district commission to construct a playground for mentally retarded children and physically handicapped children in the metropolitan district; 2532, relative to authorizing the metropolitan district commission to construct a playground for mentally retarded children and physically handicapped children in the Somerville-Arlington area; 2697, authorizing the metropolitan district commission to install pedestrian lights on the Alewife Brook parkway in the town of Arlington; 3038, to prohibit trucks from travelling on the Revere beach parkway between Everett avenue and Webster avenue in the cities of Everett and Chelsea; 3039, authorizing and directing the metropolitan district commission to construct a pedestrian overpass on the Revere beach parkway in the city of Chelsea; 3043, authorizing and directing the metropolitan district commission to construct a combination football field and outdoor running track on land in the Hyde Park district of the city of Boston; and 3188, authorizing and directing the metropolitan district commission to construct a sidewalk in the city of Somerville.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-six. *Approved June 14, 1965.*

Chap. 52. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ASSESSMENT OF THE COSTS OF BRISTOL COUNTY HOSPITAL AND 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, the commissioner of public health or his designee, 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 697. Said commission shall also consider the advisability of establishing a new formula for assessing the costs of the Bristol County Hospital and Nursing Home for the Aging.

Said commission shall file its report on or before July first in the current year. *Approved June 14, 1965.*

Chap. 53. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROHIBITING BREAKING AND ENTERING OR ENTERING A MOTOR VEHICLE WITH INTENT TO COMMIT A FELONY.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 280, relative to prohibiting breaking and entering or entering a motor vehicle with intent to commit a felony, 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, 1965.*

Chap. 54. 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 177, relative to the care, control and maintenance of certain public highway bridges in Essex county; 193, authorizing and directing the department of public works to widen and hot top that section of Totman road that runs through the state forest in Dracut; 212, 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; 727, authorizing and directing the department of public works to construct an interchange between the Massachusetts Turnpike and route 495 in the towns of Westborough and Hopkinton; 1117, au-

thorizing the Massachusetts department of public works to reconstruct the Essex-Merrimack bridge over the Merrimack River in the town of Amesbury; 1289, providing for the commonwealth's participation in co-operative federal-state navigation projects; 1533, 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; 1542, directing the department of public works to construct an overpass across Revere Beach parkway at the intersection of Lewis street in the city of Everett and designating the same as the Staff-Sergeant Armand Riccio overpass; 1722, authorizing the department of public works to construct certain sidewalks in the town of Mendon; 1937, authorizing the department of public works to construct a four-lane highway on route 146 through the town of Northbridge to the Worcester-Providence highway in the town of Uxbridge; 1942, authorizing and directing the department of public works to repair the shoulders of route 16 in the town of Mendon and Uxbridge; 1944, authorizing expenditures from the highway fund for the construction, reconstruction and repair of certain bridges; 2104, directing the commissioner of public works to keep public records of the rental of private equipment; 2470, authorizing the division of beaches of the department of public works to develop and improve the recreational area at Salisbury beach; and 2680, authorizing and directing the department of public works to rebuild part of Providence road, route 122 in Northbridge. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December, nineteen hundred and sixty-five.

Approved June 16, 1965.

Chap. 55. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE EXTENSION OF RUNWAYS AT THE GENERAL EDWARD LAWRENCE LOGAN INTERNATIONAL AIRPORT.

Resolved, That a special commission, consisting of three members of the senate, five members of the house of representatives, the attorney general or his designee, and the commissioner of the metropolitan district commission or his designee, is hereby established for the purpose of making an investigation and study of current senate document numbered 5, relative to the extension of the runways at the General Edward Lawrence Logan International Airport, particularly with reference to determining whether the Massachusetts Port Authority or the metropolitan district commission has the title, jurisdiction or control of World War Memorial Park, also known as Wood Island Park, in the East Boston district of the city of Boston and, in case said authority does not have the title, jurisdiction or control of said park, whether said authority has the power to take said park for airport purposes by eminent domain and whether said metropolitan district commission has the power to sell, convey or transfer said park to said authority and under what conditions. Said special commission shall have the power to subpoena books, records and documents and to compel the atten-

dance and testimony of witnesses under oath. Said special commission may report to the general court from time to time but shall file its final report on or before the last Wednesday of July in the current year.

Approved June 23, 1965.

Chap. 56. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO CHANGING CERTAIN PROVISIONS OF THE LAWS GOVERNING POLITICAL COMMITTEES, PARTY CONVENTIONS AND PRIMARIES.

Resolved, That a special commission, to consist of two members of the senate, two members of the house, the chairman of the democratic state committee, or his designee, the chairman of the republican state committee, or his designee, and a person to be appointed by the governor who shall serve as chairman, is hereby established for the purpose of making an investigation and study relative to the need for amendment of the election laws in general, but with particular reference to:

(1) Abolishing presidential primaries;

(2) Abolishing state party conventions in nongubernatorial election years;

(3) Providing for the holding of district party conventions in gubernatorial years for the election of state party convention delegates and for other purposes;

(4) Strengthening the powers of the state committees and of their chairmen;

(5) Strengthening state party convention procedures by reducing the number of delegates by limiting the number of state primary candidates, and by other means;

(6) Shortening state primary and final election campaigns;

(7) Providing more adequately for the endorsement or nomination of substitute candidates for statewide and local offices in case of the death, disability, or disqualification of endorsed or nominated candidates.

The state secretary shall act as secretary of said commission and may permit said commission to make use of the services and facilities of his office. *Approved June 23, 1965.*

Chap. 57. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ESTABLISHING A SYSTEM FOR THE PAYMENT OF LEGAL SERVICES RENDERED BY COUNSEL ASSIGNED TO INDIGENT DEFENDANTS IN CRIMINAL CASES.

Resolved, That a special commission, to consist of three members of the senate, five 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 establishing a system for the payment of legal services rendered by counsel assigned to indigent defendants in criminal cases. *Approved June 23, 1965.*

Chap. 58. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ESTABLISHMENT OF A HALF-WAY HOUSE FOR THE REHABILITATION OF ALCOHOLICS.

Resolved, That the special commission established by chapter seventy of the resolves of nineteen hundred and sixty-three, and most recently revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. *Approved June 23, 1965.*

Chap. 59. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO PROVIDING THAT MEMBERS OF PAID FIRE AND POLICE DEPARTMENTS INJURED OR KILLED WHILE ON MUTUAL AID, SO CALLED, SHALL BE ENTITLED TO CERTAIN BENEFITS UNDER THE RETIREMENT LAWS.

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 3196, relative to providing that members of paid fire and police departments injured or killed while on mutual aid, so called, shall be entitled to certain benefits under the retirement laws. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and sixty-five. *Approved June 23, 1965.*

Chap. 60. 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 established for the purpose of making an investigation and study relative to the enforcement of the laws prohibiting air pollution. *Approved June 23, 1965.*

Chap. 61. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE INSTALLATION, MAINTENANCE, AND REPAIRING OF CERTAIN APPARATUS AND APPLIANCES OF MUNICIPAL ELECTRIC PLANTS AND CERTAIN ELECTRIC, GAS, ELECTRIC STREET RAILWAY, ELECTRIC RAILROAD AND RAILROAD COMPANIES.

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, one of whom shall be engaged in the business of an electrical contractor, one a licensed electrician who is a member of a building trades union, one a member of a labor union representing employees of electric utility companies, and one a representative of management of electric utility companies doing business in the commonwealth, is hereby established for the purpose of making an investigation and study of the subject matter of current house document numbered 2731, relative to the installation, maintenance and repairing of certain apparatus and appliances of municipal electric plants, and certain electric, gas, electric street railway, electric railroad and railroad companies. *Approved June 23, 1965.*

Chap. 62. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE SELECTION OF AN OFFICIAL SONG FOR THE COMMONWEALTH.

Resolved, That the special commission established by chapter sixty-one of the resolves of nineteen hundred and sixty-four, revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, and whose time for filing its final report was extended by chapter twelve of the resolves of nineteen hundred and sixty-five, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 656, designating the song entitled "Massachusetts is Our Home" as the official song of the commonwealth; 663, designating "Massachusetts" as the official song of the commonwealth; and of current house documents numbered 859, designating the song entitled "God Bless You and Preserve You, Massachusetts" as the official song of the commonwealth; 3223, providing for an official state song; 3230, designating the song entitled "Massachusetts" as the official song of the commonwealth; and 3231, designating the song entitled "Salute to the Grand Old Bay State" as the official song of the commonwealth. *Approved June 23, 1965.*

Chap. 63. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE NEED FOR AMENDMENT, REVISION OR SIMPLIFICATION OF THE CONSTITUTION OF THE COMMONWEALTH.

Resolved, That the special commission established by chapter eighty-eight of the resolves of nineteen hundred and sixty-two, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 2267, relative to establishing a continuing constitutional conference. *Approved June 23, 1965.*

Chap. 64. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ESTABLISHMENT OF A STATE BOARD OF EXAMINERS OF BIOANALYTICAL LABORATORIES.

Resolved, That the special commission established by chapter one hundred and thirty-six of the resolves of nineteen hundred and sixty-three, and most recently revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. *Approved June 28, 1965.*

Chap. 65. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF ESTABLISHING A PUBLIC AUTHORITY TO ALLEVIATE THE PROBLEMS OF SOLID WASTE DISPOSAL AND ALL MATTERS RELATIVE THERETO.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the commissioner of public health or his designee, the commissioner of natural resources or his designee, the commissioner of public works or his designee, the commissioner of the metropolitan district commission or his designee, and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the feasibility of establishing a public authority to alleviate the problems of solid waste disposal and matters relative thereto. Said commission shall, in the course of its investigation and study, consider the subject matter of the investigations and studies proposed by current house documents numbered 1181, relative to the laws of the commonwealth relative to the operation of dumps and dumping generally; 2374, relative to the feasibility of establishing a metropolitan district commission dump district; and 3652, App. C, relative to alternative methods of treating the program of solid waste disposal.

Approved June 28, 1965.

Chap. 66. RESOLVE FURTHER REVIVING AND CONTINUING AND INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO ESTABLISHING JUVENILE COURTS, FAMILY COURTS OR JUVENILE OR DOMESTIC RELATIONS DIVISIONS IN THE DISTRICT COURTS.

Resolved, That the special commission, established by chapter one hundred and twenty-nine of the resolves of nineteen hundred and sixty-two and most recently revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. Said commission shall, in the course of its investigation and study, consider the subject matter of the investiga-

tion and study proposed by current house document numbered 531, relative to the publication of names of persons appearing before juvenile courts. *Approved June 28, 1965.*

Chap. 67. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO HOUSING FOR FAMILIES AND INDIVIDUALS OF LOW INCOME.

Resolved, That the special commission established by chapter one hundred and seven of the resolves of nineteen hundred and sixty-four, and revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. Said commission shall file its final report on or before the second Wednesday of July, nineteen hundred and sixty-five.

Approved June 28, 1965.

Chap. 68. RESOLVE FURTHER CONTINUING THE INVESTIGATION AND SURVEY RELATIVE TO THE ELIMINATION OR CONTROL OF SUBMERGED WEEDS IN CERTAIN GREAT PONDS OF THE COMMONWEALTH.

Resolved, That the department of public health, the department of public works and the department of natural resources, acting as a joint board, and directed by chapter sixty-seven of the resolves of nineteen hundred and fifty-three, to make a survey and investigation relative to the elimination and control of submerged weeds in certain great ponds and tidal estuaries in the commonwealth and most recently authorized by chapter one hundred and thirteen of the resolves of nineteen hundred and sixty-three to continue its survey and investigation, is hereby further authorized and directed to continue said survey and investigation. The said joint board shall report to the general court the final results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry out the same by filing the same with the clerk of the house of representatives on or before the first Wednesday in December, nineteen hundred and sixty-six.

Approved June 28, 1965.

Chap. 69. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO ILLEGAL USE OF ELECTRONIC RECORDING DEVICES, WIRELESS TAPS OR ELECTRONIC TAPS OR SIMILAR DEVICES AND ARRANGEMENTS.

Resolved, That the special commission established by chapter eighty-two of the resolves of nineteen hundred and sixty-four, and revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued.

Approved July 6, 1965.

Chap. 70. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE INLAND CONSERVATION LAWS.

Resolved, That the special commission established by chapter forty-eight of the resolves of nineteen hundred and sixty-four, and revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. Said commission shall file its final report on or before the fourth Wednesday in August, nineteen hundred and sixty-five.

Approved July 6, 1965.

Chap. 71. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO RESTRICTIONS UPON LAND AVAILABLE FOR THE CONSTRUCTION OF SINGLE FAMILY DWELLINGS.

Resolved, That the special commission established by chapter one hundred and seventeen of the resolves of nineteen hundred and sixty-four, and revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. *Approved July 6, 1965.*

Chap. 72. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE CONSUMERS' COUNCIL RELATIVE TO THE PRACTICES EMPLOYED BY USED CAR DEALERS IN SALES OF USED CARS AND THE FEASIBILITY OF ESTABLISHING A SET OF STANDARDS TO BE FOLLOWED IN MAKING SUCH SALES.

Resolved, That the consumers' council is hereby authorized and directed to make an investigation and study of the investigation and study proposed by current house document numbered 2673, relative to the practices employed by used car dealers in sales of used cars and the feasibility of establishing a set of standards to be followed in making such sales. Said council shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty-six. *Approved July 6, 1965.*

Chap. 73. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADVISABILITY OF REPLACING THE PRESENT DRAWBRIDGE KNOWN AS THE NEW BEDFORD-FAIRHAVEN BRIDGE WITH A BASCULE BRIDGE OR A HIGH LEVEL BRIDGE.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, and the commissioner of public works or his designee, is hereby established for the purpose of making an investigation and study relative to the advisability and feasibility of replacing the present drawbridge known as the New

Bedford-Fairhaven bridge with a bascule bridge or a high level bridge or any other suitable span for the purpose of expediting vehicular traffic and making the passage of boats safer. Said commission shall, in the course of its investigation and study, consult with the United States Army Corps of Engineers. *Approved July 19, 1965.*

Chap. 74. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO THE ADVISABILITY OF REDEFINING "REGULAR COMPENSATION" UNDER THE STATE RETIREMENT LAW SO AS TO INCLUDE CERTAIN COMPENSATION PAID TO CERTAIN TEACHERS.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 466, amending the definition of "regular compensation" under the state retirement law; of current house documents numbered 264, providing that compensation for certain services rendered by a member of the teachers' retirement system shall be included in the salary on which deductions are to be paid into the annuity savings fund of said system; and 2548, relative to providing that compensation for certain services rendered by a member of the teachers' retirement system shall be included in the salary on which deductions are to be paid into the annuity savings fund of said system.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of October, nineteen hundred and sixty-five.

Approved July 19, 1965.

Chap. 75. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO THE CLASSIFICATION AND RETIREMENT OF CERTAIN EMPLOYEES UNDER THE CONTRIBUTORY RETIREMENT LAW.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 1014, relative to the retirement of public employees whose regular duties require the care and supervision of epileptic and mentally deficient persons and youthful offenders; 1175, providing that certain employees of the youth service board be classified in Group 2 under the contributory retirement law; 1176, providing that certain employees of the youth service board be classified in Group 2 under the contributory retirement law; and 1380, relative to providing that certain employees of the department of mental health be classified in Group 2 under the contributory retirement law. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-six.

Approved July 19, 1965.

Chap. 76. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADVISABILITY AND FEASIBILITY OF AMENDING THE FAIR TRADE LAWS APPLICABLE TO THE SALE OF GASOLINE AND MOTOR FUEL.

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 advisability and feasibility of amending the fair trade laws applicable to the sale of gasoline and motor fuel. *Approved July 19, 1965.*

Chap. 77. RESOLVE IN FAVOR OF AARON M. I. SHINBERG.

Resolved, That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to Aaron M. I. Shinberg, who was duly declared by the house of representatives on April sixth of the current year to be the duly elected representative to the general court from the seventeenth Essex district, the salary to which he would have been entitled had he been declared duly elected on the first day of the current session of the general court. *Approved July 19, 1965.*

Chap. 78. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO SAFETY INSPECTION UNDER THE WORKMEN'S COMPENSATION ACT.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the commissioner of insurance or his designee, and six persons to be appointed by the governor, two of whom shall be representatives of the insurance industry, one a representative of the capital stock insurance companies, one a representative of the mutual insurance companies, one a representative of the Massachusetts State Labor Council AFL:CIO, and one a representative of the Associated Industries of Massachusetts, is hereby established for the purpose of making an investigation and study relative to safety inspection under the workmen's compensation act. Said commission shall, in the course of its investigation and study, consider the subject matter of current house document numbered 1967, relative to safety inspection under the workmen's compensation act.

Approved July 19, 1965.

Chap. 79. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ERECTION OF A STATUE OR OTHER SUITABLE MEMORIAL TO THE LATE PAUL A. DEVER.

Resolved, That a special commission, to consist of two members of the senate, two members of the house of representatives, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the erection of a statue or other suitable memorial to the late Paul A. Dever, former governor of the commonwealth. *Approved July 19, 1965.*

Chap. 80. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO CERTAIN CIVIL SERVICE AND PUBLIC PERSONNEL ADMINISTRATION MATTERS.

Resolved, That a special commission, to consist of two members of the senate, four members of the house of representatives, and five persons to be appointed by the governor, not more than three of whom shall be from the same political party, is hereby established for the purpose of making an investigation and study of the subject matter of current senate document numbered 43, relative to providing for a uniform method of review by the superior court of decisions made by the civil service commission under section forty-three of chapter thirty-one of the General Laws; of current house documents numbered 911, requiring the director of civil service to hold a competitive promotional examination prior to his calling for any examination for said title or grade; 1065, relative to appointments and promotions in the official service of the commonwealth and the examinations therefor; and 1184, providing for the development of an in-service training program for employees of the commonwealth; of the investigation and study proposed by current house document numbered 1809, relative to public personnel administration in the commonwealth; of current house documents numbered 1880, providing for an expert assistant in certain civil service appeals hearings; and 2196, providing for in-service training, internship, and co-operative education programs and educational leave for state employees; and of the investigations and studies proposed by current house documents numbered 2259, relative to civil service and public personnel administration; and 3118, relative to opportunity for advanced career status under provisions of the civil service laws; and of current house document numbered 3302, report of the legislative research council relative to placing county employees under civil service (App. A). *Approved July 22, 1965.*

Chap. 81. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO PROVIDING FOR AN INCREASED ALLOWANCE FOR EARNINGS OF A PERSON PENSIONED OR RETIRED FOR DISABILITY.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 609, providing for an increased allowance for earnings of a person pensioned or retired for disability. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect by filing the same with the clerk of the senate on or before August fifteenth, nineteen hundred and sixty-five. *Approved July 23, 1965.*

Chap. 82. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE CONSTRUCTION OF CERTAIN RECREATIONAL FACILITIES AND RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF A CEMETERY FOR THE BURIAL OF DECEASED VETERANS.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation and study of the subject matter of current senate documents numbered 398, directing the metropolitan district commission to construct a swimming pool on the Veterans of Foreign Wars parkway in the West Roxbury district of the city of Boston; 399, providing for the construction of a youth center building in the city of Revere by the metropolitan district commission; 400, providing for the construction and maintenance by the metropolitan district commission of an outdoor swimming pool in the city of Chelsea; 408, relative to authorizing and directing the metropolitan district commission to construct a swimming pool on metropolitan district commission property located near the Shea skating rink in the city of Quincy; 411, requiring the metropolitan district commission to construct an ice skating rink in the city of Medford; 414, relative to the maintenance and improvement of the metropolitan district commission skating rink at Vincent Cutillo park in the city of Boston; 415, authorizing and directing the metropolitan district commission to acquire land in the North End district, so called, of the city of Boston and to construct and maintain thereon a swimming pool; 418, directing the metropolitan district commission to construct an artificial ice skating rink in the East Boston district of the city of Boston; 419, directing the metropolitan district commission to construct a swimming pool in the East Boston district of the city of Boston; 420, directing the metropolitan district commission to construct a swimming pool in the East Boston district of the city of Boston; 421, authorizing the metropolitan district commission to construct an outdoor artificial ice skating rink in the metropolitan district reservation at Nantasket beach in the town of Hull; and of current house documents numbered 240, authorizing and directing the metropolitan district commission to construct and maintain a swimming pool in the St. Moritz area, so called, of the Blue Hills reservation; 241, authorizing and directing the metropolitan district commission to construct and operate an extension to the Mayor William T. Shea memorial skating rink in Quincy for use exclusively by children up to and including twelve years of age and parents or adult chaperones, when accompanying such children; 242, directing the metropolitan district commission to enclose the skating rink in the city point section of South Boston and to install three rows of seats therein; 245, authorizing the metropolitan district commission to construct and maintain a recreation center in the city of Medford; 380, authorizing and directing the metropolitan district commission to construct an ice-skating rink on certain land in the town of Weymouth; 384, providing for the construction of a covered outdoor skating rink in ward five or ward six in the city of Lynn; 385, providing for the construction of a covered outdoor skating rink in the city of Lynn; 566, authorizing the metropolitan district commission to construct a golf course to serve the northeast section of the metropolitan park district; 571, authorizing and direct-

ing the metropolitan district commission to construct and maintain an ice skating rink in the city of Cambridge; 573, relative to the maintenance and improvement of the metropolitan district commission skating rink at Vincent Cutillo park in the city of Boston; 574, authorizing and directing the metropolitan district commission to acquire land in the North End district, so called, of the city of Boston and to construct and maintain thereon a swimming pool; 578, providing that the metropolitan district commission be directed to construct and maintain an ice skating rink in the city of Cambridge; 784, authorizing the metropolitan district commission to construct an ice skating rink in ward one in the East Boston section of the city of Boston; 785, authorizing the metropolitan district commission to construct a swimming pool on Glacken field playground in the city of Cambridge; 787, authorizing the metropolitan district commission to acquire land in the city of Waltham and to construct and maintain a swimming pool thereon; 790, providing for the construction and maintenance by the metropolitan district commission of a covered ice skating rink in the town of Canton; 792, authorizing and directing the metropolitan district commission to acquire a certain lake in the city of Quincy for recreational purposes; 1598, authorizing and directing the metropolitan district commission to construct a ski area in the Breakheart reservation in Saugus; 1599, authorizing and directing the metropolitan district commission to construct a recreation center in the city of Chelsea; 1600, 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, and appropriating a sum of money for such purpose; 1771, providing for the construction and maintenance by the metropolitan district commission of recreational facilities on land owned by said commission in the West Roxbury-Roslindale district of the city of Boston; 1772, directing the metropolitan district commission to modernize and improve the Lynn-Nahant bathhouse; 1988, authorizing the metropolitan district commission to construct and maintain a skating rink in Dilboy field in Somerville; 2536, providing for the construction and maintenance by the metropolitan district commission of a covered artificial ice skating rink on land now occupied by the tent theatre at Soldiers Field road in the Allston section of Boston; 2538, authorizing and directing the metropolitan district commission to construct and maintain a music shell in the town of Hull; 2539, providing for the construction, equipping, and maintenance by the metropolitan district commission, of an outdoor basketball court in the town of Hull; 2695, authorizing and directing the metropolitan district commission to construct a swimming pool in the city of Medford; 2699, authorizing and directing the metropolitan district commission to acquire certain public park land in the city of Boston and the town of Brookline and to develop recreational facilities thereon; 2863, authorizing and directing the metropolitan district commission to construct a skating rink in the Dorchester section of the city of Boston; 3040, authorizing and directing the metropolitan district commission to construct a swimming pool in the city of Chelsea; and 3044, providing that the metropolitan district commission shall establish and maintain a cemetery for the burial of deceased veterans 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 January, nineteen hundred and sixty-six.

Approved July 23, 1965.

Chap. 83. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE EFFECT OF THE PROPOSED MERGER OF THE NATIONAL GUARD AND THE UNITED STATES ARMY RESERVE ON THE MEMBERS OF THESE UNITS, AND AUTHORIZING A SYSTEM OF CHARGES AT SOLDIERS' HOMES.

Resolved, That a special commission, to consist of the committee on military affairs, the adjutant general, the commandant of the Soldiers' Home in Massachusetts, and two members of the military department of the commonwealth to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the effect of the proposed merger of the National Guard and the United States Army Reserve on the members of these units. Said commission shall, in the course of its investigation and study, consider the subject matter of current house document numbered 1990, relative to authorizing a system of charges at soldiers' homes.

Approved July 23, 1965.

Chap. 84. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FINANCING OF POLITICAL CAMPAIGNS.

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, the attorney general or his designee, and five persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the financing of political campaigns, any constitutional provisions and laws of the commonwealth which facilitate, inhibit or regulate campaign financing, related laws of other states and countries, the report of the President's Commission on Campaign Costs, and other past and current research on campaign financing, with a view toward encouraging broader citizen participation in campaign financing, controlling the escalation of campaign costs, assuring full disclosure of contributors, contributions and expenditures, and assuring extensive communication between candidates and voters. Said commission shall include in its considerations state tax incentives for political contributions and state subsidies, based on matching incentives, registration, past votes, or whatever basis is determined to be most equitable, for the printing of candidate publicity pamphlets, and annual reports of political parties, for advertising or forums in the mass media, and for registration, "get-out-the-vote" and other necessary or desirable campaign or election activities, in such a way as to guarantee the state's neutrality in the various contests. Said commission shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 143, relative to the limitation of campaign expenditures by certain candidates; of the investigation and

study proposed by current senate document numbered 146, relative to the amendment or complete revision of the election laws and procedures of this commonwealth; of current senate documents numbered 150, relative to limiting expenditures for election to public office; 152, repealing the provisions of law prohibiting public officers and employees from making contributions to candidates for public office or to the promotion of political objects; of the investigations and studies proposed by current house documents numbered 492, relative to campaign fund raising by and for candidates for political office and other matters relative thereto; 935, relative to election practices; of current house documents numbered 1285, relative to the law requiring the reporting of campaign contributions; 1523, providing that persons in public service shall not be required to contribute or otherwise render political service and said persons are not to be affected by said failure; 2091, to establish the corrupt practices bureau; 2298, relative to providing for the establishment of a fair campaign practices committee; of the investigations and studies proposed by current house documents numbered 2809, relative to the problems of campaign financing; 2810, relative to the desirability of revising the law regarding fair campaign practices so it will conform to the federal law on the same subject matter; of current house document numbered 2990, relative to corrupt practices, election inquests and violations of election laws; of the investigation and study proposed by current house document numbered 2992, relative to the functioning of town and city committees within the commonwealth; and of current house document numbered 2996, relative to establishing a campaign finances commission. Said commission may call upon officials or employees of the commonwealth or any other person to contribute such information as the commission may require. Said commission shall appoint a person outstanding in the field of political science to act as secretary and to correlate its findings.

Approved July 23, 1965.

Chap. 85. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE SECRETARY OF THE COMMONWEALTH RELATIVE TO DESIGNATING A CERTAIN SITE IN THE TOWN OF MILTON AS AN HISTORICAL SITE.

Resolved, That the secretary of the commonwealth is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1609, designating a certain site in the town of Milton as an historical site commemorating the first railroad in the United States. Said secretary 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-six. *Approved July 23, 1965.*

Chap. 86. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO PENSIONS PAYABLE TO CERTAIN RETIRED PERSONS AND OTHER RELATED MATTERS.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of pensions payable to certain retired persons. Said commission shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 590, further regulating the payment of annuities to the surviving widows of certain deceased members of the state police; 2549, providing that a certain physical condition or disease resulting in total or partial disability or death to the park police shall be presumed to have been suffered in line of duty, with reference to the accidental disability retirement law; and 3798, providing for increases in pensions payable to certain retired persons, and for adjustments in pensions based on the cost of living. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-six. *Approved July 23, 1965.*

Chap. 87. RESOLVE CONTINUING THE 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 is hereby authorized to continue the investigation and study authorized by chapter one hundred and four of the resolves of nineteen hundred and sixty-four. Said commissioner shall report to the general court the results of his investigation and study, and his recommendations, if any, together with drafts of legislation necessary to carry his recommendations into effect, by filing the same with the clerk of the house of representatives on or before July first, nineteen hundred and sixty-six.

Approved July 23, 1965.

Chap. 88. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE AWARDING OF CONTRACTS FOR CONSTRUCTION AND FOR MATERIALS BY COUNTIES, CITIES, TOWNS, AND DISTRICTS IN CASES OF EXTREME EMERGENCY AND OTHER RELATED MATTERS.

Resolved, That a special commission, to consist of the committee on state administration, and four persons to be appointed by the governor, one of whom shall be a member of the Associated General Contractors of Massachusetts, Inc., one a member of the Associated Subcontractors of Massachusetts, one the director of building construction or his designee, and one a licensed architect, is hereby established for

the purpose of making an investigation and study of the subject matter of current house documents numbered 140, relative to the awarding of contracts for construction and for materials by counties, cities, towns and districts in cases of extreme emergency; 141, relative to the awarding of contracts for repairs to public buildings by counties, cities, towns and districts in cases of extreme emergency; 1836, clarifying the application of the public building bidding statute to the Massachusetts Port Authority; 1837, clarifying the status of restricted sub-bids on public building projects; 1838, further regulating the award of contracts for the construction, reconstruction, alteration, remodeling, repair or demolition of buildings by the commonwealth and governmental units thereof; 1840, permitting awarding authorities to gain the benefit of the lowest responsible and eligible bids under the statutes regulating competitive bidding in the award of contracts for public building projects; 1841, adjusting the general contract price by the cost of the premiums for the performance and payment bonds required of general contractors on public building construction; 2032, providing for security for payments to laborers, subcontractors, materialmen and others engaged in public construction; 2033, providing for security for payments to laborers, subcontractors, materialmen and others engaged in public construction; 2034, relative to sub-bids to be filed in connection with contracts for public building projects; 2035, requiring performance and payment bonds on public building construction; 2036, relative to the method of payment to subcontractors on contracts for construction, reconstruction, alteration, remodeling, repair or demolition of public buildings and works; 2221, extending the application of certain provisions pertaining to public contracts to public authorities; 2231, relative to the submission of subbids by general bidders on construction contracts; 2412, clarifying the provisions of an act to require that all contracts for construction and for materials be awarded to the lowest responsible and eligible bidder, and to assure full competition in the taking of bids for such contracts; 2589, relative to construction by utility companies and to building construction on redevelopment projects; 2590, providing for the regulation of heating, piping, air conditioning, and refrigeration trade and for the licensing of the members therein; 2749, relative to including all piping and equipment incidental to plumbing in bid specifications; and 3084, requiring building contractors to post a performance bond for two thousand dollars prior to the issuance of a building permit. *Approved August 3, 1965.*

Chap. 89. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO PARKING FACILITIES FOR RESIDENTS IN WARD THREE AND THE BACK BAY SECTION OF THE CITY OF BOSTON.

Resolved, That the special commission, established by chapter one hundred and four of the resolves of nineteen hundred and sixty-three, and most recently revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. *Approved August 9, 1965.*

Chap. 90. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO CERTAIN MATTERS PERTAINING TO NURSING AND CONVALESCENT HOMES.

Resolved, That the department of public health is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 511, providing that the department of public health investigate and regulate certain matters pertaining to nursing and convalescent homes. 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 January, nineteen hundred and sixty-six. *Approved August 9, 1965.*

Chap. 91. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ASSESSMENT OF THE COSTS OF BRISTOL COUNTY HOSPITAL AND 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, the commissioner of public health or his designee, 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 697. Said commission shall also consider the advisability of establishing a new formula for assessing the costs of the Bristol County Hospital and Nursing Home for the Aging.

Approved August 9, 1965.

Chap. 92. RESOLVE FURTHER REVIVING AND CONTINUING AND INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO A MEMORIAL TO THE LATE PRESIDENT JOHN F. KENNEDY.

Resolved, That the special commission established by chapter eighty-six of the resolves of nineteen hundred and sixty-four, and revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. Said commission shall, in the course of its investigation and study, consider the subject matter of current house document numbered 1284, as changed, providing for the establishment of John Fitzgerald Kennedy Memorial Scholarships. *Approved August 9, 1965.*

Chap. 93. 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 re-

cently revived and continued by chapter eleven of the resolves of nineteen hundred and sixty-five, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 128, providing special classes for children in a county who are physically handicapped and educable trainable. *Approved August 10, 1965.*

Chap. 94. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE COUNTY CO-OPERATIVE EXTENSION PROGRAM TO DETERMINE WAYS THAT SAID PROGRAM CAN BE IMPROVED TO BETTER SERVE THE CITIZENS OF THE COMMONWEALTH.

Resolved, That a special commission, consisting of three members of the senate, four members of the house of representatives, the commissioner of agriculture, the commissioner of education, and the president of the University of Massachusetts, or their designees, and nine persons to be appointed by the governor, of whom there shall be a representative of each of the following: — the Massachusetts Committee on Children and Youth, the Massachusetts 4-H Foundation, Massachusetts Farm Bureau Federation, the Massachusetts State Grange, the Massachusetts Teachers' Association, the Lincoln Filene Center for Citizenship and Public Affairs, and the Massachusetts Homemakers Council, is hereby established to make an investigation and study of the county co-operative extension program to determine ways that said program can be improved to better serve the citizens of the commonwealth. Said commission may travel without the commonwealth.

Approved August 10, 1965.

Chap. 95. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY RELATIVE TO RULES AND REGULATIONS CONCERNING THE CONSTRUCTION, INSTALLATION, AND INSPECTION OF NON-FIRED PRESSURE VESSELS.

Resolved, That a special commission, which shall consist of three members of the senate, five members of the house of representatives, a representative of the Associated Industries of Massachusetts to be appointed by the governor, the chairman of the board of boiler rules or a member of said board to be designated by said chairman, the chairman of the board of fire prevention regulations or a member of said board to be designated by said chairman, the chairman of the board of standards or a member of said board to be designated by said chairman, the state fire marshal or an employee of the division of fire prevention to be designated by said marshal, the chief engineer of the engineering division of the department of public utilities or an employee of said division to be designated by said chief engineer, and a chemist employed in the chemical laboratory of the division of state police to be designated by the commissioner of public safety, is hereby established for the purpose of making an investigation and study of the advisability of the enactment of legislation which would require that the construction, installation and inspection of non-fired pressure vessels, including those used in chemical processing, and the piping connected therewith shall be

subject to rules and regulations in a manner similar to the rules and regulations by which, under chapter one hundred and forty-six of the General Laws, the construction, installation and inspection of steam boilers, certain power reactor vessels and piping are governed.

Said commission shall, in the course of its investigation and study, also consider the advisability of the enactment of legislation which would require that those persons who install or repair such non-fired pressure vessels and piping shall be licensed or shall be holders of certificates of competency, as in the cases of installers of liquid petroleum gas installations and installers of oil burners.

Said commission shall further consider whether the power to make such rules and regulations and the power relative to the granting of such licenses or certificates of competency should be lodged and vested in the board of boiler rules or in one of the boards specified in chapter twenty-two of the General Laws. *Approved August 10, 1965.*

Chap. 96. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE COAT-OF-ARMS AND FLAG OF THE COMMONWEALTH.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the archivist of the commonwealth, ex officio, and three persons to be appointed by the governor, is hereby established to make an investigation and study of the laws relative to the coat-of-arms and flag of the commonwealth, with particular reference to whether said laws are being adhered to and whether changes in said laws are necessary or desirable.

Approved August 16, 1965.

Chap. 97. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO THE ASSESSMENT AND USE OF CERTAIN TAXES ON MOBILE HOMES AND TRAILERS.

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 732, relative to taxing mobile homes in the same fashion as real estate; of current house documents numbered 1051, relative to taxing mobile homes in the same fashion as real estate; 1228, requiring certain excise tax receipts to be used for camping purposes; 1657, relative to the assessment of excise taxes on certain trailers; and 2037, relative to the excise tax assessed and levied upon travel trailers, so called. 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 in January, nineteen hundred and sixty-six. *Approved August 16, 1965.*

Chap. 98. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC UTILITIES RELATIVE TO THE CARE, MAINTENANCE, INSTALLATION AND OPERATION OF ALL PUBLIC GRADE CROSSINGS.

Resolved, That the department of public utilities is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 2244, relative to the care, maintenance, installation and operation of all public grade crossings. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-six.

Approved August 16, 1965.

Chap. 99. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ADVISABILITY AND FEASIBILITY OF USING ALL OR A PART OF THE LAND AND WATERS UNDER THE CONTROL OF THE METROPOLITAN DISTRICT COMMISSION AT QUABBIN RESERVOIR FOR RECREATIONAL PURPOSES.

Resolved, That the special commission established under the provisions of chapter one hundred and twenty-one of the resolves of nineteen hundred and sixty-three, and most recently revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. Said commission may file interim reports, but shall file its final report not later than the last Wednesday of December, nineteen hundred and sixty-six.

Approved August 16, 1965.

Chap. 100. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO MILITARY PROCUREMENT, ITS CURRENT AND FUTURE EFFECT ON EMPLOYMENT AND BUSINESS IN THE COMMONWEALTH AND OTHER MATTERS CONNECTED THEREWITH.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, and three persons to be appointed by the governor, one of whom shall be a representative of the Massachusetts State Labor Council AFL:CIO, and one a representative of the Associated Industries of Massachusetts, is hereby established for the purpose of making an investigation and study relative to the effects of military procurement on the economic life of the commonwealth, the feasibility of tax concession or other subsidies to communities or companies which consider conversion of physical properties from military to nonmilitary production, extension of unemployment benefits beyond present statutory limits in relieving the burden caused by such change over, other programs for relieving this burden and such other matters relative thereto which said commission deems relevant and proper.

Said commission may file interim reports.

Approved August 26, 1965.

Chap. 101. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO CERTAIN MARINE FISHERIES MATTERS AND OTHER RELATED MATTERS.

Resolved, That the department of natural resources 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 249, relative to certain marine fisheries matters; and of current house documents numbered 805, further defining the powers of the director of the division of fisheries and game relative to acquisition of lands for fish and wildlife purposes; 1991, authorizing and directing the fisheries and game division of the department of natural resources to stock the Connecticut River with wall-eyed pike and bass in co-operation with the United States government; 2354, relative to the purchase or lease of aircraft by the department of natural resources; 2542, directing the department of natural resources to erect a fish ladder at Factory pond in the town of Braintree; and of the investigation and study proposed by current house documents numbered 3489, relative to shore reservations; and 3856, relative to further regulating the sale and possession of lobsters. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty-six.

Approved August 26, 1965.

Chap. 102. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE AWARDING OF CONTRACTS FOR CONSTRUCTION AND FOR MATERIALS BY COUNTIES, CITIES, TOWNS, AND DISTRICTS IN CASES OF EXTREME EMERGENCY AND OTHER RELATED MATTERS.

Resolved, That the special commission, established by chapter eighty-eight of the resolves of nineteen hundred and sixty-five, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 1652, defining "governmental unit" for the award of contracts for public buildings; 1830, defining the requirement of full competition in the taking of bids on contracts for materials used in construction contracts and to provide for substitutions; and 1839, relative to sub-bids on masonry work upon public building construction.

Approved August 26, 1965.

Chap. 103. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO THE VALUATION BY SAID COMMISSION OF LAND HELD BY A CITY, TOWN OR DISTRICT IN ANOTHER CITY OR TOWN.

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 689, providing for the valuation by

the state tax commission of land held by a city, town or district 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 its recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of January, nineteen hundred and sixty-six. *Approved August 26, 1965.*

Chap. 104. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE LAWS OF THE COMMONWEALTH RELATIVE TO BOATING AND THE NECESSITY FOR REVISION OF THE SAME FOR THE PROTECTION AND SAFETY OF THE PUBLIC.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the commissioner of public safety, and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the laws of the commonwealth relative to boating and the necessity for revision of the same for the protection and safety of the public.

Said commission may require by summons the attendance and testimony under oath of witnesses and the production of books and papers. *Approved August 30, 1965.*

Chap. 105. RESOLVE IN FAVOR OF WILLIAM BALLENTINE OF GARDNER, IONE JOHNSON OF GARDNER, AINO SALO OF WESTMINSTER AND CAROL RIGGINS OF GARDNER.

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 William Ballentine of Gardner whose motor vehicle was struck on August eighth, nineteen hundred and sixty-two by a motor vehicle owned by the commonwealth and operated by Robert Morse, the sum of one hundred eighty-six dollars and forty-one cents, the amount of the damages to his motor vehicle; to Ione Johnson of Gardner whose motor vehicle was struck on June thirtieth, nineteen hundred and sixty-one by a motor vehicle owned by the commonwealth and operated by Albert Goguen the sum of sixty-eight dollars and seventy-five cents, the amount of damages to his motor vehicle; to Aino Salo of Westminster whose motor vehicle was struck on June nineteenth, nineteen hundred and sixty-two by a motor vehicle owned by the commonwealth and operated by Irving Hurd the sum of one hundred twenty-five dollars and forty-five cents, the amount of the damages to his motor vehicle; and to Carol Riggins of Gardner whose motor vehicle was struck on October twenty-fifth, nineteen hundred and sixty-one by a motor vehicle owned by the commonwealth and operated by John P. Matthews the sum of forty-three dollars and fifty-nine cents, the amount of the damages to his motor vehicle. The said Robert Morse, Albert Goguen, Irving Hurd and John P. Matthews are employees of the department of mental health at the Gardner state hospital. *Approved August 30, 1965.*

Chap. 106. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO AUTHORIZING SAID COMMISSION TO CONSTRUCT, MAINTAIN AND OPERATE A DAM ACROSS THE NEPONSET RIVER.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 3663, relative to authorizing the metropolitan district commission to construct, maintain and operate a dam across the Neponset River. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty-six.

Approved August 30, 1965.

Chap. 107. RESOLVE INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ESTABLISHMENT OF A STATE BOARD OF EXAMINERS OF BIOANALYTICAL LABORATORIES.

Resolved, That the membership of the special commission, established by chapter one hundred and thirty-six of the resolves of nineteen hundred and sixty-three and most recently revived and continued by chapter sixty-four of the resolves of nineteen hundred and sixty-five, is hereby increased by four persons to be appointed by the governor.

Approved September 1, 1965.

Chap. 108. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO MEANS OF PRESERVING THE CLIFFS IN THE TOWN OF GAY HEAD, AND THE CONDITIONS AT THE INDIAN RESERVATION IN SAID TOWN.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the commissioner of natural resources or his designee, and the commissioner of public works or his designee, is hereby established for the purpose of making an investigation and study of the means of preserving the cliffs in the town of Gay Head, with particular reference to the prevention of erosion thereof, and of conditions at the Indian reservation in said town.

Approved September 9, 1965.

Chap. 109. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION AS TO WHETHER COVERAGE IS PROVIDED UNDER THE ACCIDENTAL DEATH AND ACCIDENTAL DISABILITY PROVISIONS OF THE RETIREMENT LAW FOR EMPLOYEES ENGAGED IN THE PERFORMANCE OF THEIR DUTIES WHILE ON OVERTIME.

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 4121, providing that for accidental disability retirement and for accidental death benefits services per-

formed in overtime employment shall be considered service performed while in the performance of duty.

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 October, nineteen hundred and sixty-five. *Approved September 9, 1965.*

Chap. 110. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE TAXATION OF FOREST LAND, FARM LAND, AND OPEN SPACE LAND.

Resolved, That a special commission, to consist of the commissioner of commerce and development, or his designee, who shall serve as chairman, the commissioner of agriculture, or his designee, the commissioner of corporations and taxation, or his designee, and the commissioner of natural resources, or his designee, and three persons to be appointed by the governor, of whom one shall be a representative of the Massachusetts Forest and Park Association, one a representative of the Massachusetts Farm Bureau Federation, Incorporated and one a representative of the Massachusetts Federation of Taxpayers Associations, Inc., is hereby established for the purpose of making an investigation and study relative to the taxation of forest land, farm land, and open space land. Said commission shall, in the course of its investigation and study, consider the subject matter of current house document numbered 2611, relative to the preservation of open spaces, in private ownership through postponement of payment of part of the real property taxes on "classified open land" until the restrictions on open use of such lands are changed or relaxed. *Approved September 20, 1965.*

Chap. 111. RESOLVE IN FAVOR OF THE WIDOW OF THE LATE JOHN F. THOMPSON.

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 John F. Thompson, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected. *Approved September 20, 1965.*

Chap. 112. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FUTURE UTILIZATION OF BIRD ISLAND FLATS, SO CALLED.

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, one of whom shall be an associate commissioner of public works or his designee, is hereby established for the purpose of making an investigation and study relative to Bird Island Flats, so called, in the city of Boston, with a view to determining its most advantageous use in the future development of the area by the Massachusetts Port Authority.

Approved September 21, 1965.

Chap. 113. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ALLOWING PERSONS RECEIVING PUBLIC WELFARE TO SELECT THEIR OWN PHYSICIAN.

Resolved, That a special commission, to consist of two members of the senate, and five members of the house of representatives, is hereby established for the purpose of making an investigation and study of the subject matter of current senate document numbered 494.

Approved September 21, 1965.

Chap. 114. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE AND STUDY THE ADMINISTRATION OF THE DEPARTMENT OF MENTAL HEALTH AND CERTAIN OTHER MATTERS.

Resolved, That the special commission established by chapter eighty-nine of the resolves of nineteen hundred and sixty-one, and most recently revived and continued by chapter twenty-eight of the resolves of nineteen hundred and sixty-five, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 606, providing that no person named in an application for an order of commitment to an institution for the mentally ill shall be committed without a hearing. *Approved September 21, 1965.*

Chap. 115. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO STATE AID FOR HIGHWAYS, DISTRIBUTION OF HIGHWAY FUNDS, AND THE DEVELOPMENT OF A PROGRAM FOR CERTAIN SECONDARY HIGHWAYS.

Resolved, That a special commission, consisting of two members of the senate, three members of the house of representatives, the commissioner of public works or his designee, and three persons to be appointed by the governor, one of whom shall be a mayor or city manager, one a selectman, and one a superintendent of streets of a city or town, is hereby established for the purpose of making an investigation and study relative to the relationship between the state department of public works and the municipalities of the commonwealth, the problems of construction and maintenance of highways under the provisions of chapters eighty-one and ninety of the General Laws and highways other than state highways, numbered routes and other highways and streets, and the establishment of an accelerated program for secondary highways and other highways and streets which are not state highways. Said commission shall study the methods of distributing aid from the Highway Fund to said municipalities, of financing snow and ice removal on the highways, and such other matters relating to highways and streets other than state highways, as it may deem advisable.

Approved September 21, 1965.

Chap. 116. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION RELATIVE TO WATER RESOURCES IN THE TOWNS OF BRAINTREE AND RANDOLPH, AND THE SURROUNDING AREA.

Resolved, That the water resources commission is hereby authorized and directed to make an investigation and study of the water resources, including great ponds, in the towns of Braintree and Randolph and the surrounding area with a view to increasing the supply of water for domestic and industrial purposes. Said commission may employ engineers, geologists and other experts and assistants. Said commission may report to the general court from time to time the results of its investigation and study and its recommendations, if any, together with plans showing possible water resources developments for said municipalities and estimates of cost, and drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate, but shall file its final report not later than the fourth Wednesday of January, nineteen hundred and sixty-six.

Approved September 27, 1965.

Chap. 117. RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ERECTION OF A STATUE OR OTHER SUITABLE MEMORIAL TO THE LATE CHARLES F. HURLEY.

Resolved, That the special commission established by chapter one hundred and five of the resolves of nineteen hundred and sixty-three, and most recently revived and continued under the provisions of chapter two of the resolves of nineteen hundred and sixty-five, is hereby further revived and continued. *Approved October 6, 1965.*

Chap. 118. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE POLLUTION OF ELL POND IN THE CITY OF MELROSE.

Resolved, That the department of public health is hereby authorized and directed to make an investigation and study of the pollution of Ell pond located on the Lynn Fells parkway in the city of Melrose. Said department shall, in the course of its investigation and study, consider the most feasible way of eliminating said pollution. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and sixty-six.

Approved October 6, 1965.

Chap. 119. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PROHIBITING THE MAKING OR PUBLISHING OF CERTAIN PUBLIC STATEMENTS CONCERNING PENDING CRIMINAL PROCEEDINGS.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the attorney

general or his designee, the deans of Boston College Law School, Portia Law School, Harvard Law School, Boston University Law School, and Suffolk Law School or their respective designees, and twelve persons to be appointed by the governor, one of whom shall be a representative of the Massachusetts Bar Association, one a representative of the Boston Bar Association, one a representative of the Massachusetts Trial Lawyers Association, one a representative of the American Trial Lawyers Association, one a representative of the Massachusetts District Attorneys Association, one a representative of the Massachusetts Chiefs of Police Association Incorporated, one a representative of the radio industry, one a representative of the television industry, and four representatives of the newspaper industry, is hereby established for the purpose of making an investigation and study of the subject matter of current house documents numbered 3026, prohibiting the making of certain public statements by lawyers and law enforcement officials concerning pending criminal proceedings; 3991, protecting trial by jury from influence by the divulgence, broadcast or publication of certain information; 4047, Opinion of the Justices of the Supreme Judicial Court as to the constitutionality of a bill protecting trial by jury from influence by the divulgence, broadcast or publication of certain information; and 4201, protecting trial by jury from influence by the divulgence, broadcast or publication of certain information.

Said commission shall report to the general court on or before the last Wednesday of December, nineteen hundred and sixty-six.

Approved October 11, 1965.

Chap. 120. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO POSSIBLE IMPROVEMENTS IN THE METHODS OF VOTING AND VOTE COUNTING.

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 relative to possible improvements in the methods of voting and vote counting. Said commission shall include in its investigation and study the subject matter of the investigation and study proposed by current house document numbered 3695, relative to possible improvements in the methods of counting votes.

Said commission may require by summons the attendance and testimony of witnesses and the production of books and papers, and may travel without the commonwealth. *Approved October 18, 1965.*

Chap. 121. RESOLVE INCREASING THE SCOPE OF 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 and most recently revived and continued by chapter thirty-two of

the resolves of nineteen hundred and sixty-five, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 1085, being the Second Report of the Special Commission on Firearms, Paroles and Related Matters.

Approved October 19, 1965.

Chap. 122. RESOLVE CONTINUING THE 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 continue the investigation and study authorized by chapter fifty-eight of the resolves of nineteen hundred and sixty-four. Said commission may file interim reports from time to time, but shall file its final report not later than the fourth Wednesday of December, nineteen hundred and sixty-six. *Approved October 19, 1965.*

Chap. 123. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE OPERATION OF CERTAIN VESSELS BETWEEN THE MAINLAND AND THE ISLAND OF MARTHA'S VINEYARD OR THE ISLAND OF NANTUCKET.

Resolved, That the special commission established by chapter one hundred and thirty-one of the resolves of nineteen hundred and sixty-three, and most recently revived and continued by chapter thirty-eight of the resolves of nineteen hundred and sixty-five, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 748, relative to the improvement expenditures of the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority; 749, relative to the finances of the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority; and 750, relative to reimbursing the commonwealth for any amounts which it may have paid to the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority. *Approved November 8, 1965.*

Chap. 124. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF ALL STATE OWNED RECREATION AREAS.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the metropolitan district commissioner, and the commissioner of natural resources, is hereby established for the purpose of making an investigation and study of all state owned recreation areas which are under the jurisdiction and management of special boards or commissions, with a view to ascertaining the best method of developing and promoting year round recreation and conservation uses thereof, and whether their jurisdiction and management should continue as presently constituted or transferred to state or other agencies. 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 March, nineteen hundred and sixty-six. *Approved November 22, 1965.*

Chap. 125. RESOLVE IN FAVOR OF RICHARD SPELLMAN.

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 Richard Spellman of Boston, the sum of one thousand thirteen dollars in full settlement and satisfaction of an execution issued by the municipal court of the city of Boston on October twenty-eighth, nineteen hundred and sixty-five, to said Richard Spellman in an action of tort against John Dolan for personal injuries and property damage sustained by him resulting from an accident which occurred on June tenth, nineteen hundred and sixty-two on the drawbridge under the control of the department of public works on Granite avenue in the Dorchester district of the city of Boston, operated by said John Dolan while in the performance of his duties as an employee of said department. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said Richard Spellman that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of said sum. *Approved November 22, 1965.*

Chap. 126. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE COURTHOUSE FACILITIES IN THE COMMONWEALTH.

Resolved, That a special commission, to consist of two members of the senate, four members of the house of representatives, and seven persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of all courthouse facilities in the commonwealth, with a view to determining whether deficiencies exist in the courthouses and other physical facilities used by the various courts, clerks of courts, district attorneys, probation officers, and all other officers directly involved in the function of the judicial department. Said commission shall make recommendations as to how such deficiencies, if found to exist, may be corrected most expeditiously and economically, projecting the needs for renovation, replacement and expansion of such physical facilities into the future. Said commission may travel outside the commonwealth. Said commission shall appoint a person, outstanding in the field of judicial administration or architecture, to act as its secretary and to correlate its findings. Said commission may file interim reports, but shall file its final report on or before March thirty-first, nineteen hundred and sixty-six.

Approved November 30, 1965.

Chap. 127. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ASSESSMENT OF THE COSTS OF BRISTOL COUNTY HOSPITAL AND NURSING HOME FOR THE AGING.

Resolved, That the special commission established by chapter ninety-one 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 781, relative to authorizing the trustees of the Bristol County Hospital Home for the Aging to borrow money to remodel, renovate, alter and equip the women's wing of said hospital.

Approved December 6, 1965.

Chap. 128. RESOLVE EXTENDING THE TIME WITHIN WHICH THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE STATUS OF WOMEN IN EMPLOYMENT AND OTHER AREAS SHALL COMPLETE ITS INVESTIGATION AND STUDY AND FILE ITS FINAL REPORT, AND AUTHORIZING SAID COMMISSION TO FILE REPORTS FROM TIME TO TIME.

Resolved, That the time within which the special commission, established by chapter seventy-two of the resolves of nineteen hundred and sixty-four, shall complete its investigation and study and file its final report as extended by chapter twenty-nine of the resolves of the current year, is hereby further extended to the fourth Wednesday of December, nineteen hundred and sixty-six. Said commission may file reports from time to time. *Approved December 27, 1965.*

Chap. 129. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF POSSIBLE IMPROVEMENTS IN THE METHODS OF VOTING AND VOTE COUNTING.

Resolved, That the special commission established by chapter one hundred and twenty 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 4137, authorizing the use of voting computer systems by cities and towns at primaries and elections.

Approved December 27, 1965.

Chap. 130. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE HOUSING OF FAMILIES RECEIVING PUBLIC WELFARE ASSISTANCE AND OTHER LOW INCOME FAMILIES.

Resolved, That a special commission, to consist of three members of the senate, six members of the house of representatives, and eight persons to be appointed by the governor, one of whom shall be a representative of the department of public welfare, one a representative of the department of public health, one a representative of the department of com-

merce and development, one a representative of a municipal department of public welfare, one a representative of a municipal agency charged with the enforcement of the state sanitary code of minimum standards of fitness for human habitation, one a representative of a housing authority, and one a representative of a recognized school of social work, is hereby established for the purpose of making an investigation and study relative to the problems of providing decent housing for families receiving public welfare assistance and other low income families. Said investigation and study shall include, but not be limited to, a survey of the housing conditions of families presently receiving public welfare assistance and other low income families, an examination and evaluation of the system by which payments for housing are made and the adequacy of such payments to permit the acquisition of decent, safe and sanitary dwelling units, the interrelation of the public housing, urban renewal, code enforcement and welfare programs, and recommendations for improvements in the system of welfare payments so as to insure that all families are housed in decent, safe and sanitary units.

Approved January 3, 1966.

Chap. 131. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO SUCH CHANGES IN THE LAWS AS MAY BE DESIRABLE IF THE HOME RULE AMENDMENT, SO CALLED, TO THE CONSTITUTION IS ADOPTED.

Resolved, That a special commission, to consist of three members of the senate, seven members of the house of representatives, and five persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the statutory implementation of the proposal for a legislative amendment to the constitution providing for home rule (see current House document numbered 461), which was agreed to for a second time by the general court in joint session on May nineteenth, nineteen hundred and sixty-five, in the event said amendment should be approved and ratified by the people. Said commission shall consider, among other appropriate aspects but not limited thereto, the following: — (*a*) corrections of existing general law provisions, designed to bring them into line with the requirements of said constitutional amendment; (*b*) the establishment of additional general law standards of local government, if necessary and desirable; (*c*) the implementation of the right of free petition at the local government level, through improved initiative and referendum procedures or otherwise; (*d*) procedures to be followed by local governments, or by the governor, in requesting the enactment of special local laws by the general court; (*e*) procedures for the voluntary merger of municipalities which are too small in population and resources to provide certain local services, and the feasibility for state assistance in such mergers; (*f*) the classification of municipalities for the purposes of said constitutional amendment; and (*g*) any changes which may be necessary in the joint rules of the general court. Said commission may report from time to time and shall file a preliminary report not later than March thirty-first, nineteen hundred and sixty-six, and shall file its final report not later than May fifteenth, nineteen hundred and sixty-six.

Approved January 4, 1966.

Chap. 132. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE ADVISABILITY AND FEASIBILITY OF CONSTRUCTING A NORTH-SOUTH TOLL TURNPIKE FROM THE NEW HAMPSHIRE LINE TO THE CONNECTICUT LINE THROUGH WORCESTER COUNTY.

Resolved, That a special commission, to consist of eleven persons to be appointed by the county commissioners of the county of Worcester, is hereby established for the purpose of making an investigation and study of the advisability and feasibility of constructing a north-south toll turnpike from the New Hampshire line to the Connecticut line through Worcester county. Said commission may expend such sums therefor as may be appropriated for said county. Said commission shall report to the general court on or before June first, nineteen hundred and sixty-six and shall file a copy of its report with the governor and said commissioners. *Approved January 4, 1966.*

Chap. 133. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE AWARDING OF CONTRACTS FOR CONSTRUCTION AND FOR MATERIALS BY COUNTIES, CITIES, TOWNS, AND DISTRICTS IN CASES OF EXTREME EMERGENCY AND OTHER RELATED MATTERS.

Resolved, That the special commission, established by chapter eighty-eight of the acts of nineteen hundred and sixty-five, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 675, clarifying the procedure for direct payments to subcontractors. *Approved January 4, 1966.*

Chap. 134. RESOLVE IN FAVOR OF MADELINE CANNELLORA OF MARBLEHEAD.

Resolved, That, for the purpose of discharging a moral obligation, there shall be allowed and paid from the state treasury such sum, not exceeding sixteen hundred dollars, as may be appropriated therefor, to Madeline Cannellora of Marblehead, the widow of Ciro Cannellora, who died from injuries sustained while he was a patient at the Danvers state hospital. No payment shall be made hereunder until there is filed with the comptroller an agreement signed by said Madeline Cannellora that the amount to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of said sum.

Approved January 4, 1966.

Chap. 135. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REQUIRING ABSENTEE LANDLORDS TO PROVIDE THE NAME OF A RESIDENT AS AGENT FOR SERVICE OF PROCESS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document printed in House, No. 4040, App. 12, relative to requiring absentee landlords to provide the name

of a resident as agent for service of process, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved January 4, 1966.*

Chap. 136. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADVISABILITY AND FEASIBILITY OF THE ESTABLISHMENT OF A UNIFORM STATE BUILDING CODE.

Resolved, That a special commission, to consist of one member of the senate, two 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 advisability and feasibility of the establishment of a uniform state building code, based on performance standards, and to make recommendations concerning the form and content of such a code and the method of preparing the text thereof. *Approved January 4, 1966.*

Chap. 137. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE PROBLEMS OF OBTAINING FIRE INSURANCE.

Resolved, That a special commission, to consist of one member of the senate, two 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 problems of obtaining fire insurance, with particular reference to the difficulty of obtaining such insurance in certain areas of the larger cities of the commonwealth. *Approved January 4, 1966.*

Chap. 138. RESOLVE PROVIDING FOR PAYMENT OF CERTAIN COMPENSATION TO AN EMPLOYEE OF THE DEPARTMENT OF LABOR AND INDUSTRIES.

Resolved, That the commissioner of labor and industries shall certify for payment, and thereafter there shall be allowed and paid from the state treasury, to Josephine N. Masucci an employee of the division of industrial safety of the department of labor and industries as compensation for a period during which she was not paid the full compensation to which she was entitled, the sum of forty-seven dollars and seventeen cents. *Approved January 4, 1966.*

Chap. 139. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE CAUSES OF THE MASSIVE ELECTRICAL POWER FAILURE OF NOVEMBER THE NINTH, NINETEEN HUNDRED AND SIXTY-FIVE AND THE GENERATION, DISTRIBUTION AND COST OF ELECTRICAL ENERGY IN THE COMMONWEALTH, AND RELATED MATTERS.

Resolved, That a special commission, to consist of three members of the senate, eight members of the house of representatives, the president

of the Massachusetts State Labor Council, AFL–CIO, or his designee, the president of Massachusetts State Council American Federation of State, County and Municipal Employees, AFL–CIO, or his designee, the president of the Associated Industries of Massachusetts, or his designee, and three persons to be appointed by the governor, one of whom shall be a representative of the privately owned electric companies doing business in the commonwealth, one a representative of the municipally owned electric companies doing business in the commonwealth, and one a qualified engineer with a minimum of ten years' experience in relation to the manufacture and distribution of electrical energy, is hereby established for the purpose of making an investigation and study relative to the causes of the electrical power failure and blackout in the commonwealth and other states on November the ninth, nineteen hundred and sixty-five. Said commission shall also consider the availability and adequacy of alternative or secondary electrical power sources in all state departments, agencies and institutions, as well as in all hospitals, public or private, in the commonwealth, with particular reference to their actual record of performance during said power failure; the degree of dependence of the consumers of the commonwealth upon outside sources of electrical power and the feasibility and desirability of the development of alternative or secondary domestic sources of electrical power; the laws of the commonwealth pertaining to the manufacture and distribution of electrical energy, the availability of electrical energy, including atomic and other sources, the cost and other factors involved in the manufacture and distribution of electricity in the commonwealth; the rates charged for electricity; the financing of electric companies, both privately owned and municipally owned, in the commonwealth; the tax structure imposed upon the manufacture and distribution of electrical energy in the commonwealth; and the best means of producing adequate electrical energy for consumers and industry in the commonwealth.

Said commission may request the assistance of federal and state agencies. *Approved January 4, 1966.*

Chap. 140. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PERMITTING A PERSON INJURED IN A MOTOR VEHICLE ACCIDENT WHILE A PASSENGER TO RECOVER DAMAGES UPON PROOF OF ORDINARY NEGLIGENCE OF THE OPERATOR.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 532, relative to permitting a person injured in a motor vehicle accident while a passenger to recover damages upon proof of ordinary negligence of the operator, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the year nineteen hundred and sixty-six. *Approved January 4, 1966.*

Chap. 141. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE LAWS OF THE COMMONWEALTH RELATIVE TO EMINENT DOMAIN.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the commissioner of public works or his designee, the attorney general or his designee, and five persons appointed by the governor, one of whom shall be a representative of the real estate brokers of the commonwealth, one a representative of the Greater Boston Chamber of Commerce, and one a professional real estate appraiser, is hereby established for the purpose of making an investigation and study of the laws of the commonwealth relative to eminent domain. *Approved January 7, 1966.*

Chap. 142. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE A PROGRAM OF PARTICIPATION OF THE COMMONWEALTH AT THE 1964–1965 WORLD'S FAIR.

Resolved, That the unpaid special commission established by item 0405–02 of section two of chapter five hundred and forty-three of the acts of nineteen hundred and sixty-one, as most recently extended by chapter ninety-seven of the resolves of nineteen hundred and sixty-three, is hereby revived and continued. Said commission shall file its final report with the clerk of the senate not later than the first Wednesday of April, nineteen hundred and sixty-six.

Approved January 7, 1966.

Chap. 143. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE CAUSES AND POSSIBLE PREVENTION OF THE CURRENT WAVE OF VIOLENCE AND CRIME IN THE COMMONWEALTH.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the commissioner of correction or his designee, the commissioner of public safety or his designee, the commissioner of mental health or his designee, the chairman of the youth service board or his designee, the chairman of the parole board, and ten persons to be appointed by the governor, of whom one shall be a district attorney, two shall be members of the Massachusetts Police Chiefs Association, one shall be a member of the Massachusetts Police Association, one shall be a member of the Massachusetts Juvenile Police Officers Association, one shall be skilled in the field of penology, one in the field of sociology, and one in the field of psychiatry, is hereby established for the purpose of making an investigation and study of the underlying causes of the current wave of violent crimes, the unlawful carrying and use of firearms, switchblade knives and other dangerous weapons, the illegal breaking and entering of dwelling houses and motor vehicles by armed and other dangerous persons, and the prevalence of juvenile delinquency, and for the purpose of determining methods of remedying such conditions. Said commission may require by summons the attendance and testimony of witnesses and the production of books and papers. *Approved January 7, 1966.*

Chap. 144. RESOLVE AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO MAKE A STUDY AND SURVEY OF THE MOST FEASIBLE LOCATION FOR A BRIDGE ACROSS THE MERRIMACK RIVER IN THE CITY OF LOWELL.

Resolved, That the department of public works is hereby authorized and directed to make a study and survey in order to determine the most feasible location for a bridge across the Merrimack river in the city of Lowell and suitable approaches thereto connecting with the relocated Route 3 and the Pawtucket boulevard, so called, on the north side of said river. Said department shall report to the general court the results of its study and survey and its recommendations, as to such location, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and sixty-six.

Approved January 7, 1966.

Chap. 145. RESOLVE PROVIDING FOR THE REIMBURSEMENT OF CERTAIN PROPERTY OWNERS AND TENANTS IN THE CITY OF CHELSEA FOR DAMAGES CAUSED BY A FLOOD WHICH OCCURRED IN THE VICINITY OF THE NORTHEAST EXPRESSWAY AND THE REVERE BEACH PARKWAY IN SAID CITY IN THE YEAR NINETEEN HUNDRED AND SIXTY-TWO.

Resolved, That, for the purpose of discharging a moral obligation, the department of public works is hereby authorized and directed to reimburse the Chelsea Housing Authority, its tenants, other owners of abutting property and tenants therein in the city of Chelsea, for damages caused to real and personal property resulting from flood conditions which occurred in October, nineteen hundred and sixty-two in the vicinity of the Northeast Expressway and the Revere Beach parkway in said city. For the purposes of carrying out the provisions of this resolve, said department may expend such sums, not to exceed seventy-five thousand dollars, as may be appropriated therefor.

Approved January 7, 1966.

NUMBER OF ACTS AND RESOLVES APPROVED, APPROVAL WITHHELD, ACTS VETOED BY THE GOVERNOR, PASSED OVER HIS VETO AND ACTS DECLARED EMERGENCY LAWS BY THE GOVERNOR UNDER AUTHORITY OF THE CONSTITUTION.

The general court, during its first annual session held in 1965, passed 860 Acts and 140 Resolves, which received executive approval, and 1 Act which received executive approval on January 5, 1966 and 33 Acts which received executive approval on January 7, 1966, and 5 Resolves which received executive approval on January 7, 1966, after the general court was dissolved, and 9 Acts from which executive approval was withheld but have become law by virtue of chapter 1, section 1, Article II of the Constitution of the Commonwealth.

The governor returned 16 Acts with his objections thereto in writing. Upon said 10 Acts his objections were sustained, and upon 6 Acts his objections were not sustained.

Three (3) Acts entitled, "An Act further defining the law providing for an extra day off or pay for holidays for police officers" (Chapter 205); "An Act providing life tenure for William D. Sullivan, incumbent of the office of Election commissioner of the city of New Bedford" (Chapter 418); and "An Act providing that the libellee in a divorce action may remarry when the decree becomes absolute" (Chapter 640) were passed, but failed to receive executive approval; as, however, they were not returned, with objections thereto, within five days after they had been received in the executive department, the general court not having been dissolved in the meantime, said acts have the force of law, under the provisions of the Constitution governing such cases and have been so certified.

Ten (10) Acts entitled, respectively, "An Act prohibiting temporarily the issuance of preliminary injunctions or temporary restraining orders against cities and towns in certain cases"; "An Act to ascertain the will of the voters of the town of Framingham with reference to establishing a city form of government in said town"; "An Act relative to the composition of the city council of the city of Springfield"; "An Act allowing certain plumbers and pipefitters to acquire oil burner technician's certificates without examination"; "An Act authorizing the city of Boston to use for school purposes a certain portion of Franklin Park in the West Roxbury district of said city"; "An Act authorizing the appointment of Robert J. Cloonan as a member of the regular police force of the city of Lynn"; "An Act providing that Joseph J. Maguire shall be deemed to be a permanent police officer of the police department of the town of Watertown"; "An Act providing that the law prohibiting certain activities by members of the board of aldermen in the city of Chicopee shall not apply to appointments to offices and positions under the civil service law"; "An Act establishing the office of Deputy Registrar of voters and defining his duties"; and "An Act authorizing the county commissioners of Hampden county to borrow an additional

sum of money to alter, repair, renovate, originally equip and furnish a certain building in the city of Springfield purchased by them for the facilities of the district and superior courts in said city" were passed and laid before the governor for his approval; were returned by him with his objections thereto, to the branch in which they respectively originated; were reconsidered, and the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were rejected, and said acts thereby became void.

Six (6) Acts entitled, "An Act relative to the jurisdiction and control of an athletic field in the city of Revere" (Chapter 90); "An Act establishing the compensation, travel allowances and expenses of the members of the general court" (Chapter 271); "An Act placing the question of adopting the Plan A form of city government on the ballot to be used at the municipal election in the city of Haverhill in the current year" (Chapter 290); "An Act providing life tenure for Patrick Harrigan, incumbent of the office of executive director and secretary of the Springfield housing authority" (Chapter 478); "An Act providing life tenure for Louis Falcetti, incumbent of the office of executive director of the Holyoke housing authority" (Chapter 479); and "An Act providing that certain elected public officials shall be granted leaves of absence without pay from certain other offices and positions during the terms for which they were elected" (Chapter 703) were passed and laid before the governor for his approval; were returned by him with his objections thereto, to the branch in which they originated; were reconsidered, agreeably to the provisions of the Constitution, and the vote being taken on their passage the objections of the governor thereto notwithstanding, they were passed, and said acts have thereby the force of law.

Fourteen (14) Acts entitled, respectively, "An Act authorizing cities and towns to contract for laundry services for periods not to exceed three years" (Chapter 50); "An Act increasing the maximum penalty that may be imposed for violation of town by-laws to fifty dollars" (Chapter 316); "An Act providing for the control of nuisance insect, vegetable and animal life at Musquashiat pond in the town of Scituate" (Chapter 458); "An Act establishing an advisory council to consult with the department of mental health relative to the construction of community mental health centers and an advisory council to consult with said department relative to the construction of facilities for the mentally retarded" (Chapter 526); "An Act making certain corrective changes in the law providing for the filling and improvement of south bay, Roxbury canal and Dorchester brook and certain territories adjacent thereto" (Chapter 621); "An Act directing the department of public works to grant an irrevocable license to maintain fill or structures in certain tidelands in the city of New Bedford to the New Bedford redevelopment authority" (Chapter 626); "An Act authorizing the metropolitan district commission to lease land on or near the Charles river dam to Boston Society of Natural History for construction of additional facilities related to the museum of science" (Chapter 630); "An Act further regulating the sale of bonds by the state treasurer" (Chapter 633); "An Act providing for the licensing by the gas fitting regulatory board of limited undiluted petroleum gas installers" (Chapter 635); "An Act establishing the Essex county, city of Revere and town of Winthrop mosquito control project" (Chapter 638); "An Act further defining unlawful assembly" (Chapter 647); "An Act defining dealers

in aircraft as used in the laws relative to aeronautics and providing for the registration of the federal certificates of such dealers" (Chapter 670); "An Act relative to the accelerated highway program" (Chapter 679); and "An Act establishing a bureau of relocation in the department of commerce and development and providing for relocation assistance to persons and organizations displaced by eminent domain" (Chapter 790) 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 50 thereby took effect at 4:45 P.M. on February 23, 1965; said Chapter 316 at 10:10 A.M. on June 8, 1965; said Chapter 458 at 9:45 A.M. on May 18, 1965; said Chapter 526 at 10:10 A.M. on June 8, 1965; said Chapter 621 at 12:05 P.M. on September 9, 1965; said Chapter 626 at 9:05 A.M. on August 11, 1965; said Chapter 630 at 10:45 A.M. on August 17, 1965; said Chapter 633 at 9:30 A.M. on August 26, 1965; said Chapter 635 at 4:15 P.M. on August 17, 1965; said Chapter 638 at 3:30 P.M. on September 7, 1965; said Chapter 647 at 9:00 A.M. on August 20, 1965; said Chapter 670 at 3:35 P.M. on September 7, 1965; said Chapter 679 at 12:30 P.M. on September 2, 1965; and said Chapter 790 at 11:45 A.M. on December 21, 1965.

The general court was dissolved on Tuesday, January 4, 1966 at twelve o'clock midnight, under the provisions of Article X of the Amendments to the Constitution, the session having occupied 367 days.

Fourteen (14) Acts, having been passed by the general court and the general court having dissolved, failed to become effective as they did not receive executive approval within five days.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Five.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROVIDING FOR THE INDUSTRIAL DEVELOPMENT OF CITIES AND TOWNS.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . The industrial development of cities and towns is a public function and the commonwealth and the cities and towns therein may provide for the same in such manner as the general court may determine.

IN JOINT SESSION, June 11, 1963.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

IN JOINT SESSION, May 19, 1965.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Five.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROVIDING FOR HOME RULE.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . Article II of the Articles of Amendment to the Constitution of the Commonwealth, as amended by Article LXX of said Articles of Amendment, is hereby annulled and the following is adopted in place thereof: —

ARTICLE II. *Section 1. Right of Local Self-Government.* — It is the intention of this article to reaffirm the customary and traditional liberties of the people with respect to the conduct of their local government, and to grant and confirm to the people of every city and town the right of self-government in local matters, subject to the provisions of this article and to such standards and requirements as the general court may establish by law in accordance with the provisions of this article.

Section 2. Local Power to adopt, revise or amend Charters. — Any city or town shall have the power to adopt or revise a charter or to amend its existing charter through the procedures set forth in sections three and four. The provisions of any adopted or revised charter or any charter amendment shall not be inconsistent with the constitution or any laws enacted by the general court in conformity with the powers reserved to the general court by section eight.

No town of fewer than twelve thousand inhabitants shall adopt a city form of government, and no town of fewer than six thousand inhabitants shall adopt a form of government providing for a town meeting limited to such inhabitants of the town as may be elected to meet, deliberate, act and vote in the exercise of the corporate powers of the town.

Section 3. Procedure for Adoption or Revision of a Charter by a City or Town. — Every city and town shall have the power to adopt or revise a charter in the following manner: A petition for the adoption or revision of a charter shall be signed by at least fifteen per cent of the number of legal voters residing in such city or town at the preceding state election. Whenever such a petition is filed with the board of registrars of voters of any city or town, the board shall within ten days of its receipt determine

the sufficiency and validity of the signatures and certify the results to the city council of the city or board of selectmen of the town, as the case may be. As used in this section, the phrase "board of registrars of voters" shall include any local authority of different designation which performs the duties of such registrars, and the phrase "city council of the city or board of selectmen of the town" shall include local authorities of different designation performing the duties of such council or board. Objections to the sufficiency and validity of the signatures on any such petition as certified by the board of registrars of voters shall be made in the same manner as provided by law for objections to nominations for city or town offices, as the case may be.

Within thirty days of receipt of certification of the board of registrars of voters that a petition contains sufficient valid signatures, the city council of the city or board of selectmen of the town shall by order provide for submitting to the voters of the city or town the question of adopting or revising a charter, and for the nomination and election of a charter commission.

If the city or town has not previously adopted a charter pursuant to this section, the question submitted to the voters shall be: "Shall a commission be elected to frame a charter for (name of city or town)?" If the city or town has previously adopted a charter pursuant to this section, the question submitted to the voters shall be: "Shall a commission be elected to revise the charter of (name of city or town)?"

The charter commission shall consist of nine voters of the city or town, who shall be elected at large without party or political designation at the city or town election next held at least sixty days after the order of the city council of the city or board of selectmen of the town. The names of candidates for such commission shall be listed alphabetically on the ballot used at such election. Each voter may vote for nine candidates.

The vote on the question submitted and the election of the charter commission shall take place at the same time. If the vote on the question submitted is in the affirmative, the nine candidates receiving the highest number of votes shall be declared elected.

Within ten months after the election of the members of the charter commission, said commission shall submit the charter or revised charter to the city council of the city or the board of selectmen of the town, and such council or board shall provide for publication of the charter and for its submission to the voters of the city or town at the next city or town election held at least two months after such submission by the charter commission. If the charter or revised charter is approved by a majority of the voters of the city or town voting thereon, it shall become effective upon the date fixed in the charter.

Section 4. Procedure for Amendment of a Charter by a City or Town. — Every city and town shall have the power to amend its charter in the following manner: The legislative body of a city or town may, by a two thirds vote, propose amendments to the charter of the city or town; provided, that (1) amendments of a city charter may be proposed only with the concurrence of the mayor in every city that has a mayor, and (2) any change in a charter relating in any way to the composition, mode of election or appointment, or terms of office of the legislative body, the mayor or city manager or the board of selectmen or town manager shall be made only by the procedure of charter revision set forth in section three.

All proposed charter amendments shall be published and submitted for approval in the same manner as provided for adoption or revision of a charter.

Section 5. Recording of Charters and Charter Amendments. — Duplicate certificates shall be prepared setting forth any charter that has been adopted or revised and any charter amendments approved, and shall be signed by the city or town clerk. One such certificate shall be deposited in the office of the secretary of the commonwealth and the other shall be recorded in the records of the city or town and deposited among its archives. All courts may take judicial notice of charters and charter amendments of cities and towns.

Section 6. Governmental Powers of Cities and Towns. — Any city or town may, by the adoption, amendment, or repeal of local ordinances or by-laws, exercise any power or function which the general court has power to confer upon it, which is not inconsistent with the constitution or laws enacted by the general court in conformity with powers reserved to the general court by section eight, and which is not denied, either expressly or by clear implication, to the city or town by its charter. This section shall apply to every city and town, whether or not it has adopted a charter pursuant to section three.

Section 7. Limitations on Local Powers. — Nothing in this article shall be deemed to grant to any city or town the power to (1) regulate elections other than those prescribed by sections three and four; (2) to levy, assess and collect taxes; (3) to borrow money or pledge the credit of the city or town; (4) to dispose of park land; (5) to enact private or civil law governing civil relationships except as an incident to an exercise of an independent municipal power; or (6) to define and provide for the punishment of a felony or to impose imprisonment as a punishment for any violation of law; provided, however, that the foregoing enumerated powers may be granted by the general court in conformity with the constitution and with the powers reserved to the general court by section eight; nor shall the provisions of this article be deemed to diminish the powers of the judicial department of the commonwealth.

Section 8. Powers of the General Court. — The general court shall have the power to act in relation to cities and towns, but only by general laws which apply alike to all cities, or to all towns, or to all cities and towns, or to a class of not fewer than two, and by special laws enacted (1) on petition filed or approved by the voters of a city or town, or the mayor and city council, or other legislative body, of a city, or the town meeting of a town, with respect to a law relating to that city or town; (2) by a two thirds vote of each branch of the general court following a recommendation by the governor; (3) to erect and constitute metropolitan or regional entities, embracing any two or more cities or towns or cities and towns, or established with other than existing city or town boundaries, for any general or special public purpose or purposes, and to grant to these entities such powers, privileges and immunities as the general court shall deem necessary or expedient for the regulation and government thereof; or (4) solely for the incorporation or dissolution of cities or towns as corporate entities, alteration of city or town boundaries, and merger or consolidation of cities and towns, or any of these matters.

Subject to the foregoing requirements, the general court may provide optional plans of city or town organization and government under which

an optional plan may be adopted or abandoned by majority vote of the voters of the city or town voting thereon at a city or town election; provided, that no town of fewer than twelve thousand inhabitants may be authorized to adopt a city form of government, and no town of fewer than six thousand inhabitants may be authorized to adopt a form of town government providing for a town meeting limited to such inhabitants of the town as may be elected to meet, deliberate, act and vote in the exercise of the corporate powers of the town.

This section shall apply to every city and town whether or not it has adopted a charter pursuant to section three.

Section 9. Existing Special Laws. — All special laws relating to individual cities or towns shall remain in effect and have the force of an existing city or town charter, but shall be subject to amendment or repeal through the adoption, revision or amendment of a charter by a city or town in accordance with the provisions of sections three and four and shall be subject to amendment or repeal by laws enacted by the general court in conformity with the powers reserved to the general court by section eight.

IN JOINT SESSION, July 16, 1963.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

IN JOINT SESSION, May 19, 1965.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Five.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROVIDING FOR JOINT ELECTION OF GOVERNOR AND LIEUTENANT-GOVERNOR.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . Names of candidates of political parties for the offices of governor and lieutenant-governor shall be grouped on the official ballot for use at state elections according to the parties they represent, and the voter may cast a single vote for any such group, which shall count as a vote for each candidate in such group, but may not cast a vote for only one of the candidates in such group.

IN JOINT SESSION, June 11, 1963.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

IN JOINT SESSION, May 5, 1965.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Five.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROVIDING FOR A REORGANIZATION PLAN PROCEDURE FOR THE EXECUTIVE DEPARTMENT.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . *Section 1.* For the purpose of transferring, abolishing, consolidating or coordinating the whole or any part of any agency, or the functions thereof, within the executive department of the government of the commonwealth, or for the purpose of authorizing any officer of any agency within the executive department of the government of the commonwealth to delegate any of his functions, the governor may prepare one or more reorganization plans, each bearing an identifying number and may present such plan or plans to the general court, together with a message in explanation thereof.

Section 2. (*a*) Every such reorganization plan shall be referred to an appropriate committee, to be determined by the Clerks of the Senate and the House of Representatives, with the approval of the President and Speaker, which committee shall not later than thirty days after the date of the Governor's presentation of said plan hold a public hearing thereon and shall not later than ten days after such hearing report that it approves or disapproves such plan and such reorganization plan shall have the force of law upon expiration of the sixty calendar days next following its presentation by the governor to the general court, unless disapproved by a majority vote of the members of either of the two branches of the general court present and voting, the general court not having been prorogued within such sixty days.

(*b*) After its presentation by the governor to the general court, no such reorganization plan shall be subject to amendment by the general court before expiration of such sixty days.

(*c*) Any such reorganization plan may provide for its taking effect on any date after expiration of such sixty days and every such reorganization plan shall comply with such conditions as the general court may from time to time prescribe by statute regarding the civil service status, seniority, retirement and other rights of any employee to be affected by such plan.

Section 3. Article LXVI of the Amendments to the Constitution is hereby annulled.

IN JOINT SESSION, July 16, 1963.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

IN JOINT SESSION, May 5, 1965.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

THOMAS A. CHADWICK,
Clerk of the Joint Session.

AMENDMENT OF THE CONSTITUTION

1964

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and sixty-one, and by the Legislature of the political year one thousand nine hundred and sixty-three, agreeably to the provisions of the Constitution, and approved by the people on the third day of November in the year one thousand nine hundred and sixty-four.

EIGHTY-SECOND ARTICLE OF AMENDMENT.

ARTICLE LXXXII. Article LXIV of the Amendments to the Constitution, as amended by Article LXXX of said Amendments, is hereby annulled, and the following is adopted in place thereof: —

ARTICLE LXIV. *Section 1.* The governor, lieutenant-governor, secretary, treasurer and receiver-general, attorney-general, and auditor shall be elected quadrennially and councillors, senators and representatives shall be elected biennially. The terms of the governor and lieutenant-governor shall begin at noon on the Thursday next following the first Wednesday in January succeeding their election and shall end at noon on the Thursday next following the first Wednesday in January in the fifth year following their election. If the governor elect shall have died before the qualification of the lieutenant-governor elect, the lieutenant-governor elect upon qualification shall become governor. If both the governor elect and the lieutenant-governor elect shall have died both said offices shall be deemed to be vacant and the provisions of Article LV of the Amendments to the Constitution shall apply. The terms of the secretary, treasurer and receiver-general, attorney-general, and auditor shall begin with the third Wednesday in January succeeding their election and shall extend to the third Wednesday in January in the fifth year following their election and until their successors are chosen and qualified. The terms of the councillors shall begin at noon on the Thursday next following the first Wednesday in January succeeding their election and shall end at noon on the Thursday next following the first Wednesday in January in the third year following their election. The terms of senators and representatives shall begin with the first Wednesday in January succeeding their election and shall extend to the first Wednesday in January in the third year following their election and until their successors are chosen and qualified.

Section 2. The general court shall assemble every year on the first Wednesday in January.

Section 3. The first election to which this article shall apply shall be held on the Tuesday next after the first Monday in November in the year nineteen hundred and sixty-six, and thereafter elections for the

choice of a governor, lieutenant-governor, secretary, treasurer and receiver-general, attorney-general, and auditor shall be held quadrennially on the Tuesday next after the first Monday in November and elections for the choice of councillors, senators and representatives shall be held biennially on the Tuesday next after the first Monday in November.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

BOSTON, December 3, 1964.

I Hereby Certify that the foregoing is the Eighty-second Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Election held on the third day of November in the year one thousand nine hundred and sixty-four, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

KEVIN H. WHITE,
Secretary of the Commonwealth.

AMENDMENT OF THE CONSTITUTION

1964

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and sixty-two, and by the Legislature of the political year one thousand nine hundred and sixty-three, agreeably to the provisions of the Constitution, and approved by the people on the third day of November in the year one thousand nine hundred and sixty-four.

EIGHTY-THIRD ARTICLE OF AMENDMENT.

ARTICLE LXXXIII. The general court shall have full power and authority to provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices in periods of emergency resulting from disaster caused by enemy attack, and to adopt such other measures as may be necessary and proper for insuring continuity of the government of the commonwealth and the governments of its political subdivisions.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

BOSTON, December 3, 1964.

I Hereby Certify that the foregoing is the Eighty-third Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Election held on the third day of November in the year one thousand nine hundred and sixty-four, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

KEVIN H. WHITE,
Secretary of the Commonwealth.

AMENDMENT OF THE CONSTITUTION

1964

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and sixty-one, and by the Legislature of the political year one thousand nine hundred and sixty-three, agreeably to the provisions of the Constitution, and approved by the people on the third day of November in the year one thousand nine hundred and sixty-four.

EIGHTY-FOURTH ARTICLE OF AMENDMENT.

ARTICLE LXXXIV. Article LXII of the Amendments to the Constitution is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* The commonwealth may give, loan or pledge its credit only by a vote, taken by the yeas and nays, of two thirds of each house of the general court present and voting thereon. The credit of the commonwealth shall not in any manner be given or loaned to or in aid of any individual, or of any private association, or of any corporation which is privately owned and managed.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

BOSTON, December 3, 1964.

I Hereby Certify that the foregoing is the Eighty-fourth Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Election held on the third day of November in the year one thousand nine hundred and sixty-four, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

KEVIN H. WHITE,
Secretary of the Commonwealth.

AMENDMENT OF THE CONSTITUTION

1964

ARTICLE OF AMENDMENT OF THE CONSTITUTION OF MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and sixty-two, and by the Legislature of the political year one thousand nine hundred and sixty-three, agreeably to the provisions of the Constitution, and approved by the people on the third day of November in the year one thousand nine hundred and sixty-four.

EIGHTY-FIFTH ARTICLE OF AMENDMENT.

ARTICLE LXXXV. Article II of Chapter III of the Constitution of the commonwealth is hereby annulled and the following is adopted in place thereof: —

ARTICLE II. Each branch of the legislature, as well as the governor or the council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

BOSTON, December 3, 1964.

I Hereby Certify that the foregoing is the Eighty-fifth Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Election held on the third day of November in the year one thousand nine hundred and sixty-four, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

KEVIN H. WHITE,
Secretary of the Commonwealth.

RETURN OF VOTES ON QUESTION NO. 1, BEING A LEGISLATIVE AMENDMENT TO THE CONSTITUTION, SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 3, 1964.

Votes on Question No. 1 (Proposed Amendment to the Constitution).

Do you approve of the adoption of an amendment to the Constitution summarized below which was approved by the General Court in a joint session of the two branches held March 29, 1961, received 219 votes in the affirmative and 26 in the negative, and in a joint session of the two branches held May 8, 1963, received 244 votes in the affirmative and 14 in the negative?

Summary.

The proposed amendment provides that the terms of office of the Governor, Lieutenant Governor, Secretary of the Commonwealth, Treasurer and Receiver General, Attorney General and Auditor shall be four years. Executive Councillors, Senators and Representatives shall continue to serve for two years. The four-year term for constitutional officers would become effective at the time of the November election in the year 1966.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	5,195	1,315	1,374	7,884
Bourne	1,783	530	549	2,862
Brewster	569	150	118	837
Chatham	1,376	361	348	2,085
Dennis	1,744	482	463	2,689
Eastham	650	136	112	898
Falmouth	3,780	1,124	1,259	6,163
Harwich	1,734	406	330	2,470
Mashpee	183	57	114	354
Orleans	1,165	236	253	1,654
Provincetown	845	190	508	1,543
Sandwich	716	227	245	1,188
Truro	308	77	95	480
Wellfleet	526	126	143	795
Yarmouth	2,752	623	603	3,978
Totals	23,326	6,040	6,514	35,880

County of Berkshire.

Adams	3,240	1,204	1,745	6,189
Alford	56	45	25	126
Becket	201	77	74	352
Cheshire	649	250	289	1,188
Clarksburg	446	187	185	818
Dalton	2,192	608	415	3,215
Egremont	278	110	92	480
Florida	157	64	53	274
Great Barrington	1,608	612	923	3,143
Hancock	113	46	49	208
Hinsdale	363	125	139	627
Lanesborough	798	285	229	1,312
Lee	1,147	433	669	2,249
Lenox	1,226	307	387	1,920
Monterey	178	49	64	291
Mount Washington	18	4	13	35
New Ashford	50	13	17	80

County of Berkshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
New Marlborough	205	90	115	410
North Adams	5,382	1,628	2,235	9,245
Otis	81	55	93	229
Peru	42	19	27	88
Pittsfield	15,113	4,485	6,217	25,815
Richmond	320	109	55	484
Sandisfield	120	36	93	249
Savoy	62	34	48	144
Sheffield	604	171	206	981
Stockbridge	767	164	180	1,111
Tyringham	87	14	19	120
Washington	80	30	33	143
West Stockbridge	331	93	157	581
Williamstown	2,352	404	511	3,267
Windsor	102	36	38	176
Totals	38,368	11,787	15,395	65,550

County of Bristol.

Acushnet	1,243	944	733	2,920
Attleboro	7,508	2,495	2,331	12,334
Berkley	375	171	187	733
Dartmouth	3,778	2,515	1,812	8,105
Dighton	871	483	383	1,737
Easton	3,028	851	696	4,575
Fairhaven	3,375	2,312	1,562	7,249
Fall River	20,261	9,311	17,106	46,678
Freetown	710	389	316	1,415
Mansfield	2,429	699	766	3,894
New Bedford	19,760	14,801	12,794	47,355
North Attleborough	3,990	1,476	1,669	7,135
Norton	1,644	589	500	2,733
Raynham	1,359	625	459	2,443
Rehoboth	1,148	567	523	2,238
Seekonk	2,449	1,027	862	4,338
Somerset	3,805	1,591	1,873	7,269
Swansea	2,912	1,383	1,197	5,492
Taunton	7,979	3,951	5,747	17,677
Westport	1,625	1,001	1,067	3,693
Totals	90,249	47,181	52,583	190,013

County of Dukes County.

Chilmark	114	22	27	163
Edgartown	483	126	220	829
Gay Head	27	7	26	60
Gosnold	26	7	9	42
Oak Bluffs	455	112	235	802
Tisbury	727	161	265	1,153
West Tisbury	154	40	43	237
Totals	1,986	475	825	3,286

County of Essex.

Amesbury	2,333	1,121	1,540	4,994
Andover	6,664	1,578	1,543	9,785
Beverly	11,025	3,267	3,037	17,329
Boxford	1,027	180	119	1,326
Danvers	6,885	2,164	1,424	10,473
Essex	693	220	218	1,131
Georgetown	1,266	451	311	2,028
Gloucester	7,041	2,308	2,932	12,281
Groveland	1,158	412	298	1,868
Hamilton	1,927	494	345	2,766
Haverhill	11,644	4,391	5,088	21,123
Ipswich	2,826	791	1,018	4,635
Lawrence	17,191	6,696	10,395	34,282
Lynn	24,586	11,870	7,881	44,337

County of Essex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Lynnfield	3,520	874	423	4,817
Manchester	1,522	357	334	2,213
Marblehead	7,751	1,933	1,175	10,859
Merrimac	995	351	319	1,665
Methuen	8,421	3,385	3,854	15,660
Middleton	842	338	242	1,422
Nahant	1,289	383	221	1,893
Newbury	1,097	312	233	1,642
NEWBURYPORT	3,238	1,178	2,043	6,459
North Andover	3,625	1,335	1,165	6,125
PEABODY	10,719	3,853	3,915	18,487
Rockport	1,821	462	554	2,837
Rowley	726	302	215	1,243
SALEM	11,136	4,408	4,519	20,063
Salisbury	900	532	381	1,813
Saugus	6,423	2,725	1,442	10,590
Swampscott	4,412	1,084	1,815	7,311
Topsfield	1,514	240	144	1,898
Wenham	1,056	280	160	1,496
West Newbury	610	199	182	991
Totals	167,883	60,474	59,485	287,842

County of Franklin.

Ashfield	333	94	110	537
Bernardston	355	123	141	619
Buckland	443	152	241	836
Charlemont	231	58	106	395
Colrain	337	114	165	616
Conway	223	93	97	413
Deerfield	934	338	356	1,628
Erving	367	106	147	620
Gill	342	124	106	572
Greenfield	4,935	1,547	1,934	8,416
Hawley	51	12	25	88
Heath	76	30	33	139
Leverett	217	77	70	364
Leyden	89	28	38	155
Monroe	32	26	19	77
Montague	2,238	870	1,029	4,137
New Salem	103	68	34	205
Northfield	695	231	214	1,140
Orange	1,405	478	630	2,513
Rowe	91	28	26	145
Shelburne	517	193	199	909
Shutesbury	86	32	31	149
Sunderland	314	130	162	606
Warwick	124	42	44	210
Wendell	51	34	49	134
Whately	258	112	141	511
Totals	14,847	5,140	6,147	26,134

County of Hampden.

Agawam	4,340	2,073	1,275	7,688
Blandford	219	114	65	398
Brimfield	375	190	116	681
Chester	246	95	149	490
CHICOPEE	10,994	7,469	6,240	24,703
East Longmeadow	3,294	1,098	876	5,268
Granville	219	122	105	446
Hampden	757	316	172	1,245
Holland	196	78	79	353
HOLYOKE	8,162	5,857	9,422	23,441
Longmeadow	4,709	1,172	639	6,520
Ludlow	3,370	2,011	1,258	6,639
Monson	1,388	585	627	2,600
Montgomery	102	44	33	179
Palmer	2,547	1,286	1,500	5,333
Russell	311	139	163	613
Southwick	1,228	538	322	2,088

County of Hampden — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
SPRINGFIELD	28,875	11,539	24,480	64,894
Tolland	29	16	19	64
Wales	161	81	77	319
West Springfield	6,272	2,534	2,646	11,452
WESTFIELD	6,760	2,871	2,304	11,935
Wilbraham	2,695	912	558	4,165
Totals	87,249	41,140	53,125	181,514

County of Hampshire.

Amherst	3,333	708	543	4,584
Belchertown	866	478	313	1,657
Chesterfield	138	57	68	263
Cummington	182	68	58	308
Easthampton	2,842	1,886	1,316	6,044
Goshen	120	53	41	214
Granby	975	526	233	1,734
Hadley	848	310	415	1,573
Hatfield	614	279	338	1,231
Huntington	336	154	157	647
Middlefield	80	22	26	128
NORTHAMPTON	6,511	2,787	2,555	11,853
Pelham	225	98	73	396
Plainfield	67	36	31	134
South Hadley	3,495	1,950	1,032	6,477
Southampton	633	361	170	1,164
Ware	1,943	1,074	1,159	4,176
Westhampton	167	76	50	293
Williamsburg	592	217	219	1,028
Worthington	172	69	52	293
Totals	24,139	11,209	8,849	44,197

County of Middlesex.

Acton	3,164	510	368	4,042
Arlington	19,160	4,973	3,248	27,381
Ashby	585	174	155	914
Ashland	2,283	717	404	3,404
Ayer	1,060	333	314	1,707
Bedford	3,256	604	354	4,214
Belmont	11,411	2,353	1,981	15,745
Billerica	5,334	1,793	914	8,041
Boxborough	343	83	42	468
Burlington	5,251	1,417	752	7,420
CAMBRIDGE	27,981	7,045	7,748	42,774
Carlisle	700	100	69	869
Chelmsford	6,819	1,650	1,097	9,566
Concord	4,658	517	871	6,046
Dracut	3,925	1,924	1,373	7,222
Dunstable	244	104	74	422
EVERETT	8,134	2,951	9,649	20,734
Framingham	16,534	3,275	2,764	22,573
Groton	1,318	301	281	1,900
Holliston	2,403	637	368	3,408
Hopkinton	1,578	492	351	2,421
Hudson	3,248	1,178	1,058	5,484
Lexington	9,526	1,259	2,387	13,172
Lincoln	1,738	168	199	2,105
Littleton	1,686	385	217	2,288
LOWELL	25,395	8,825	9,021	43,241
MALDEN	16,008	6,242	4,890	27,140
MARLBOROUGH	5,719	2,895	1,705	10,319
Maynard	2,416	736	798	3,950
MEDFORD	19,217	6,375	5,554	31,146
MELROSE	9,930	2,983	2,208	15,121
Natick	9,839	2,131	1,634	13,604
NEWTON	33,793	6,599	5,612	46,004
North Reading	2,873	751	437	4,061
Pepperell	1,084	486	324	1,894
Reading	7,541	1,658	847	10,046
Sherborn	898	117	102	1,117

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Shirley	726	221	307	1,254
SOMERVILLE	23,929	8,112	8,379	40,420
Stoneham	6,195	1,781	1,007	8,983
Stow	928	225	205	1,358
Sudbury	3,290	441	424	4,155
Tewksbury	4,331	1,306	700	6,337
Townsend	1,100	328	265	1,693
Tyngsborough	908	396	346	1,650
Wakefield	8,385	2,537	1,646	12,568
WALTHAM	11,818	2,966	8,485	23,269
Watertown	12,520	3,317	3,181	19,018
Wayland	4,363	611	426	5,400
Westford	2,299	613	635	3,547
Weston	3,951	518	278	4,747
Wilmington	3,808	1,329	655	5,792
Winchester	7,369	959	1,813	10,141
WOBURN	8,458	3,214	2,720	14,392
Totals	381,430	103,615	101,642	586,687

County of Nantucket.

Nantucket	900	322	599	1,821

County of Norfolk.

Avon	1,350	435	378	2,163
Bellingham	2,322	1,002	759	4,083
Braintree	10,943	3,205	1,727	15,875
Brookline	16,046	2,922	10,323	29,291
Canton	4,982	1,103	825	6,910
Cohasset	2,463	382	347	3,192
Dedham	8,446	2,260	1,814	12,520
Dover	1,497	192	148	1,837
Foxborough	3,129	810	453	4,392
Franklin	3,760	1,103	1,074	5,937
Holbrook	2,969	957	672	4,598
Medfield	2,131	359	295	2,785
Medway	2,002	460	432	2,894
Millis	1,529	356	271	2,156
Milton	10,994	2,382	1,798	15,174
Needham	11,124	1,961	1,259	14,344
Norfolk	951	245	152	1,348
Norwood	9,058	2,163	1,894	13,115
Plainville	1,116	376	230	1,722
QUINCY	27,907	8,158	6,206	42,271
Randolph	6,580	1,737	1,413	9,730
Sharon	4,074	716	432	5,222
Stoughton	5,344	1,479	1,094	7,917
Walpole	5,032	1,139	863	7,034
Wellesley	10,656	1,390	1,167	13,213
Westwood	4,560	794	516	5,870
Weymouth	15,152	4,507	2,494	22,153
Wrentham	1,447	425	350	2,222
Totals	177,564	43,018	39,386	259,968

County of Plymouth.

Abington	3,197	1,070	812	5,079
Bridgewater	2,276	773	817	3,866
BROCKTON	19,748	8,765	6,012	34,525
Carver	499	158	181	838
Duxbury	2,100	392	348	2,840
East Bridgewater	1,744	809	511	3,064
Halifax	716	255	176	1,147
Hanover	2,167	523	401	3,091
Hanson	1,281	437	420	2,138
Hingham	5,954	1,006	846	7,806
Hull	2,397	622	541	3,560
Kingston	1,356	418	496	2,270

County of Plymouth — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Lakeville	943	416	284	1,643
Marion	963	302	234	1,499
Marshfield	3,187	696	508	4,391
Mattapoisett	1,039	445	266	1,750
Middleborough	3,115	1,155	964	5,234
Norwell	2,078	434	285	2,797
Pembroke	1,974	589	378	2,941
Plymouth	4,400	1,284	1,703	7,387
Plympton	264	96	60	420
Rochester	341	240	137	718
Rockland	3,508	1,265	1,041	5,814
Scituate	4,492	893	745	6,130
Wareham	2,169	829	923	3,921
West Bridgewater	1,522	641	350	2,513
Whitman	2,982	1,185	866	5,033
Totals	76,412	25,698	20,305	122,415

County of Suffolk.

BOSTON	120,750	35,860	106,656	263,266
CHELSEA	6,285	2,772	5,028	14,085
REVERE	9,743	3,823	6,546	20,112
Winthrop	5,765	2,016	1,975	9,756
Totals	142,543	44,471	120,205	307,219

County of Worcester.

Ashburnham	907	247	287	1,441
Athol	3,157	1,188	1,181	5,526
Auburn	4,457	1,348	1,162	6,967
Barre	1,010	217	567	1,794
Berlin	516	155	147	818
Blackstone	1,510	463	604	2,577
Bolton	446	125	102	673
Boylston	887	206	170	1,263
Brookfield	513	136	184	833
Charlton	908	344	331	1,583
Clinton	3,040	1,242	1,743	6,025
Douglas	795	290	343	1,428
Dudley	1,541	687	930	3,158
East Brookfield	431	136	215	782
FITCHBURG	10,867	3,730	4,773	19,370
GARDNER	5,136	1,607	2,169	8,912
Grafton	2,539	754	1,046	4,339
Hardwick	603	220	333	1,156
Harvard	880	131	119	1,130
Holden	4,101	831	787	5,719
Hopedale	1,332	422	470	2,224
Hubbardston	355	142	130	627
Lancaster	1,106	378	376	1,860
Leicester	2,253	685	832	3,770
LEOMINSTER	8,161	2,179	3,210	13,550
Lunenburg	2,082	538	556	3,176
Mendon	610	250	221	1,081
Milford	4,049	1,629	2,691	8,369
Millbury	2,702	1,126	1,315	5,143
Millville	429	163	224	816
New Braintree	131	42	41	214
North Brookfield	1,018	275	462	1,755
Northborough	2,384	486	337	3,207
Northbridge	2,967	531	1,630	5,128
Oakham	186	51	57	294
Oxford	2,313	808	904	4,025
Paxton	989	226	167	1,382
Petersham	332	79	85	496
Phillipston	177	73	63	313
Princeton	471	109	107	687
Royalston	234	30	81	345
Rutland	733	221	169	1,123
Shrewsbury	5,675	1,298	1,312	8,285
Southborough	1,441	367	266	2,074
Southbridge	4,414	1,476	2,520	8,410

County of Worcester — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Spencer	2,165	640	1,185	3,990
Sterling	1,051	271	250	1,572
Sturbridge	1,094	295	422	1,811
Sutton	935	379	421	1,735
Templeton	1,435	397	490	2,322
Upton	862	289	355	1,506
Uxbridge	2,097	709	988	3,794
Warren	830	352	540	1,722
Webster	3,276	1,516	2,393	7,185
West Boylston	2,010	390	355	2,755
West Brookfield	651	215	232	1,098
Westborough	2,726	602	518	3,846
Westminster	1,178	389	339	1,906
Winchendon	1,665	532	628	2,825
WORCESTER	52,263	15,180	16,546	83,989
Totals	165,026	49,797	61,081	275,904

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	23,326	6,040	6,514	35,880
BERKSHIRE	38,368	11,787	15,395	65,550
BRISTOL	90,249	47,181	52,583	190,013
DUKES COUNTY	1,986	475	825	3,286
ESSEX	167,883	60,474	59,485	287,842
FRANKLIN	14,847	5,140	6,147	26,134
HAMPDEN	87,249	41,140	53,125	181,514
HAMPSHIRE	24,139	11,209	8,849	44,197
MIDDLESEX	381,430	103,615	101,642	586,687
NANTUCKET	900	322	599	1,821
NORFOLK	177,564	43,018	39,386	259,968
PLYMOUTH	76,412	25,698	20,305	122,415
SUFFOLK	142,543	44,471	120,205	307,219
WORCESTER	165,026	49,797	61,081	275,904
Totals	1,391,922	450,367	546,141	2,388,430

RETURN OF VOTES ON QUESTION NO. 2, BEING A LEGISLATIVE AMENDMENT TO THE CONSTITUTION, SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 3, 1964.

Votes on Question No. 2 (Proposed Amendment to the Constitution).

Do you approve of the adoption of an amendment to the Constitution summarized below which was approved by the General Court in a joint session of the two branches held July 18, 1962, received 238 votes in the affirmative and 1 in the negative, and in a joint session of the two branches held May 8, 1963, received 246 votes in the affirmative and 2 in the negative?

Summary.

In the event that any public office, whether elective or appointive, shall become vacant as a result of enemy attack, the proposed amendment would enable the General Court to provide for prompt and temporary succession to the powers and duties of such offices, and to take steps to insure continuity of government of the Commonwealth and its political subdivisions.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	5,956	428	1,500	7,884
Bourne	2,118	179	565	2,862
Brewster	647	52	138	837
Chatham	1,601	120	364	2,085
Dennis	2,036	195	458	2,689
Eastham	741	49	108	898
Falmouth	4,468	345	1,350	6,163
Harwich	1,977	166	327	2,470
Mashpee	219	17	118	354
Orleans	1,303	77	274	1,654
Provincetown	970	74	499	1,543
Sandwich	840	59	289	1,188
Truro	362	28	90	480
Wellfleet	607	47	141	795
Yarmouth	3,157	225	596	3,978
Totals	27,002	2,061	6,817	35,880

County of Berkshire.

Adams	3,837	524	1,828	6,189
Alford	87	15	24	126
Becket	263	25	64	352
Cheshire	783	114	291	1,188
Clarksburg	566	56	196	818
Dalton	2,578	222	415	3,215
Egremont	356	41	83	480
Florida	176	26	72	274
Great Barrington	2,056	158	929	3,143
Hancock	143	23	42	208
Hinsdale	457	53	117	627
Lanesborough	979	109	224	1,312
Lee	1,337	181	731	2,249
Lenox	1,351	142	427	1,920
Monterey	211	20	60	291
Mount Washington	21	1	13	35
New Ashford	58	8	14	80
New Marlborough	263	28	119	410
NORTH ADAMS	6,183	716	2,346	9,245

County of Berkshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Otis	110	16	103	229
Peru	51	10	27	88
PITTSFIELD	17,266	1,775	6,724	25,815
Richmond	396	27	61	484
Sandisfield	153	12	84	249
Savoy	80	16	48	144
Sheffield	708	75	198	981
Stockbridge	888	40	183	1,111
Tyringham	99	5	16	120
Washington	98	15	30	143
West Stockbridge	382	57	142	581
Williamstown	2,524	209	534	3,267
Windsor	127	13	36	176
Totals	44,587	4,732	16,231	65,550

County of Bristol.

Acushnet	1,803	300	817	2,920
ATTLEBORO	8,921	869	2,544	12,334
Berkley	456	67	210	733
Dartmouth	5,266	851	1,988	8,105
Dighton	1,162	159	416	1,737
Easton	3,445	302	828	4,575
Fairhaven	4,858	737	1,654	7,249
FALL RIVER	23,576	4,148	18,954	46,678
Freetown	970	142	303	1,415
Mansfield	2,777	256	861	3,894
NEW BEDFORD	27,776	5,191	14,388	47,355
North Attleborough	4,057	412	2,666	7,135
Norton	1,955	197	581	2,733
Raynham	1,692	212	539	2,443
Rehoboth	1,471	217	550	2,238
Seekonk	3,033	424	881	4,338
Somerset	4,652	658	1,959	7,269
Swansea	3,617	516	1,359	5,492
TAUNTON	10,254	1,366	6,057	17,677
Westport	2,114	448	1,131	3,693
Totals	113,855	17,472	58,686	190,013

County of Dukes County.

Chilmark	123	14	26	163
Edgartown	543	40	246	829
Gay Head	31	4	25	60
Gosnold	32	3	7	42
Oak Bluffs	502	45	255	802
Tisbury	796	66	291	1,153
West Tisbury	172	25	40	237
Totals	2,199	197	890	3,286

County of Essex.

Amesbury	2,703	655	1,636	4,994
Andover	7,557	665	1,563	9,785
BEVERLY	12,764	1,169	3,396	17,329
Boxford	1,132	70	124	1,326
Danvers	8,119	726	1,628	10,473
Essex	840	65	226	1,131
Georgetown	1,528	136	364	2,028
GLOUCESTER	8,431	782	3,068	12,281
Groveland	1,404	151	313	1,868
Hamilton	2,228	165	373	2,766
HAVERHILL	13,791	1,722	5,610	21,123
Ipswich	3,180	318	1,137	4,635
LAWRENCE	19,504	3,024	11,754	34,282
LYNN	31,096	3,946	9,295	44,337
Lynnfield	4,085	247	485	4,817

County of Essex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Manchester	1,737	131	345	2,213
Marblehead	8,949	553	1,357	10,859
Merrimac	1,226	134	305	1,665
Methuen	9,929	1,355	4,376	15,660
Middleton	1,032	105	285	1,422
Nahant	1,533	121	239	1,893
Newbury	1,253	131	258	1,642
NEWBURYPORT	3,732	670	2,057	6,459
North Andover	4,381	517	1,227	6,125
PEABODY	12,665	1,623	4,199	18,487
Rockport	2,152	161	524	2,837
Rowley	906	91	246	1,243
SALEM	13,040	1,727	5,296	20,063
Salisbury	1,109	253	451	1,813
Saugus	8,030	922	1,638	10,590
Swampscott	4,861	395	2,055	7,311
Topsfield	1,659	80	159	1,898
Wenham	1,245	81	170	1,496
West Newbury	740	67	184	991
Totals	198,541	22,958	66,343	287,842

County of Franklin.

Ashfield	406	21	110	537
Bernardston	442	34	143	619
Buckland	526	51	259	836
Charlemont	267	16	112	395
Colrain	402	37	177	616
Conway	295	29	89	413
Deerfield	1,129	126	373	1,628
Erving	432	39	149	620
Gill	415	49	108	572
Greenfield	5,770	545	2,101	8,416
Hawley	57	6	25	88
Heath	95	10	34	139
Leverett	243	58	63	364
Leyden	111	8	36	155
Monroe	46	3	28	77
Montague	2,748	338	1,051	4,137
New Salem	151	16	38	205
Northfield	843	75	222	1,140
Orange	1,673	151	689	2,513
Rowe	105	6	34	145
Shelburne	643	52	214	909
Shutesbury	98	18	33	149
Sunderland	399	56	151	606
Warwick	142	12	56	210
Wendell	64	12	58	134
Whately	338	33	140	511
Totals	17,840	1,801	6,493	26,134

County of Hampden.

Agawam	5,575	704	1,409	7,688
Blandford	296	36	66	398
Brimfield	485	46	150	681
Chester	295	32	163	490
CHICOPEE	14,544	3,057	7,102	24,703
East Longmeadow	3,868	421	979	5,268
Granville	305	42	99	446
Hampden	964	97	184	1,245
Holland	240	40	73	353
HOLYOKE	10,402	2,764	10,275	23,441
Longmeadow	5,484	368	668	6,520
Ludlow	4,420	817	1,402	6,639
Monson	1,721	223	656	2,600
Montgomery	131	13	35	179
Palmer	3,177	519	1,637	5,333
Russell	383	43	187	613
Southwick	1,549	201	338	2,088
SPRINGFIELD	33,870	4,895	26,129	64,894

County of Hampden — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Tolland	37	7	20	64
Wales	225	16	78	319
West Springfield	7,284	1,196	2,972	11,452
WESTFIELD	8,394	933	2,608	11,935
Wilbraham	3,267	322	576	4,165
Totals	106,916	16,792	57,806	181,514

County of Hampshire.

Amherst	3,085	866	633	4,584
Belchertown	1,128	175	354	1,657
Chesterfield	169	18	76	263
Cummington	241	16	51	308
Easthampton	3,869	698	1,477	6,044
Goshen	159	14	41	214
Granby	1,285	190	259	1,734
Hadley	943	168	462	1,573
Hatfield	696	131	404	1,231
Huntington	431	43	173	647
Middlefield	88	9	31	128
NORTHAMPTON	8,281	971	2,601	11,853
Pelham	266	51	79	396
Plainfield	87	10	37	134
South Hadley	4,593	695	1,189	6,477
Southampton	843	135	186	1,164
Ware	2,507	378	1,291	4,176
Westhampton	216	16	61	293
Williamsburg	721	71	236	1,028
Worthington	215	19	59	293
Totals	29,823	4,674	9,700	44,197

County of Middlesex.

Acton	3,438	197	407	4,042
Arlington	21,818	1,753	3,810	27,381
Ashby	684	56	174	914
Ashland	2,694	219	491	3,404
Ayer	1,262	127	318	1,707
Bedford	3,590	230	394	4,214
Belmont	12,351	987	2,407	15,745
Billerica	6,197	704	1,140	8,041
Boxborough	379	43	46	468
Burlington	6,064	501	855	7,420
CAMBRIDGE	29,464	3,869	9,441	42,774
Carlisle	735	56	78	869
Chelmsford	7,657	612	1,297	9,566
Concord	4,744	291	1,011	6,046
Dracut	4,613	940	1,669	7,222
Dunstable	307	35	80	422
EVERETT	9,052	1,390	10,292	20,734
Framingham	18,002	1,254	3,317	22,573
Groton	1,480	117	303	1,900
Holliston	2,763	212	433	3,408
Hopkinton	1,829	203	389	2,421
Hudson	3,685	567	1,232	5,484
Lexington	9,737	754	2,681	13,172
Lincoln	1,815	92	198	2,105
Littleton	1,882	132	274	2,288
LOWELL	28,757	4,101	10,383	43,241
MALDEN	18,735	2,382	6,023	27,140
MARLBOROUGH	6,137	2,143	2,039	10,319
Maynard	2,755	304	891	3,950
MEDFORD	21,531	2,627	6,988	31,146
MELROSE	11,113	1,371	2,637	15,121
Natick	10,893	840	1,871	13,604
NEWTON	36,762	2,839	6,403	46,004
North Reading	3,299	252	510	4,061
Pepperell	1,350	168	376	1,894
Reading	8,476	553	1,017	10,046
Sherborn	962	44	111	1,117
Shirley	821	81	352	1,254
SOMERVILLE	27,220	3,392	9,808	40,420

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Stoneham	7,095	579	1,309	8,983
Stow	1,059	83	216	1,358
Sudbury	3,311	359	485	4,155
Tewksbury	5,054	434	849	6,337
Townsend	1,292	128	273	1,693
Tyngsborough	1,092	170	388	1,650
Wakefield	9,900	775	1,893	12,568
WALTHAM	12,861	1,270	9,138	23,269
Watertown	13,781	1,435	3,802	19,018
Wayland	4,630	230	540	5,400
Westford	2,586	261	700	3,547
Weston	4,224	199	324	4,747
Wilmington	4,568	482	742	5,792
Winchester	7,529	567	2,045	10,141
WOBURN	9,603	1,646	3,143	14,392
Totals	423,638	45,056	117,993	586,687

County of Nantucket.

Nantucket	1,090	99	632	1,821

County of Norfolk.

Avon	1,589	155	419	2,163
Bellingham	2,808	407	868	4,083
Braintree	12,925	1,012	1,938	15,875
Brookline	16,633	1,554	11,104	29,291
Canton	5,486	430	994	6,910
Cohasset	2,634	168	390	3,192
Dedham	9,465	889	2,166	12,520
Dover	1,594	74	169	1,837
Foxborough	3,550	279	563	4,392
Franklin	4,285	425	1,227	5,937
Holbrook	3,498	362	738	4,598
Medfield	2,282	139	364	2,785
Medway	2,156	193	545	2,894
Millis	1,677	152	327	2,156
Milton	12,297	787	2,090	15,174
Needham	12,160	719	1,465	14,344
Norfolk	1,080	86	182	1,348
Norwood	10,156	779	2,180	13,115
Plainville	1,352	115	255	1,722
QUINCY	31,968	2,972	7,331	42,271
Randolph	7,493	614	1,623	9,730
Sharon	4,387	286	549	5,222
Stoughton	6,066	557	1,294	7,917
Walpole	5,679	403	952	7,034
Wellesley	11,433	498	1,282	13,213
Westwood	4,949	316	605	5,870
Weymouth	17,803	1,400	2,950	22,153
Wrentham	1,711	131	380	2,222
Totals	199,116	15,902	44,950	259,968

County of Plymouth.

Abington	3,850	373	856	5,079
Bridgewater	2,668	304	894	3,866
BROCKTON	24,396	2,985	7,144	34,525
Carver	559	65	214	838
Duxbury	2,321	132	387	2,840
East Bridgewater	2,229	270	565	3,064
Halifax	846	111	190	1,147
Hanover	2,472	179	440	3,091
Hanson	1,518	151	469	2,138
Hingham	6,456	378	972	7,806
Hull	2,685	215	660	3,560
Kingston	1,565	149	556	2,270
Lakeville	1,195	143	305	1,643

County of Plymouth — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Marion	1,152	104	243	1,499
Marshfield	3,583	261	547	4,391
Mattapoisett	1,328	134	288	1,750
Middleborough	3,778	424	1,032	5,234
Norwell	2,367	149	281	2,797
Pembroke	2,288	190	463	2,941
Plymouth	5,021	400	1,966	7,387
Plympton	330	25	65	420
Rochester	480	80	158	718
Rockland	4,213	464	1,137	5,814
Scituate	5,021	297	812	6,130
Wareham	2,591	242	1,088	3,921
West Bridgewater	1,922	207	384	2,513
Whitman	3,691	328	1,014	5,033
Totals	90,525	8,760	23,130	122,415

County of Suffolk.

BOSTON	128,388	17,395	117,483	263,266
CHELSEA	7,422	1,346	5,317	14,085
REVERE	11,706	1,535	6,871	20,112
Winthrop	6,377	1,122	2,257	9,756
Totals	153,893	21,398	131,928	307,219

County of Worcester.

Ashburnham	1,056	72	313	1,441
Athol	3,833	399	1,294	5,526
Auburn	5,294	393	1,280	6,967
Barre	1,115	92	587	1,794
Berlin	627	56	135	818
Blackstone	1,691	209	677	2,577
Bolton	501	45	127	673
Boylston	1,022	70	171	1,263
Brookfield	579	79	175	833
Charlton	1,077	108	398	1,583
Clinton	3,626	455	1,944	6,025
Douglas	917	123	388	1,428
Dudley	1,916	248	994	3,158
East Brookfield	509	52	221	782
FITCHBURG	12,576	1,518	5,276	19,370
GARDNER	5,870	627	2,415	8,912
Grafton	2,983	271	1,085	4,339
Hardwick	706	100	350	1,156
Harvard	924	47	159	1,130
Holden	4,716	313	690	5,719
Hopedale	1,585	141	498	2,224
Hubbardston	430	54	143	627
Lancaster	1,321	117	422	1,860
Leicester	2,691	236	843	3,770
LEOMINSTER	9,184	832	3,534	13,550
Lunenburg	2,410	171	595	3,176
Mendon	742	89	250	1,081
Milford	4,680	571	3,118	8,369
Millbury	3,393	395	1,355	5,143
Millville	499	67	250	816
New Braintree	153	13	48	214
North Brookfield	1,172	96	487	1,755
Northborough	2,709	157	341	3,207
Northbridge	3,042	248	1,838	5,128
Oakham	217	12	65	294
Oxford	2,807	321	897	4,025
Paxton	1,130	62	190	1,382
Petersham	375	35	86	496
Phillipston	216	29	68	313
Princeton	527	49	111	687
Royalston	234	30	81	345
Rutland	881	73	169	1,123
Shrewsbury	6,474	376	1,435	8,285
Southborough	1,590	175	309	2,074
Southbridge	5,165	487	2,758	8,410

County of Worcester — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Spencer	2,477	248	1,265	3,990
Sterling	1,233	80	259	1,572
Sturbridge	1,276	111	424	1,811
Sutton	1,118	183	434	1,735
Templeton	1,677	152	493	2,322
Upton	1,029	79	398	1,506
Uxbridge	2,390	314	1,090	3,794
Warren	962	146	614	1,722
Webster	4,023	544	2,618	7,185
West Boylston	2,324	102	329	2,755
West Brookfield	788	73	237	1,098
Westborough	3,115	179	552	3,846
Westminster	1,389	155	362	1,906
Winchendon	1,957	199	669	2,825
WORCESTER	60,376	5,664	17,949	83,989
Totals	191,299	18,342	66,263	275,904

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	27,002	2,061	6,817	35,880
BERKSHIRE	44,587	4,732	16,231	65,550
BRISTOL	113,855	17,472	58,686	190,013
DUKES COUNTY	2,199	197	890	3,286
ESSEX	198,541	22,958	66,343	287,842
FRANKLIN	17,840	1,801	6,493	26,134
HAMPDEN	106,916	16,792	57,806	181,514
HAMPSHIRE	29,823	4,674	9,700	44,197
MIDDLESEX	423,638	45,056	117,993	586,687
NANTUCKET	1,090	99	632	1,821
NORFOLK	199,116	15,902	44,950	259,968
PLYMOUTH	90,525	8,760	23,130	122,415
SUFFOLK	153,893	21,398	131,928	307,219
WORCESTER	191,299	18,342	66,263	275,904
Totals	1,600,324	180,244	607,862	2,388,430

RETURN OF VOTES ON QUESTION NO. 3, BEING A LEGISLATIVE AMENDMENT TO THE CONSTITUTION, SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 3, 1964.

Votes on Question No. 3 (Proposed Amendment to the Constitution).

Do you approve of the adoption of an amendment to the Constitution summarized below which was approved by the General Court in a joint session of the two branches held March 29, 1961, received 251 votes in the affirmative and 0 in the negative, and in a joint session of the two branches held May 8, 1963, received 252 votes in the affirmative and 3 in the negative?

Summary.

The proposed amendment provides that the credit of the Commonwealth may be given, loaned or pledged only by a two thirds vote of each branch of the Legislature. In no event shall the credit of the Commonwealth be given or loaned to or for any individual, private association or corporation privately owned or managed.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	5,359	818	1,707	7,884
Bourne	1,894	321	647	2,862
Brewster	612	94	131	837
Chatham	1,471	193	421	2,085
Dennis	1,843	309	537	2,689
Eastham	693	62	143	898
Falmouth	4,036	595	1,532	6,163
Harwich	1,784	285	401	2,470
Mashpee	209	39	106	354
Orleans	1,206	133	315	1,654
Provincetown	908	121	514	1,543
Sandwich	752	120	316	1,188
Truro	332	44	104	480
Wellfleet	549	88	158	795
Yarmouth	2,884	429	665	3,978
Totals	24,532	3,651	7,697	35,880

County of Berkshire.

Adams	3,347	759	2,083	6,189
Alford	90	11	25	126
Becket	220	52	80	352
Cheshire	675	198	315	1,188
Clarksburg	498	89	231	818
Dalton	2,215	523	477	3,215
Egremont	301	89	90	480
Florida	146	65	63	274
Great Barrington	1,736	374	1,033	3,143
Hancock	120	36	52	208
Hinsdale	394	100	133	627
Lanesborough	827	228	257	1,312
Lee	1,130	351	768	2,249
Lenox	1,158	306	456	1,920
Monterey	180	41	70	291
Mount Washington	19	2	14	35
New Ashford	54	8	18	80
New Marlborough	220	66	124	410
North Adams	5,510	1,082	2,653	9,245
Otis	90	40	99	229
Peru	49	9	30	88
Pittsfield	13,934	4,758	7,123	25,815
Richmond	333	83	68	484
Sandisfield	131	31	87	249

County of Berkshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Savoy	71	19	54	144
Sheffield	645	117	219	981
Stockbridge	726	171	214	1,111
Tyringham	73	27	20	120
Washington	94	19	30	143
West Stockbridge	318	98	165	581
Williamstown	2,343	300	624	3,267
Windsor	108	28	40	176
Totals	37,755	10,080	17,715	65,550

County of Bristol.

Acushnet	1,543	492	885	2,920
ATTLEBORO	7,784	1,557	2,993	12,334
Berkley	379	128	226	733
Dartmouth	4,648	1,207	2,250	8,105
Dighton	1,037	238	462	1,737
Easton	2,963	618	994	4,575
Fairhaven	4,292	1,073	1,884	7,249
FALL RIVER	20,319	5,840	20,519	46,678
Freetown	851	231	333	1,415
Mansfield	2,372	548	974	3,894
NEW BEDFORD	23,859	7,607	15,889	47,355
North Attleborough	4,286	777	2,072	7,135
Norton	1,724	357	652	2,733
Raynham	1,431	393	619	2,443
Rehoboth	1,317	329	592	2,238
Seekonk	2,719	618	1,001	4,338
Somerset	4,098	961	2,210	7,269
Swansea	3,179	784	1,529	5,492
TAUNTON	8,454	2,340	6,883	17,677
Westport	1,854	601	1,238	3,693
Totals	99,109	26,699	64,205	190,013

County of Dukes County.

Chilmark	116	16	31	163
Edgartown	497	62	270	829
Gay Head	26	6	28	60
Gosnold	29	4	9	42
Oak Bluffs	464	57	281	802
Tisbury	712	110	331	1,153
West Tisbury	161	32	44	237
Totals	2,005	287	994	3,286

County of Essex.

Amesbury	2,426	828	1,740	4,994
Andover	6,669	1,250	1,866	9,785
BEVERLY	10,868	2,477	3,984	17,329
Boxford	1,038	152	136	1,326
Danvers	6,919	1,535	2,019	10,473
Essex	737	139	255	1,131
Georgetown	1,359	248	421	2,028
GLOUCESTER	7,433	1,367	3,481	12,281
Groveland	1,221	277	370	1,868
Hamilton	1,971	335	460	2,766
HAVERHILL	11,866	2,909	6,348	21,123
Ipswich	2,767	559	1,309	4,635
LAWRENCE	16,472	4,858	12,952	34,282
LYNN	25,377	8,695	10,265	44,337
Lynnfield	3,593	633	591	4,817
Manchester	1,533	269	411	2,213
Marblehead	7,826	1,330	1,703	10,859
Merrimac	1,062	226	377	1,665
Methuen	8,344	2,366	4,950	15,660
Middleton	870	228	324	1,422
Nahant	1,269	321	303	1,893

County of Essex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Newbury	1,127	193	322	1,642
NEWBURYPORT	3,385	740	2,334	6,459
North Andover	3,712	924	1,489	6,125
PEABODY	10,415	3,226	4,846	18,487
Rockport	1,917	313	607	2,837
Rowley	782	171	290	1,243
SALEM	10,747	3,321	5,995	20,063
Salisbury	971	327	515	1,813
Saugus	6,489	2,139	1,962	10,590
Swampscott	4,052	962	2,297	7,311
Topsfield	1,455	253	190	1,898
Wenham	1,117	162	217	1,496
West Newbury	646	121	224	991
Totals	168,435	43,854	75,553	287,842

County of Franklin.

Ashfield	358	57	122	537
Bernardston	409	50	160	619
Buckland	476	76	284	836
Charlemont	253	23	119	395
Colrain	364	57	195	616
Conway	251	54	108	413
Deerfield	1,004	201	423	1,628
Erving	371	85	164	620
Gill	379	61	132	572
Greenfield	5,257	815	2,344	8,416
Hawley	50	8	30	88
Heath	97	8	34	139
Leverett	220	60	84	364
Leyden	99	10	46	155
Monroe	42	5	30	77
Montague	2,443	498	1,196	4,137
New Salem	133	41	31	205
Northfield	790	100	250	1,140
Orange	1,510	242	761	2,513
Rowe	100	11	34	145
Shelburne	584	87	238	909
Shutesbury	90	21	38	149
Sunderland	361	80	165	606
Warwick	129	19	62	210
Wendell	52	15	67	134
Whately	304	47	160	511
Totals	16,126	2,731	7,277	26,134

County of Hampden.

Agawam	4,986	1,026	1,676	7,688
Blandford	266	59	73	398
Brimfield	425	91	165	681
Chester	272	41	177	490
CHICOPEE	12,840	4,087	7,776	24,703
East Longmeadow	3,530	648	1,090	5,268
Granville	273	59	114	446
Hampden	882	145	218	1,245
Holland	214	50	89	353
HOLYOKE	9,136	3,158	11,147	23,441
Longmeadow	5,242	485	793	6,520
Ludlow	3,988	1,086	1,565	6,639
Monson	1,646	320	634	2,600
Montgomery	123	16	40	179
Palmer	2,866	671	1,796	5,333
Russell	347	55	211	613
Southwick	1,426	279	383	2,088
SPRINGFIELD	31,019	6,352	27,523	64,894
Tolland	35	8	21	64
Wales	206	28	85	319
West Springfield	6,791	1,465	3,196	11,452
WESTFIELD	7,519	1,293	3,023	11,935
Wilbraham	3,105	402	658	4,165
Totals	97,137	21,924	62,453	181,514

County of Hampshire.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Amherst	2,778	1,072	734	4,584
Belchertown	1,050	227	380	1,657
Chesterfield	153	25	85	263
Cummington	200	39	69	308
Easthampton	3,378	1,018	1,648	6,044
Goshen	148	23	43	214
Granby	1,187	242	305	1,734
Hadley	849	215	509	1,573
Hatfield	619	178	434	1,231
Huntington	379	76	192	647
Middlefield	85	12	31	128
NORTHAMPTON	7,438	1,449	2,966	11,853
Pelham	220	86	90	396
Plainfield	81	16	37	134
South Hadley	4,119	999	1,359	6,477
Southampton	762	177	225	1,164
Ware	2,224	544	1,408	4,176
Westhampton	197	29	67	293
Williamsburg	659	101	268	1,028
Worthington	195	27	71	293
Totals	26,721	6,555	10,921	44,197

County of Middlesex.

Acton	2,927	580	535	4,042
Arlington	17,634	5,080	4,667	27,381
Ashby	606	101	207	914
Ashland	2,322	491	591	3,404
Ayer	1,091	217	399	1,707
Bedford	2,973	739	502	4,214
Belmont	10,127	2,773	2,845	15,745
Billerica	4,924	1,695	1,422	8,041
Boxborough	334	73	61	468
Burlington	5,020	1,317	1,083	7,420
CAMBRIDGE	23,402	8,242	11,130	42,774
Carlisle	629	129	111	869
Chelmsford	6,164	1,800	1,602	9,566
Concord	4,005	892	1,149	6,046
Dracut	3,588	1,740	1,894	7,222
Dunstable	267	70	85	422
EVERETT	6,926	2,872	10,936	20,734
Framingham	15,467	3,169	3,937	22,573
Groton	1,263	272	365	1,900
Holliston	2,370	496	542	3,408
Hopkinton	1,546	376	499	2,421
Hudson	3,231	832	1,421	5,484
Lexington	7,755	2,358	3,059	13,172
Lincoln	1,508	342	255	2,105
Littleton	1,568	392	328	2,288
LOWELL	21,595	9,410	12,236	43,241
MALDEN	15,311	4,782	7,047	27,140
MARLBOROUGH	5,898	2,004	2,417	10,319
Maynard	2,211	667	1,072	3,950
MEDFORD	17,476	5,696	7,974	31,146
MELROSE	9,344	2,789	2,988	15,121
Natick	9,108	2,150	2,346	13,604
NEWTON	30,608	7,427	7,969	46,004
North Reading	2,763	637	661	4,061
Pepperell	1,143	305	446	1,894
Reading	6,970	1,686	1,390	10,046
Sherborn	809	160	148	1,117
Shirley	695	158	401	1,254
SOMERVILLE	21,519	7,538	11,363	40,420
Stoneham	5,835	1,470	1,678	8,983
Stow	886	202	270	1,358
Sudbury	2,880	701	574	4,155
Tewksbury	4,089	1,184	1,064	6,337
Townsend	1,115	209	369	1,693
Tyngsborough	872	344	434	1,650
Wakefield	8,316	1,913	2,339	12,568
WALTHAM	10,481	3,045	9,743	23,269
Watertown	11,009	3,602	4,407	19,018
Wayland	3,953	787	660	5,400
Westford	2,096	654	797	3,547

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Weston	3,660	653	434	4,747
Wilmington	3,643	1,190	959	5,792
Winchester	6,200	1,670	2,271	10,141
WOBURN	7,990	2,898	3,504	14,392
Totals	346,122	102,979	137,586	586,687

County of Nantucket.

Nantucket	978	162	681	1,821

County of Norfolk.

Avon	1,315	343	505	2,163
Bellingham	2,452	669	962	4,083
Braintree	10,682	2,805	2,388	15,875
Brookline	13,074	4,071	12,146	29,291
Canton	4,536	1,131	1,243	6,910
Cohasset	2,302	419	471	3,192
Dedham	7,614	2,236	2,670	12,520
Dover	1,380	248	209	1,837
Foxborough	3,030	672	690	4,392
Franklin	3,671	819	1,447	5,937
Holbrook	2,883	805	910	4,598
Medfield	1,954	382	449	2,785
Medway	1,884	379	631	2,894
Millis	1,428	310	418	2,156
Milton	10,303	2,389	2,482	15,174
Needham	10,371	2,007	1,966	14,344
Norfolk	884	234	230	1,348
Norwood	8,360	2,063	2,692	13,115
Plainville	1,161	252	309	1,722
QUINCY	25,802	7,529	8,940	42,271
Randolph	6,169	1,517	2,044	9,730
Sharon	3,685	820	717	5,222
Stoughton	5,112	1,206	1,599	7,917
Walpole	4,724	1,069	1,241	7,034
Wellesley	9,933	1,618	1,662	13,213
Westwood	4,217	882	771	5,870
Weymouth	14,568	3,849	3,736	22,153
Wrentham	1,439	333	450	2,222
Totals	164,933	41,057	53,978	259,968

County of Plymouth.

Abington	3,289	738	1,052	5,079
Bridgewater	2,282	575	1,009	3,866
BROCKTON	20,814	5,313	8,398	34,525
Carver	476	122	240	838
Duxbury	2,053	315	472	2,840
East Bridgewater	1,925	456	683	3,064
Halifax	743	172	232	1,147
Hanover	2,161	391	539	3,091
Hanson	1,302	298	538	2,138
Hingham	5,606	1,006	1,194	7,806
Hull	2,212	522	826	3,560
Kingston	1,322	301	647	2,270
Lakeville	1,032	255	356	1,643
Marion	1,077	144	278	1,499
Marshfield	3,085	626	680	4,391
Mattapoisett	1,210	207	333	1,750
Middleborough	3,261	759	1,214	5,234
Norwell	2,009	399	389	2,797
Pembroke	1,961	435	545	2,941
Plymouth	4,217	902	2,268	7,387
Plympton	282	58	80	420
Rochester	437	107	174	718
Rockland	3,569	932	1,313	5,814
Scituate	4,247	876	1,007	6,130
Wareham	2,259	457	1,205	3,921
West Bridgewater	1,693	365	455	2,513
Whitman	3,133	684	1,216	5,033
Totals	77,657	17,415	27,343	122,415

County of Suffolk.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
BOSTON	97,421	42,051	123,794	263,266
CHELSEA	6,025	2,271	5,789	14,085
REVERE	9,581	2,887	7,644	20,112
Winthrop	5,328	1,905	2,523	9,756
Totals	118,355	49,114	139,750	307,219

County of Worcester.

Ashburnham	941	150	350	1,441
Athol	3,458	639	1,429	5,526
Auburn	4,755	703	1,509	6,967
Barre	990	157	647	1,794
Berlin	563	93	162	818
Blackstone	1,545	324	708	2,577
Bolton	444	85	144	673
Boylston	924	119	220	1,263
Brookfield	528	96	209	833
Charlton	972	184	427	1,583
Clinton	3,144	698	2,183	6,025
Douglas	819	176	433	1,428
Dudley	1,697	384	1,077	3,158
East Brookfield	451	86	245	782
FITCHBURG	10,940	2,404	6,026	19,370
GARDNER	5,142	1,030	2,740	8,912
Grafton	2,671	438	1,230	4,339
Hardwick	651	126	379	1,156
Harvard	831	100	199	1,130
Holden	4,452	437	830	5,719
Hopedale	1,420	240	564	2,224
Hubbardston	389	80	158	627
Lancaster	1,194	205	461	1,860
Leicester	2,443	411	916	3,770
LEOMINSTER	8,088	1,361	4,101	13,550
Lunenburg	2,171	311	694	3,176
Mendon	642	137	302	1,081
Milford	4,004	908	3,457	8,369
Millbury	3,012	602	1,529	5,143
Millville	448	104	264	816
New Braintree	138	21	55	214
North Brookfield	1,053	168	534	1,755
Northborough	2,456	295	456	3,207
Northbridge	2,721	396	2,011	5,128
Oakham	197	26	71	294
Oxford	2,479	489	1,057	4,025
Paxton	1,055	104	223	1,382
Petersham	346	47	103	496
Phillipston	198	37	78	313
Princeton	496	61	130	687
Royalston	209	44	92	345
Rutland	827	111	185	1,123
Shrewsbury	5,905	706	1,674	8,285
Southborough	1,398	310	366	2,074
Southbridge	4,564	768	3,078	8,410
Spencer	2,254	377	1,359	3,990
Sterling	1,122	131	319	1,572
Sturbridge	1,166	174	471	1,811
Sutton	1,022	230	483	1,735
Templeton	1,452	300	570	2,322
Upton	940	126	440	1,506
Uxbridge	2,139	461	1,194	3,794
Warren	863	198	661	1,722
Webster	3,498	835	2,852	7,185
West Boylston	2,147	217	391	2,755
West Brookfield	722	91	285	1,098
Westborough	2,814	366	666	3,846
Westminster	1,264	235	407	1,906
Winchendon	1,705	337	783	2,825
WORCESTER	54,546	9,314	20,129	83,989
Totals	171,425	29,763	74,716	275,904

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	24,532	3,651	7,697	35,880
BERKSHIRE	37,755	10,080	17,715	65,550
BRISTOL	99,109	26,699	64,205	190,013
DUKES COUNTY	2,005	287	994	3,286
ESSEX	168,435	43,854	75,553	287,842
FRANKLIN	16,126	2,731	7,277	26,134
HAMPDEN	97,137	21,924	62,453	181,514
HAMPSHIRE	26,721	6,555	10,921	44,197
MIDDLESEX	346,122	102,979	137,586	586,687
NANTUCKET	978	162	681	1,821
NORFOLK	164,933	41,057	53,978	259,968
PLYMOUTH	77,657	17,415	27,343	122,415
SUFFOLK	118,355	49,114	139,750	307,219
WORCESTER	171,425	29,763	74,716	275,904
Totals	1,351,290	356,271	680,869	2,388,430

RETURN OF VOTES ON QUESTION NO. 4, BEING A LEGISLATIVE AMENDMENT TO THE CONSTITUTION, SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 3, 1964.

Votes on Question No. 4 (Proposed Amendment to the Constitution).

Do you approve of the adoption of an amendment to the Constitution summarized below which was approved by the General Court in a joint session of the two branches held July 18, 1962, received 220 votes in the affirmative and 24 in the negative, and in a joint session of the two branches held May 8, 1963, received 258 votes in the affirmative and 1 in the negative?

Summary.

The proposed amendment authorizes both the Governor and the Executive Council to require opinions of the Justices of the Supreme Judicial Court on questions of law. The present requirement that the Governor and Council agree before a question may be submitted would be annulled.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	5,504	630	1,750	7,884
Bourne	1,946	255	661	2,862
Brewster	630	72	135	837
Chatham	1,523	143	419	2,085
Dennis	1,928	218	543	2,689
Eastham	695	58	145	898
Falmouth	4,164	444	1,555	6,163
Harwich	1,850	205	415	2,470
Mashpee	216	24	114	354
Orleans	1,230	101	323	1,654
Provincetown	923	95	525	1,543
Sandwich	770	105	313	1,188
Truro	336	32	112	480
Wellfleet	563	71	161	795
Yarmouth	2,957	354	667	3,978
Totals	25,235	2,807	7,838	35,880

County of Berkshire.

Adams	3,442	603	2,144	6,189
Alford	89	11	26	126
Becket	237	34	81	352
Cheshire	728	138	322	1,188
Clarksburg	516	71	231	818
Dalton	2,472	275	468	3,215
Egremont	330	50	100	480
Florida	157	32	85	274
Great Barrington	1,912	194	1,037	3,143
Hancock	126	24	58	208
Hinsdale	426	65	136	627
Lanesborough	921	129	262	1,312
Lee	1,296	318	635	2,249
Lenox	1,297	176	447	1,920
Monterey	194	21	76	291
Mount Washington	19	2	14	35
New Ashford	57	4	19	80
New Marlborough	245	36	129	410
NORTH ADAMS	5,729	861	2,655	9,245
Otis	93	36	100	229
Peru	55	8	25	88
PITTSFIELD	16,559	2,135	7,121	25,815
Richmond	369	36	79	484

County of Berkshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Sandisfield	138	21	90	249
Savoy	66	20	58	144
Sheffield	675	75	231	981
Stockbridge	834	77	200	1,111
Tyringham	90	11	19	120
Washington	91	21	31	143
West Stockbridge	352	49	180	581
Williamstown	2,463	213	591	3,267
Windsor	116	14	46	176
Totals	42,094	5,760	17,696	65,550

County of Bristol.

Acushnet	1,629	390	901	2,920
ATTLEBORO	8,240	1,097	2,997	12,334
Berkley	412	87	234	733
Dartmouth	4,809	1,017	2,279	8,105
Dighton	1,053	208	476	1,737
Easton	3,105	493	977	4,575
Fairhaven	4,500	823	1,926	7,249
FALL RIVER	21,029	5,046	20,603	46,678
Freetown	870	209	336	1,415
Mansfield	2,512	376	1,006	3,894
NEW BEDFORD	25,326	6,059	15,970	47,355
North Attleborough	4,449	578	2,108	7,135
Norton	1,804	268	661	2,733
Raynham	1,570	249	624	2,443
Rehoboth	1,348	278	612	2,238
Seekonk	2,838	491	1,009	4,338
Somerset	4,179	825	2,265	7,269
Swansea	3,223	702	1,567	5,492
TAUNTON	9,099	1,731	6,847	17,677
Westport	1,905	526	1,262	3,693
Totals	163,900	21,453	64,660	190,013

County of Dukes County.

Chilmark	118	10	35	163
Edgartown	508	54	267	829
Gay Head	29	5	26	60
Gosnold	26	6	10	42
Oak Bluffs	455	55	292	802
Tisbury	732	95	326	1,153
West Tisbury	165	28	44	237
Totals	2,033	253	1,000	3,286

County of Essex.

Amesbury	2,449	825	1,720	4,994
Andover	7,015	894	1,876	9,785
BEVERLY	11,767	1,582	3,980	17,329
Boxford	1,079	91	156	1,326
Danvers	7,451	1,045	1,977	10,473
Essex	764	102	265	1,131
Georgetown	1,419	182	427	2,028
GLOUCESTER	7,797	1,013	3,471	12,281
Groveland	1,254	237	377	1,868
Hamilton	2,115	196	455	2,766
HAVERHILL	12,355	2,340	6,428	21,123
Ipswich	2,895	411	1,329	4,635
LAWRENCE	17,478	3,855	12,949	34,282
LYNN	28,665	5,184	10,488	44,337
Lynnfield	3,850	350	617	4,817
Manchester	1,635	167	411	2,213
Marblehead	8,365	792	1,702	10,859
Merrimac	1,096	180	389	1,665
Methuen	8,879	1,798	4,983	15,660
Middleton	937	158	327	1,422
Nahant	1,410	164	319	1,893

County of Essex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Newbury	1,162	157	323	1,642
NEWBURYPORT	3,477	687	2,295	6,459
North Andover	3,992	651	1,482	6,125
PEABODY	11,664	1,984	4,839	18,487
Rockport	2,028	197	612	2,837
Rowley	799	145	299	1,243
SALEM	11,816	2,202	6,045	20,063
Salisbury	1,001	306	506	1,813
Saugus	7,304	1,302	1,984	10,590
Swampscott	4,595	560	2,156	7,311
Topsfield	1,585	119	194	1,898
Wenham	1,170	102	224	1,496
West Newbury	682	80	229	991
Totals	181,950	30,058	75,834	287,842

County of Franklin.

Ashfield	354	44	139	537
Bernardston	401	53	165	619
Buckland	479	66	291	836
Charlemont	251	18	126	395
Colrain	353	58	205	616
Conway	261	45	107	413
Deerfield	1,045	152	431	1,628
Erving	399	54	167	620
Gill	384	53	135	572
Greenfield	5,408	701	2,307	8,416
Hawley	50	9	29	88
Heath	94	9	36	139
Leverett	219	58	87	364
Leyden	91	16	48	155
Monroe	44	5	28	77
Montague	2,464	411	1,262	4,137
New Salem	134	27	44	205
Northfield	790	97	253	1,140
Orange	1,543	190	780	2,513
Rowe	107	7	31	145
Shelburne	606	64	239	909
Shutesbury	95	18	36	149
Sunderland	354	84	168	606
Warwick	128	18	64	210
Wendell	53	14	67	134
Whately	297	49	165	511
Totals	16,404	2,320	7,416	26,134

County of Hampden.

Agawam	5,093	930	1,665	7,688
Blandford	264	49	85	398
Brimfield	437	75	169	681
Chester	267	38	185	490
CHICOPEE	13,328	3,456	7,919	24,703
East Longmeadow	3,687	498	1,083	5,268
Granville	276	59	111	446
Hampden	871	136	238	1,245
Holland	220	43	90	353
HOLYOKE	9,532	3,049	10,860	23,441
Longmeadow	5,277	446	797	6,520
Ludlow	4,072	928	1,639	6,639
Monson	1,593	267	740	2,600
Montgomery	119	16	44	179
Palmer	2,925	588	1,820	5,333
Russell	339	53	221	613
Southwick	1,466	230	392	2,088
SPRINGFIELD	31,509	6,001	27,384	64,894
Tolland	35	8	21	64
Wales	207	26	86	319
West Springfield	6,849	1,409	3,194	11,452
WESTFIELD	7,755	1,129	3,051	11,935
Wilbraham	3,153	341	671	4,165
Totals	99,274	19,775	62,465	181,514

County of Hampshire.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Amherst	2,982	859	743	4,584
Belchertown	1,072	194	391	1,657
Chesterfield	155	19	89	263
Cummington	212	28	68	308
Easthampton	3,591	798	1,655	6,044
Goshen	145	25	44	214
Granby	1,184	225	325	1,734
Hadley	859	183	531	1,573
Hatfield	651	139	441	1,231
Huntington	399	50	198	647
Middlefield	86	11	31	128
NORTHAMPTON	7,718	1,165	2,970	11,853
Pelham	247	55	94	396
Plainfield	69	16	49	134
South Hadley	4,298	811	1,368	6,477
Southampton	775	149	240	1,164
Ware	2,288	465	1,423	4,176
Westhampton	189	34	70	293
Williamsburg	677	88	263	1,028
Worthington	187	32	74	293
Totals	27,784	5,346	11,067	44,197

County of Middlesex.

Acton	3,261	261	520	4,042
Arlington	20,232	2,492	4,657	27,381
Ashby	629	77	208	914
Ashland	2,488	319	597	3,404
Ayer	1,160	152	395	1,707
Bedford	3,407	306	501	4,214
Belmont	11,607	1,324	2,814	15,745
Billerica	5,608	998	1,435	8,041
Boxborough	353	42	73	468
Burlington	5,598	747	1,075	7,420
CAMBRIDGE	27,046	4,799	10,929	42,774
Carlisle	692	74	103	869
Chelmsford	7,029	954	1,583	9,566
Concord	4,527	439	1,080	6,046
Dracut	3,997	1,265	1,960	7,222
Dunstable	285	43	94	422
EVERETT	8,060	1,822	10,852	20,734
Framingham	16,869	1,771	3,933	22,573
Groton	1,378	144	378	1,900
Holliston	2,529	304	575	3,408
Hopkinton	1,681	213	527	2,421
Hudson	3,473	574	1,437	5,484
Lexington	9,348	936	2,888	13,172
Lincoln	1,755	114	236	2,105
Littleton	1,739	193	356	2,288
LOWELL	25,541	5,364	12,336	43,241
MALDEN	17,179	2,895	7,066	27,140
MARLBOROUGH	6,538	1,338	2,443	10,319
Maynard	2,480	381	1,089	3,950
MEDFORD	19,819	3,337	7,990	31,146
MELROSE	10,260	2,110	2,751	15,121
Natick	10,128	1,103	2,373	13,604
NEWTON	34,508	3,828	7,668	46,004
North Reading	3,043	365	653	4,061
Pepperell	1,202	223	469	1,894
Reading	7,884	814	1,348	10,046
Sherborn	904	63	150	1,117
Shirley	750	98	406	1,254
SOMERVILLE	24,640	4,702	11,078	40,420
Stoneham	6,547	789	1,647	8,983
Stow	981	110	267	1,358
Sudbury	3,127	456	572	4,155
Tewksbury	4,633	644	1,060	6,337
Townsend	1,184	155	354	1,693
Tyngsborough	983	227	440	1,650
Wakefield	9,092	1,061	2,415	12,568
WALTHAM	11,772	1,882	9,615	23,269
Watertown	12,691	1,913	4,414	19,018
Wayland	4,345	360	695	5,400
Westford	2,389	350	808	3,547
Weston	4,006	308	433	4,747
Wilmington	4,187	639	966	5,792
Winchester	7,232	751	2,158	10,141
WOBURN	8,649	2,297	3,446	14,392
Totals	391,445	58,926	136,316	586,687

County of Nantucket.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Nantucket	1,003	120	698	1,821

County of Norfolk.

Avon	1,451	207	505	2,163
Bellingham	2,547	516	1,020	4,083
Braintree	12,038	1,484	2,353	15,875
Brookline	15,608	1,951	11,732	29,291
Canton	5,063	619	1,228	6,910
Cohasset	2,505	227	460	3,192
Dedham	8,624	1,254	2,642	12,520
Dover	1,530	112	195	1,837
Foxborough	3,262	417	713	4,392
Franklin	3,880	566	1,491	5,937
Holbrook	3,200	494	904	4,598
Medfield	2,145	197	443	2,785
Medway	1,986	258	650	2,894
Millis	1,545	210	401	2,156
Milton	11,520	1,151	2,503	15,174
Needham	11,422	928	1,994	14,344
Norfolk	998	121	229	1,348
Norwood	9,334	1,155	2,626	13,115
Plainville	1,232	168	322	1,722
QUINCY	29,429	4,078	8,764	42,271
Randolph	6,872	858	2,000	9,730
Sharon	4,113	387	722	5,222
Stoughton	5,595	693	1,629	7,917
Walpole	5,244	574	1,216	7,034
Wellesley	10,782	784	1,647	13,213
Westwood	4,647	459	764	5,870
Weymouth	16,408	2,083	3,662	22,153
Wrentham	1,537	238	447	2,222
Totals	184,517	22,189	53,262	259,968

County of Plymouth.

Abington	3,516	499	1,064	5,079
Bridgewater	2,394	427	1,045	3,866
BROCKTON	22,388	3,780	8,357	34,525
Carver	503	88	247	838
Duxbury	2,167	177	496	2,840
East Bridgewater	2,016	359	689	3,064
Halifax	781	137	229	1,147
Hanover	2,239	296	556	3,091
Hanson	1,381	215	542	2,138
Hingham	6,081	520	1,205	7,806
Hull	2,412	316	832	3,560
Kingston	1,408	207	655	2,270
Lakeville	1,080	180	383	1,643
Marion	1,104	112	283	1,499
Marshfield	3,344	380	667	4,391
Mattapoisett	1,228	175	347	1,750
Middleborough	3,414	576	1,244	5,234
Norwell	2,203	204	390	2,797
Pembroke	2,110	277	554	2,941
Plymouth	4,527	588	2,272	7,387
Plympton	299	33	88	420
Rochester	459	42	217	718
Rockland	3,870	616	1,328	5,814
Scituate	4,678	461	991	6,130
Wareham	2,357	348	1,216	3,921
West Bridgewater	1,762	280	471	2,513
Whitman	3,317	462	1,254	5,033
Totals	83,038	11,755	27,622	122,415

County of Suffolk.

BOSTON	115,900	23,446	123,920	263,266
CHELSEA	6,722	1,564	5,799	14,085
REVERE	10,727	1,767	7,618	20,112
Winthrop	5,774	1,471	2,511	9,756
Totals	139,123	28,248	139,848	307,219

County of Worcester.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Ashburnham	985	105	351	1,441
Athol	3,487	595	1,444	5,526
Auburn	4,862	576	1,529	6,967
Barre	1,029	114	651	1,794
Berlin	573	64	181	818
Blackstone	1,586	253	738	2,577
Bolton	463	63	147	673
Boylston	955	88	220	1,263
Brookfield	527	101	205	833
Charlton	1,004	153	426	1,583
Clinton	3,304	510	2,211	6,025
Douglas	821	192	415	1,428
Dudley	1,741	337	1,080	3,158
East Brookfield	467	67	248	782
FITCHBURG	11,533	1,805	6,032	19,370
GARDNER	5,306	785	2,821	8,912
Grafton	2,730	345	1,264	4,339
Hardwick	659	105	392	1,156
Harvard	857	85	188	1,130
Holden	4,543	350	826	5,719
Hopedale	1,480	180	564	2,224
Hubbardston	396	66	165	627
Lancaster	1,202	153	505	1,860
Leicester	2,473	368	929	3,770
LEOMINSTER	8,416	1,049	4,085	13,550
Lunenburg	2,243	228	705	3,176
Mendon	668	104	309	1,081
Milford	4,175	710	3,484	8,369
Millbury	3,103	488	1,552	5,143
Millville	441	95	280	816
New Braintree	145	13	56	214
North Brookfield	1,066	154	535	1,755
Northborough	2,529	212	466	3,207
Northbridge	2,959	299	1,870	5,128
Oakham	200	23	71	294
Oxford	2,556	404	1,065	4,025
Paxton	1,062	93	227	1,382
Petersham	348	33	115	496
Phillipston	189	37	87	313
Princeton	509	46	132	687
Royalston	212	40	93	345
Rutland	837	88	198	1,123
Shrewsbury	6,009	581	1,695	8,285
Southborough	1,500	192	382	2,074
Southbridge	4,737	624	3,049	8,410
Spencer	2,275	308	1,407	3,990
Sterling	1,134	117	321	1,572
Sturbridge	1,201	136	474	1,811
Sutton	1,046	207	482	1,735
Templeton	1,525	214	583	2,322
Upton	950	104	452	1,506
Uxbridge	2,193	378	1,223	3,794
Warren	891	162	669	1,722
Webster	3,662	704	2,819	7,185
West Boylston	2,192	161	402	2,755
West Brookfield	715	91	292	1,098
Westborough	2,923	248	675	3,846
Westminster	1,270	200	436	1,906
Winchendon	1,759	263	803	2,825
WORCESTER	56,380	7,425	20,184	83,989
Totals	177,003	23,691	75,210	275,904

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	25,235	2,807	7,838	35,880
BERKSHIRE	42,094	5,760	17,696	65,550
BRISTOL	103,900	21,453	64,660	190,013
DUKES COUNTY	2,033	253	1,000	3,286
ESSEX	181,950	30,058	75,834	287,842

AGGREGATE OF VOTES — Concluded.

Counties.	Yes.	No.	Blanks.	Total Ballots.
FRANKLIN	16,404	2,320	7,410	26,134
HAMPDEN	99,274	19,775	62,465	181,514
HAMPSHIRE	27,784	5,346	11,067	44,197
MIDDLESEX	391,445	58,926	136,316	586,687
NANTUCKET	1,003	120	698	1,821
NORFOLK	184,517	22,189	53,262	259,968
PLYMOUTH	83,038	11,755	27,622	122,415
SUFFOLK	139,123	28,248	139,848	307,219
WORCESTER	177,003	23,691	75,210	275,904
Totals	1,474,803	232,701	680,926	2,388,430

RETURN OF VOTES ON QUESTION NO. 5, BEING AN INITIATIVE PETITION SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION, AS AMENDED BY ARTICLE LXXIV OF SAID AMENDMENTS, TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 3, 1964.

Votes on Question No. 5 (Initiative Petition).

Do you approve of a law summarized below which was disapproved in the House of Representatives by a vote of 109 in the affirmative and 109 in the negative and was disapproved in the Senate by a vote of 16 in the affirmative and 20 in the negative?

Summary.

The proposed measure provides that henceforth appointments in the executive branch of the government shall not require the advice and consent of the Governor's Council. Exceptions to this provision include appointments to the Youth Service Board, Industrial Accident Board, Commission of the Department of Public Utilities, Parole Board and Appellate Tax Board, which appointments shall continue to require Council action. However, should the Council fail to act upon such appointments within thirty calendar days, then the person involved shall be deemed to have been lawfully appointed. Any appointment in the executive branch by an officer other than the Governor which heretofore required Council approval shall henceforth require approval by the Governor.

Removals from office shall no longer require the advice and consent of the Council, except in the case of the Youth Service Board, which removals must still receive Council approval. As in the case of appointments still requiring Council approval, such recommended removal from the Youth Service Board must be acted upon by the Council within thirty calendar days; otherwise the proposed removal shall become effective as if approval had been given. In the case of any appointment which heretofore required Council approval the Governor may, within fifteen days of the making of the appointment, remove the person appointed without cause.

The Council shall no longer be required to approve the fixing of any compensation for services rendered in the executive department. And henceforth there need be no approval by the Council of actions or agreements by executive officers, including but not limited to borrowings and loans, investments, leases, licenses, purchases and conveyances, and contracts, and also including the promulgation of rules and regulations.

Notwithstanding the foregoing, the Governor shall at all times remain free to seek the advice and consent of the Council upon any matter.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	3,858	2,219	1,807	7,884
Bourne	1,331	854	677	2,862
Brewster	444	251	142	837
Chatham	1,183	490	412	2,085
Dennis	1,338	780	571	2,689
Eastham	561	204	133	898
Falmouth	3,472	1,367	1,324	6,163
Harwich	1,334	689	447	2,470
Mashpee	150	70	134	354
Orleans	1,005	389	260	1,654
Provincetown	981	218	344	1,543
Sandwich	498	356	334	1,188
Truro[1]	346	76	58	480
Wellfleet	504	165	126	795
Yarmouth	2,234	1,089	655	3,978
Totals	19,239	9,217	7,424	35,880

County of Berkshire.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Adams	2,573	1,467	2,149	6,189
Alford	51	41	34	126
Becket	161	106	85	352
Cheshire	525	317	346	1,188
Clarksburg	355	229	234	818
Dalton	1,916	840	459	3,215
Egremont	248	132	100	480
Florida	114	73	87	274
Great Barrington	1,368	728	1,047	3,143
Hancock	81	63	64	208
Hinsdale	308	178	141	627
Lanesborough	718	339	255	1,312
Lee	1,208	388	653	2,249
Lenox	1,126	368	426	1,920
Monterey	145	72	74	291
Mount Washington	9	9	17	35
New Ashford	38	22	20	80
New Marlborough	147	133	130	410
North Adams	4,343	2,306	2,596	9,245
Otis	61	61	107	229
Peru	36	26	26	88
Pittsfield	14,304	4,679	6,832	25,815
Richmond	296	115	73	484
Sandisfield	88	67	94	249
Savoy	49	43	52	144
Sheffield	434	312	235	981
Stockbridge	703	228	180	1,111
Tyringham	74	25	21	120
Washington	71	42	30	143
West Stockbridge	290	123	168	581
Williamstown	2,180	587	500	3,267
Windsor	92	40	44	176
Totals	34,112	14,159	17,279	65,550

County of Bristol.

Acushnet	1,093	912	915	2,920
Attleboro	6,076	3,356	2,902	12,334
Berkley	279	221	233	733
Dartmouth	3,644	2,254	2,207	8,105
Dighton	722	526	489	1,737
Easton	2,184	1,393	998	4,575
Fairhaven	3,165	2,137	1,947	7,249
Fall River	14,911	10,768	20,999	46,678
Freetown	580	480	355	1,415
Mansfield	1,667	1,221	1,006	3,894
New Bedford	18,340	13,085	15,930	47,355
North Attleborough	3,255	1,903	1,977	7,135
Norton	1,697	574	462	2,733
Raynham	1,141	686	616	2,443
Rehoboth	732	840	666	2,238
Seekonk	1,610	1,545	1,183	4,338
Somerset	2,555	2,284	2,430	7,269
Swansea	1,879	1,886	1,727	5,492
Taunton	7,332	4,098	6,247	17,677
Westport	1,257	1,087	1,349	3,693
Totals	74,119	51,256	64,638	190,013

County of Dukes County.

Chilmark	86	46	31	163
Edgartown	371	201	257	829
Gay Head	13	14	33	60
Gosnold	23	13	6	42
Oak Bluffs	347	176	279	802
Tisbury	608	247	298	1,153
West Tisbury	139	50	48	237
Totals	1,587	747	952	3,286

County of Essex.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Amesbury	1,913	1,352	1,729	4,994
Andover	5,417	2,578	1,790	9,785
BEVERLY	8,670	4,699	3,960	17,329
Boxford	971	245	110	1,326
Danvers	5,694	2,923	1,856	10,473
Essex	554	309	268	1,131
Georgetown	1,074	578	376	2,028
GLOUCESTER	5,684	2,848	3,749	12,281
Groveland	913	584	371	1,868
Hamilton	1,915	550	301	2,766
HAVERHILL	8,617	5,993	6,513	21,123
Ipswich	2,270	1,124	1,241	4,635
LAWRENCE	12,482	8,947	12,853	34,282
LYNN	19,137	14,467	10,733	44,337
Lynnfield	3,246	1,069	502	4,817
Manchester	1,239	562	412	2,213
Marblehead	6,676	2,724	1,459	10,859
Merrimac	661	564	440	1,665
Methuen	5,810	4,700	5,150	15,660
Middleton	676	436	310	1,422
Nahant	1,006	569	318	1,893
Newbury	852	446	344	1,642
NEWBURYPORT	2,767	1,399	2,293	6,459
North Andover	2,658	1,929	1,538	6,125
PEABODY	8,907	4,883	4,697	18,487
Rockport	1,471	713	653	2,837
Rowley	546	406	291	1,243
SALEM	8,477	5,612	5,974	20,063
Salisbury	724	553	536	1,813
Saugus	4,896	3,558	2,136	10,590
Swampscott	3,844	1,485	1,982	7,311
Topsfield	1,363	384	151	1,898
Wenham	1,041	297	158	1,496
West Newbury	434	308	249	991
Totals	132,605	79,794	75,443	287,842

County of Franklin.

Ashfield	212	162	163	537
Bernardston	239	190	190	619
Buckland	284	244	308	836
Charlemont	149	108	138	395
Colrain	219	180	217	616
Conway	161	133	119	413
Deerfield	702	492	434	1,628
Erving	291	166	163	620
Gill	253	176	143	572
Greenfield	4,021	1,897	2,498	8,416
Hawley	39	22	27	88
Heath	52	46	41	139
Leverett	221	75	68	364
Leyden	54	51	50	155
Monroe	26	21	30	77
Montague	1,658	1,171	1,308	4,137
New Salem	105	59	41	205
Northfield	485	378	277	1,140
Orange	1,129	617	767	2,513
Rowe	69	42	34	145
Shelburne	317	322	270	909
Shutesbury	70	45	34	149
Sunderland	295	154	157	606
Warwick	79	64	67	210
Wendell	32	33	69	134
Whately	216	133	162	511
Totals	11,378	6,981	7,775	26,134

County of Hampden.

Agawam	3,414	2,458	1,816	7,688
Blandford	168	136	94	398
Brimfield	320	189	172	681
Chester	173	121	196	490

County of Hampden — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
CHICOPEE	10,161	6,683	7,859	24,703
East Longmeadow	3,598	733	937	5,268
Granville	148	169	129	446
Hampden	583	414	248	1,245
Holland	141	116	96	353
HOLYOKE	7,800	4,357	11,284	23,441
Longmeadow	4,281	1,467	772	6,520
Ludlow	2,838	2,120	1,681	6,639
Monson	1,092	745	763	2,600
Montgomery	70	64	45	179
Palmer	2,085	1,374	1,874	5,333
Russell	238	146	229	613
Southwick	982	649	457	2,088
SPRINGFIELD	25,939	10,781	28,174	64,894
Tolland	11	29	24	64
Wales	115	116	88	319
West Springfield	5,428	2,655	3,369	11,452
WESTFIELD	6,170	2,940	2,825	11,935
Wilbraham	2,325	1,134	706	4,165
Totals	78,080	39,596	63,838	181,514

County of Hampshire.

Amherst	3,295	738	551	4,584
Belchertown	777	481	399	1,657
Chesterfield	108	64	91	263
Cummington	122	109	77	308
Easthampton	3,050	1,600	1,394	6,044
Goshen	90	82	42	214
Granby	902	521	311	1,734
Hadley	958	273	342	1,573
Hatfield	519	321	391	1,231
Huntington	239	202	206	647
Middlefield	61	39	28	128
NORTHAMPTON	6,523	2,738	2,592	11,853
Pelham	257	71	68	396
Plainfield	42	45	47	134
South Hadley	3,674	1,593	1,210	6,477
Southampton	520	401	243	1,164
Ware	1,694	1,068	1,414	4,176
Westhampton	121	97	75	293
Williamsburg	480	293	255	1,028
Worthington	135	87	71	293
Totals	23,567	10,823	9,807	44,197

County of Middlesex.

Acton	2,860	770	412	4,042
Arlington	16,016	7,080	4,285	27,381
Ashby	510	212	192	914
Ashland	1,804	1,027	573	3,404
Ayer	938	425	344	1,707
Bedford	2,922	856	436	4,214
Belmont	9,666	3,540	2,539	15,745
Billerica	3,953	2,604	1,484	8,041
Boxborough	293	121	54	468
Burlington	4,530	1,929	961	7,420
CAMBRIDGE	22,732	9,574	10,468	42,774
Carlisle	668	131	70	869
Chelmsford	5,786	2,321	1,459	9,566
Concord	4,598	695	753	6,046
Dracut	2,806	2,409	2,007	7,222
Dunstable	180	146	96	422
EVERETT	6,152	3,522	11,060	20,734
Framingham	14,600	4,826	3,147	22,573
Groton	1,106	463	331	1,900
Holliston	1,888	977	543	3,408
Hopkinton	1,122	753	546	2,421
Hudson	2,412	1,580	1,492	5,484
Lexington	9,278	1,598	2,296	13,172

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Lincoln	1,661	270	174	2,105
Littleton	1,353	617	318	2,288
LOWELL	18,866	11,916	12,459	43,241
MALDEN	11,959	7,961	7,220	27,140
MARLBOROUGH	4,687	3,174	2,458	10,319
Maynard	2,031	982	937	3,950
MEDFORD	14,105	8,927	8,114	31,146
MELROSE	8,470	3,591	3,060	15,121
Natick	8,307	3,251	2,046	13,604
NEWTON	27,505	11,113	7,386	46,004
North Reading	2,435	1,002	624	4,061
Pepperell	835	578	481	1,894
Reading	6,676	2,267	1,103	10,046
Sherborn	797	209	111	1,117
Shirley	673	249	332	1,254
SOMERVILLE	18,319	10,901	11,200	40,420
Stoneham	5,099	2,376	1,508	8,983
Stow	686	384	288	1,358
Sudbury	3,099	575	481	4,155
Tewksbury	3,481	1,846	1,010	6,337
Townsend	772	539	382	1,693
Tyngsborough	593	583	474	1,650
Wakefield	6,296	3,723	2,549	12,568
WALTHAM	9,897	3,934	9,438	23,269
Watertown	9,734	4,912	4,372	19,018
Wayland	4,172	798	430	5,400
Westford	1,854	933	760	3,547
Weston	3,305	1,071	371	4,747
Wilmington	3,236	1,677	879	5,792
Winchester	6,891	1,478	1,772	10,141
WOBURN	7,383	3,597	3,412	14,392
Totals	311,997	142,993	131,697	586,687

County of Nantucket.

Nantucket	603	505	713	1,821

County of Norfolk.

Avon	920	701	542	2,163
Bellingham	1,695	1,293	1,095	4,083
Braintree	7,864	5,345	2,666	15,875
Brookline	14,000	4,268	11,023	29,291
Canton	4,019	1,751	1,140	6,910
Cohasset	2,150	683	359	3,192
Dedham	6,146	3,700	2,674	12,520
Dover	1,349	329	159	1,837
Foxborough	2,326	1,326	740	4,392
Franklin	2,727	1,677	1,533	5,937
Holbrook	2,000	1,600	998	4,598
Medfield	1,854	600	331	2,785
Medway	1,672	656	566	2,894
Millis	1,251	560	345	2,156
Milton	9,181	3,694	2,299	15,174
Needham	9,302	3,386	1,656	14,344
Norfolk	718	409	221	1,348
Norwood	6,800	3,680	2,635	13,115
Plainville	849	528	345	1,722
QUINCY	20,289	12,796	9,186	42,271
Randolph	5,039	2,721	1,970	9,730
Sharon	3,644	1,068	510	5,222
Stoughton	3,505	2,688	1,724	7,917
Walpole	4,042	1,891	1,101	7,034
Wellesley	9,070	2,861	1,282	13,213
Westwood	3,544	1,547	779	5,870
Weymouth	11,111	7,039	4,003	22,153
Wrentham	1,067	685	470	2,222
Totals	138,134	69,482	52,352	259,968

County of Plymouth.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Abington	2,167	1,755	1,157	5,079
Bridgewater	1,623	1,178	1,065	3,866
BROCKTON	14,198	11,589	8,738	34,525
Carver	306	275	257	838
Duxbury	1,507	803	530	2,840
East Bridgewater	1,261	1,084	719	3,064
Halifax	497	407	243	1,147
Hanover	1,622	907	562	3,091
Hanson	934	637	567	2,138
Hingham	4,995	1,742	1,069	7,806
Hull	1,846	955	759	3,560
Kingston	952	644	674	2,270
Lakeville	741	486	416	1,643
Marion	928	339	232	1,499
Marshfield	2,552	1,212	627	4,391
Mattapoisett	879	530	341	1,750
Middleborough	2,354	1,595	1,285	5,234
Norwell	1,824	658	315	2,797
Pembroke	1,370	1,009	562	2,941
Plymouth	3,289	1,860	2,238	7,387
Plympton	185	145	90	420
Rochester	273	273	172	718
Rockland	2,424	1,952	1,438	5,814
Scituate	3,934	1,423	773	6,130
Wareham	1,543	1,096	1,282	3,921
West Bridgewater	976	1,017	520	2,513
Whitman	2,206	1,602	1,225	5,033
Totals	57,386	37,173	27,856	122,415

County of Suffolk.

BOSTON	94,582	50,378	118,306	263,266
CHELSEA	5,011	3,217	5,857	14,085
REVERE	7,707	4,631	7,774	20,112
Winthrop	4,472	2,676	2,608	9,756
Totals	111,772	60,902	134,545	307,219

County of Worcester.

Ashburnham	706	374	361	1,441
Athol	2,369	1,672	1,485	5,526
Auburn	3,804	1,747	1,416	6,967
Barre	754	391	649	1,794
Berlin	454	199	165	818
Blackstone	1,188	628	761	2,577
Bolton	308	210	155	673
Boylston	777	269	217	1,263
Brookfield	394	225	214	833
Charlton	723	424	436	1,583
Clinton	2,442	1,431	2,152	6,025
Douglas	599	394	435	1,428
Dudley	1,425	723	1,010	3,158
East Brookfield	341	190	251	782
FITCHBURG	8,735	4,625	6,010	19,370
GARDNER	3,641	2,342	2,929	8,912
Grafton	2,129	996	1,214	4,339
Hardwick	524	251	381	1,156
Harvard	729	228	173	1,130
Holden	4,160	933	626	5,719
Hopedale	1,006	622	596	2,224
Hubbardston	288	160	179	627
Lancaster	830	515	515	1,860
Leicester	1,918	965	887	3,770
LEOMINSTER	7,607	2,557	3,386	13,550
Lunenburg	1,838	709	629	3,176
Mendon	464	286	331	1,081
Milford	3,019	1,831	3,519	8,369
Millbury	2,259	1,290	1,594	5,143
Millville	330	213	273	816
New Braintree	102	56	56	214
North Brookfield	806	380	569	1,755

County of Worcester — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Northborough	1,940	786	481	3,207
Northbridge	2,393	890	1,845	5,128
Oakham	143	76	75	294
Oxford	1,907	1,031	1,087	4,025
Paxton	889	288	205	1,382
Petersham	222	155	119	496
Phillipston	129	89	95	313
Princeton	403	149	135	687
Royalston	140	113	92	345
Rutland	670	264	189	1,123
Shrewsbury	4,722	1,934	1,629	8,285
Southborough	1,120	581	373	2,074
Southbridge	4,543	1,479	2,388	8,410
Spencer	1,732	890	1,368	3,990
Sterling	855	400	317	1,572
Sturbridge	1,079	329	403	1,811
Sutton	754	473	508	1,735
Templeton	995	686	641	2,322
Upton	678	354	474	1,506
Uxbridge	1,613	946	1,235	3,794
Warren	656	384	682	1,722
Webster	2,855	1,598	2,732	7,185
West Boylston	1,857	553	345	2,755
West Brookfield	528	252	318	1,098
Westborough	2,233	924	689	3,846
Westminster	888	588	430	1,906
Winchendon	1,315	768	742	2,825
WORCESTER	45,117	20,775	18,097	83,989
Totals	139,045	65,591	71,268	275,904

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	19,239	9,217	7,424	35,880
BERKSHIRE	34,112	14,159	17,279	65,550
BRISTOL	74,119	51,256	64,638	190,013
DUKES COUNTY	1,587	747	952	3,286
ESSEX	132,605	79,794	75,443	287,842
FRANKLIN	11,378	6,981	7,775	26,134
HAMPDEN	78,080	39,596	63,838	181,514
HAMPSHIRE	23,567	10,823	9,807	44,197
MIDDLESEX	311,997	142,993	131,697	586,687
NANTUCKET	603	505	713	1,821
NORFOLK	138,134	69,482	52,352	259,968
PLYMOUTH	57,386	37,173	27,856	122,415
SUFFOLK	111,772	60,902	134,545	307,219
WORCESTER	139,045	65,591	71,268	275,904
Totals	1,133,624	589,219	665,587	2,388,430

RETURN OF VOTES ON QUESTION NO. 6, SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 3, 1964.

Votes on Question No. 6 (Law Submitted upon Referendum after Passage).

Do you approve of a law summarized below, which was approved in the House of Representatives by a vote of 180 in the affirmative and 40 in the negative and was approved in the Senate by a vote of 28 in the affirmative and 5 in the negative?

Summary.

Under the Act, effective as of January 1, 1964, each member of the General Court shall receive seventy-eight hundred dollars for each regular annual session, the President of the Senate and Speaker of the House of Representatives shall each receive the same amount as additional compensation, and the floor leaders of each of the major political parties in the Senate and House, the Chairman of the Senate Committee on Ways and Means and the Chairman and Vice-Chairman of that committee of the House, shall each receive thirty-nine hundred dollars as additional compensation, to be paid as provided in the Act. After the same date the annual expense allowance is to be six hundred dollars for each member and the travel allowance is to be eight cents per mile with a stated minimum and an alternative, and a member chosen to fill a vacancy or who resigns during a session is to be entitled to per diem compensation at the rate for each regular annual session and to the allowances for travel and other expenses for the time of his membership.

It is also provided that in addition to the compensation for the 1963 annual session the President of the Senate and Speaker of the House shall be paid thirty-nine hundred dollars, the floor leaders of each major political party in the Senate and House, the Chairman of the Senate Committee on Ways and Means and Chairman and Vice-Chairman of that committee of the House, shall be paid twenty-nine hundred and twenty-five dollars and each other member shall be paid nineteen hundred and fifty dollars. Each member shall also be entitled to an additional expense allowance of two hundred dollars for the calendar year 1963 and the travel allowance shall be at the rate of eight cents per mile with a stated minimum and an alternative for the balance of the calendar year 1963.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	2,556	3,401	1,927	7,884
Bourne	935	1,191	736	2,862
Brewster	205	477	155	837
Chatham	649	977	459	2,085
Dennis	782	1,305	602	2,689
Eastham	256	480	162	898
Falmouth	1,972	2,504	1,687	6.163
Harwich	728	1,232	510	2,470

County of Barnstable — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Mashpee	100	102	152	354
Orleans	417	908	329	1,654
Provincetown	500	481	562	1,543
Sandwich	397	464	327	1,188
Truro	172	189	119	480
Wellfleet	253	362	180	795
Yarmouth	1,107	2,046	825	3,978
Totals	11,029	16,119	8,732	35,880

County of Berkshire.

Adams	1,267	2,905	2,017	6,189
Alford	39	55	32	126
Becket	94	160	98	352
Cheshire	230	570	338	1,188
Clarksburg	230	351	237	818
Dalton	938	1,728	549	3,215
Egremont	150	215	115	480
Florida	59	131	84	274
Great Barrington	920	1,129	1,094	3,143
Hancock	66	84	58	208
Hinsdale	203	275	149	627
Lanesborough	357	689	266	1,312
Lee	624	856	769	2,249
Lenox	498	913	509	1,920
Monterey	99	112	80	291
Mount Washington	13	5	17	35
New Ashford	29	32	19	80
New Marlborough	118	151	141	410
North Adams	2,415	4,143	2,687	9,245
Otis	37	78	114	229
Peru	26	30	32	88
Pittsfield	5,002	13,189	7,624	25,815
Richmond	132	262	90	484
Sandisfield	80	70	99	249
Savoy	36	48	60	144
Sheffield	335	387	259	981
Stockbridge	387	470	254	1,111
Tyringham	31	63	26	120
Washington	51	58	34	143
West Stockbridge	158	238	185	581
Williamstown	1,023	1,557	687	3,267
Windsor	42	82	52	176
Totals	15,739	31,036	18,775	65,550

County of Bristol.

Acushnet	712	1,312	896	2,920
Attleboro	3,733	5,412	3,189	12,334
Berkley	183	313	237	733
Dartmouth	1,859	3,985	2,261	8,105
Dighton	452	789	496	1,737
Easton	1,214	2,311	1,050	4,575
Fairhaven	1,642	3,661	1,946	7,249
Fall River	8,823	18,566	19,289	46,678
Freetown	385	683	347	1,415
Mansfield	1,106	1,755	1,033	3,894
New Bedford	10,931	20,943	15,481	47,355
North Attleborough	2,135	2,784	2,216	7,135
Norton	839	1,208	686	2,733
Raynham	643	1,199	601	2,443
Rehoboth	658	952	628	2,238
Seekonk	1,356	1,841	1,141	4,338
Somerset	1,580	3,542	2,147	7,269
Swansea	1,175	2,843	1,474	5,492
Taunton	4,113	6,716	6,848	17,677
Westport	1,028	1,389	1,276	3,693
Totals	44,567	82,204	63,242	190,013

County of Dukes County.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Chilmark	51	77	35	163
Edgartown	266	264	299	829
Gay Head	13	15	32	60
Gosnold	17	13	12	42
Oak Bluffs	266	240	296	802
Tisbury	406	385	362	1,153
West Tisbury	78	105	54	237
Totals	1,097	1,099	1,090	3,286

County of Essex.

Amesbury	1,077	2,263	1,654	4,994
Andover	2,946	4,783	2,056	9,785
BEVERLY	4,444	8,727	4,158	17,329
Boxford	459	690	177	1,326
Danvers	2,579	5,811	2,083	10,473
Essex	279	568	284	1,131
Georgetown	572	988	468	2,028
GLOUCESTER	3,030	5,547	3,704	12,281
Groveland	546	926	396	1,868
Hamilton	812	1,428	526	2,766
HAVERHILL	5,412	9,266	6,445	21,123
Ipswich	1,396	1,899	1,340	4,635
LAWRENCE	8,671	12,525	13,086	34,282
LYNN	11,530	22,235	10,572	44,337
Lynnfield	1,315	2,813	689	4,817
Manchester	752	1,020	441	2,213
Marblehead	3,273	5,777	1,809	10,859
Merrimac	425	807	433	1,665
Methuen	3,418	7,151	5,091	15,660
Middleton	347	739	336	1,422
Nahant	505	1,061	327	1,893
Newbury	353	980	309	1,642
NEWBURYPORT	1,545	2,749	2,165	6,459
North Andover	1,522	2,996	1,607	6,125
PEABODY	4,654	8,899	4,934	18,487
Rockport	674	1,492	671	2,837
Rowley	356	601	286	1,243
SALEM	5,027	9,093	5,943	20,063
Salisbury	336	960	517	1,813
Saugus	2,607	5,855	2,128	10,590
Swampscott	1,813	3,227	2,271	7,311
Topsfield	750	925	223	1,898
Wenham	497	768	231	1,496
West Newbury	239	526	226	991
Totals	74,161	136,095	77,586	287,842

County of Franklin.

Ashfield	171	209	157	537
Bernardston	218	215	186	619
Buckland	255	284	297	836
Charlemont	108	154	133	395
Colrain	199	211	206	616
Conway	141	146	126	413
Deerfield	554	642	432	1,628
Erving	186	278	156	620
Gill	196	228	148	572
Greenfield	2,996	2,855	2,565	8,416
Hawley	25	30	33	88
Heath	37	63	39	139
Leverett	132	165	67	364
Leyden	46	56	53	155
Monroe	20	27	30	77
Montague	1,246	1,643	1,248	4,137
New Salem	54	112	39	205
Northfield	442	414	284	1,140
Orange	591	1,162	760	2,513
Rowe	51	58	36	145

County of Franklin — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Shelburne	278	375	256	909
Shutesbury	65	50	34	149
Sunderland	207	230	169	606
Warwick	62	83	65	210
Wendell	22	40	72	134
Whately	172	162	177	511
Totals	8,474	9,892	7,768	26,134

County of Hampden.

Agawam	1,962	3,936	1,790	7,688
Blandford	123	179	96	398
Brimfield	186	325	170	681
Chester	124	176	190	490
CHICOPEE	5,480	11,247	7,976	24,703
East Longmeadow	974	3,089	1,205	5,268
Granville	121	199	126	446
Hampden	350	655	240	1,245
Holland	112	148	93	353
HOLYOKE	4,652	7,455	11,334	23,441
Longmeadow	1,830	3,787	903	6,520
Ludlow	1,576	3,446	1,617	6,639
Monson	788	1,004	808	2,600
Montgomery	40	96	43	179
Palmer	1,312	2,195	1,826	5,333
Russell	173	218	222	613
Southwick	657	985	446	2,088
SPRINGFIELD	10,805	24,728	29,361	64,894
Tolland	13	30	21	64
Wales	87	139	93	319
West Springfield	2,885	5,169	3,398	11,452
WESTFIELD	2,926	5,950	3,059	11,935
Wilbraham	1,058	2,362	745	4,165
Totals	38,234	77,518	65,762	181,514

County of Hampshire.

Amherst	2,163	1,632	789	4,584
Belchertown	487	746	424	1,657
Chesterfield	99	73	91	263
Cummington	101	140	67	308
Easthampton	1,448	2,941	1,655	6,044
Goshen	80	88	46	214
Granby	498	903	333	1,734
Hadley	547	527	499	1,573
Hatfield	366	422	443	1,231
Huntington	193	248	206	647
Middlefield	38	57	33	128
NORTHAMPTON	3,310	5,340	3,203	11,853
Pelham	141	170	85	396
Plainfield	36	51	47	134
South Hadley	1,839	3,208	1,430	6,477
Southampton	293	631	240	1,164
Ware	923	1,855	1,398	4,176
Westhampton	81	134	78	293
Williamsburg	330	431	267	1,028
Worthington	103	114	76	293
Totals	13,076	19,711	11,410	44,197

County of Middlesex.

Acton	1,378	2,081	583	4,042
Arlington	7,520	14,930	4,931	27,381
Ashby	274	418	222	914
Ashland	1,036	1,773	595	3,404
Ayer	513	776	418	1,707
Bedford	1,338	2,308	568	4,214
Belmont	4,490	8,183	3,072	15,745

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Billerica	2,087	4,484	1,470	8,041
Boxborough	143	257	68	468
Burlington	2,142	4,093	1,185	7,420
CAMBRIDGE	14,687	16,520	11,567	42,774
Carlisle	274	466	129	869
Chelmsford	2,356	5,550	1,660	9,566
Concord	2,268	2,583	1,195	6,046
Dracut	1,411	3,940	1,871	7,222
Dunstable	91	239	92	422
EVERETT	3,239	6,281	11,214	20,734
Framingham	7,865	10,517	4,191	22,573
Groton	545	937	418	1,900
Holliston	1,084	1,686	638	3,408
Hopkinton	685	1,154	582	2,421
Hudson	1,577	2,440	1,467	5,484
Lexington	4,135	5,480	3,557	13,172
Lincoln	876	958	271	2,105
Littleton	663	1,249	376	2,288
LOWELL	9,527	22,012	11,702	43,241
MALDEN	7,009	12,862	7,269	27,140
MARLBOROUGH	2,987	4,891	2,441	10,319
Maynard	1,061	1,764	1,125	3,950
MEDFORD	7,748	14,856	8,542	31,146
MELROSE	3,369	8,779	2,973	15,121
Natick	4,060	6,992	2,552	13,604
NEWTON	14,906	22,711	8,387	46,004
North Reading	1,276	2,060	725	4,061
Pepperell	547	866	481	1,894
Reading	3,089	5,453	1,504	10,046
Sherborn	381	553	183	1,117
Shirley	359	472	423	1,254
SOMERVILLE	10,982	18,022	11,416	40,420
Stoneham	2,388	4,784	1,811	8,983
Stow	398	677	283	1,358
Sudbury	1,465	2,063	627	4,155
Tewksbury	1,694	3,542	1,101	6,337
Townsend	422	881	390	1,693
Tyngsborough	365	841	444	1,650
Wakefield	3,521	6,443	2,604	12,568
WALTHAM	4,870	7,900	10,499	23,269
Watertown	5,257	9,043	4,718	19,018
Wayland	1,866	2,764	770	5,400
Westford	823	1,916	808	3,547
Weston	1,645	2,556	546	4,747
Wilmington	1,574	3,152	1,066	5,792
Winchester	2,891	4,869	2,381	10,141
WOBURN	3,527	7,071	3,794	14,392
Totals	162,684	280,098	143,905	586,687

County of Nantucket.

Nantucket	613	498	710	1,821

County of Norfolk.

Avon	547	1,081	535	2,163
Bellingham	1,276	1,738	1,069	4,083
Braintree	4,294	9,081	2,500	15,875
Brookline	6,614	9,888	12,789	29,291
Canton	2,222	3,361	1,327	6,910
Cohasset	1,077	1,605	510	3,192
Dedham	3,497	6,178	2,845	12,520
Dover	680	920	237	1,837
Foxborough	1,290	2,292	810	4,392
Franklin	1,707	2,702	1,528	5,937
Holbrook	1,209	2,441	948	4,598
Medfield	897	1,395	493	2,785
Medway	871	1,331	692	2,894
Millis	573	1,138	445	2,156
Milton	3,988	8,513	2,673	15,174
Needham	4,357	7,777	2,210	14,344
Norfolk	395	694	259	1,348

County of Norfolk — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Norwood	4,289	6,028	2,798	13,115
Plainville	560	806	356	1,722
QUINCY	10,848	22,248	9,175	42,271
Randolph	2,755	4,887	2,088	9,730
Sharon	1,554	2,852	816	5,222
Stoughton	2,214	4,018	1,685	7,917
Walpole	2,280	3,458	1,296	7,034
Wellesley	4,813	6,514	1,886	13,213
Westwood	1,748	3,237	885	5,870
Weymouth	5,724	12,520	3,909	22,153
Wrentham	669	1,076	477	2,222
Totals	72,948	129,779	57,241	259,968

County of Plymouth.

Abington	1,417	2,514	1,148	5,079
Bridgewater	1,134	1,680	1,052	3,866
BROCKTON	9,270	16,753	8,502	34,525
Carver	232	353	253	838
Duxbury	999	1,333	508	2,840
East Bridgewater	801	1,532	731	3,064
Halifax	325	567	255	1,147
Hanover	884	1,605	602	3,091
Hanson	530	1,021	587	2,138
Hingham	2,463	4,043	1,300	7,806
Hull	937	1,779	844	3,560
Kingston	648	940	682	2,270
Lakeville	531	742	370	1,643
Marion	458	728	313	1,499
Marshfield	1,481	2,172	738	4,391
Mattapoisett	481	897	372	1,750
Middleborough	1,414	2,514	1,306	5,234
Norwell	832	1,547	418	2,797
Pembroke	802	1,554	585	2,941
Plymouth	1,997	3,114	2,276	7,387
Plympton	126	199	95	420
Rochester	171	361	186	718
Rockland	1,512	2,857	1,445	5,814
Scituate	1,821	3,227	1,082	6,130
Wareham	1,116	1,516	1,289	3,921
West Bridgewater	705	1,330	478	2,513
Whitman	1,144	2,675	1,214	5,033
Totals	34,231	59,553	28,631	122,415

County of Suffolk.

BOSTON	51,877	85,770	125,619	263,266
CHELSEA	2,773	5,438	5,874	14,085
REVERE	4,478	7,656	7,978	20,112
Winthrop	2,091	4,391	3,274	9,756
Totals	61,219	103,255	142,745	307,219

County of Worcester.

Ashburnham	385	695	361	1,441
Athol	1,372	2,818	1,336	5,526
Auburn	2,337	3,086	1,544	6,967
Barre	612	503	679	1,794
Berlin	242	376	200	818
Blackstone	883	928	766	2,577
Bolton	210	305	158	673
Boylston	418	601	244	1,263
Brookfield	273	328	232	833
Charlton	508	605	470	1,583
Clinton	1,560	2,287	2,178	6,025
Douglas	435	561	432	1,428
Dudley	811	1,276	1,071	3,158
East Brookfield	210	320	252	782

County of Worcester — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
FITCHBURG	4,766	8,562	6,042	19,370
GARDNER	2,485	3,719	2,708	8,912
Grafton	1,413	1,667	1,259	4,339
Hardwick	329	444	383	1,156
Harvard	400	511	219	1,130
Holden	2,232	2,603	884	5,719
Hopedale	739	906	579	2,224
Hubbardston	159	291	177	627
Lancaster	523	794	543	1,860
Leicester	1,259	1,562	949	3,770
LEOMINSTER	4,286	5,062	4,202	13,550
Lunenburg	879	1,573	724	3,176
Mendon	302	437	342	1,081
Milford	2,191	2,679	3,499	8,369
Millbury	1,538	1,972	1,633	5,143
Millville	253	295	268	816
New Braintree	69	88	57	214
North Brookfield	579	614	562	1,755
Northborough	1,135	1,521	551	3,207
Northbridge	1,826	1,367	1,935	5,128
Oakham	84	136	74	294
Oxford	1,270	1,659	1,096	4,025
Paxton	490	665	227	1,382
Petersham	152	220	124	496
Phillipston	89	134	90	313
Princeton	285	253	149	687
Royalston	99	148	98	345
Rutland	431	491	201	1,123
Shrewsbury	3,025	3,475	1,785	8,285
Southborough	680	1,001	393	2,074
Southbridge	2,657	2,733	3,020	8,410
Spencer	1,270	1,347	1,373	3,990
Sterling	500	721	351	1,572
Sturbridge	729	576	506	1,811
Sutton	474	751	510	1,735
Templeton	721	981	620	2,322
Upton	422	601	483	1,506
Uxbridge	1,045	1,504	1,245	3,794
Warren	416	649	657	1,722
Webster	1,780	2,549	2,856	7,185
West Boylston	1,120	1,218	417	2,755
West Brookfield	375	401	322	1,098
Westborough	1,423	1,705	718	3,846
Westminster	472	959	475	1,906
Winchendon	850	1,175	800	2,825
WORCESTER	28,644	35,087	20,258	83,989
Totals	87,122	112,495	76,287	275,904

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	11,029	16,119	8,732	35,880
BERKSHIRE	15,739	31,036	18,775	65,550
BRISTOL	44,567	82,204	63,242	190,013
DUKES COUNTY	1,097	1,099	1,090	3,286
ESSEX	74,161	136,095	77,586	287,842
FRANKLIN	8,474	9,892	7,768	26,134
HAMPDEN	38,234	77,518	65,762	181,514
HAMPSHIRE	13,076	19,711	11,410	44,197
MIDDLESEX	162,684	280,098	143,905	586,687
NANTUCKET	613	498	710	1,821
NORFOLK	72,948	129,779	57,241	259,968
PLYMOUTH	34,231	59,553	28,631	122,415
SUFFOLK	61,219	103,255	142,745	307,219
WORCESTER	87,122	112,495	76,287	275,904
Totals	625,194	1,059,352	703,884	2,388,430

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

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* For table showing changes in legislation made during the years 1921 to 1931, inclusive, see Table of Changes contained in pages 485–597 of the Acts and Resolves of 1932.

† References in this table are to the Tercentenary Edition of the General Laws, as most recently amended, unless otherwise specified.

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.) For temporary act see 1965, 271 § 1. (See 1965, 271 § 4.)

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.) For temporary act see 1965, 271 § 2. (See 1965, 271 § 4.)

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.) For temporary act see 1965, 271 § 3. (See 1965, 271 § 4.)

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, first sentence amended, 1961, 118; revised, 1965, 443.

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; second paragraph revised, 1965, 875 § 1; fifth paragraph amended, 1957, 164 § 1; sixth and seventh paragraphs revised, 1955, 403 § 1; paragraph inserted after seventh paragraph, 1965, 875 § 2; 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; 1965, 844 § 1. (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; 1965, 558 § 1. (See 1965, 558 § 2.)

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. 15J added, 1965, 274 (relative to the annual observance of Italian American War Veterans of the United States, Inc., 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; 1965, 83 § 1. (See 1933, 336 § 3; 1948, 260 §§ 5, 6; 310 §§ 30, 31; 476 §§ 3, 4; 637 §§ 4–9, 13; 663 § 4; 1950, 479 §§ 6, 7; 1952, 605 §§ 15, 19–21; 1955, 584 §§ 9, 10; 1956, 602 §§ 17–20; 1959, 418 §§ 5–8.)

SECT. 18 and heading stricken out and new section inserted, under heading "ARMORY COMMISSION", 1937, 300 § 1; sentence added at end, 1941, 19. (See 1937, 300 § 2.)

SECT. 20, third paragraph revised, 1965, 23.

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.

SECT. 79, paragraphs (*e*) and (*f*) stricken out and paragraphs (*e*), (*f*) and (*g*) inserted, 1965, 854.

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); said caption stricken out and section repealed, 1965, 572 § 1.

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. 109, first paragraph amended, 1965, 145.

SECT. 111 revised, 1965, 178 § 1. (See 1965, 178 § 2.)

SECT. 113, second paragraph amended, 1965, 737 § 1.

SECT. 114 revised, 1965, 389 § 1. (See 1965, 389 § 2.)

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.)

SECT. 116 amended, 1965, 128.

SECTS. 120–123 added, under caption, 1964, 622 § 2 (establishing the commonwealth service corps).

SECT. 124 added, under caption, 1965, 83 § 2 (establishing the World War II Memorial Commission).

Chapter 7. — Executive Office for Administration and Finance (former title, Commission on Administration and Finance).

Title changed, 1962, 757 § 2.

SECT. 1 amended, 1962, 757 § 3.

SECT. 2 revised, 1948, 610 § 1. (See 1948, 610 §§ 6, 7.)

SECT. 3 amended, 1946, 591 § 4; revised, 1948, 610 § 2; 1951, 717 § 1; fourth sentence revised, 1955, 730 § 3; fifth and sixth sentences stricken out and sentence inserted, 1954, 332. (See 1948, 610 §§ 6, 7; 1955, 730 § 43.)

SECT. 3A added, 1958, 661 (establishing the office of federal-state coordinator).

SECT. 4 revised, 1948, 610 § 4; 1951, 717 § 2; third sentence revised, 1955, 730 § 4. (See 1948, 610 §§ 6, 7; 1955, 730 § 43.)

SECTS. 5A and 5B added, 1953, 612 § 4 (establishing a division of building construction). (See 1953, 612 §§ 10–13.)

SECT. 6 revised, 1948, 610 § 3; 1950, 824; amended, 1951, 558. (See 1948, 610 §§ 6, 7.)

SECTS. 2, 3, 3A, 4, 5, 5A, 5B and 6 stricken out and sections 2, 3, 4, 4A, 4B, 4C, 4D, 5 and 6 inserted, 1962, 757 § 4.

SECT. 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 striken out and three sentences inserted, 1956, 399; second paragraph amended, 1962, 757 § 24.

SECT. 30B amended, 1962, 757 § 25.

SECT. 30D, third paragraph amended, 1962, 757 § 26.

SECT. 30E amended, 1962, 757 § 27.

SECT. 30F amended, 1962, 757 § 28.

SECT. 30H, sentence inserted after first sentence, 1955, 548; section amended, 1962, 757 § 29; revised, 1963, 473 § 1.

SECT. 30I amended, 1962, 757 § 30.

SECT. 30J amended, 1962, 757 § 31.

SECT. 30K added, 1953, 636 § 2 (relative to the annual determination by the director of hospital costs of the all-inclusive per diem cost for care of patients in each hospital, sanatorium and infirmary licensed by the department); second paragraph amended, 1961, 586; 1963, 439 § 1. (See 1953, 636 §§ 7 and 9; 1963, 439 § 2.)

SECT. 30L added, 1956, 696 § 1 (establishing minimum weekly rates for persons in nursing and convalescent homes who are recipients of public aid); first paragraph amended, 1958, 480; section revised, 1958, 600; 1961, 545 § 1. (See 1956, 696 § 2; 1961, 545 § 2.)

SECT. 30L stricken out and new sections 30L and 30M inserted, 1963, 809 § 1 (establishing a board to determine the rates to be paid to convalescent and nursing homes or rest homes and transferring certain powers and duties of the director of hospital costs and finances to said board). (See 1963, 809 §§ 2, 3.)

SECT. 31 revised, 1950, 275; 1962, 757 § 7; second sentence stricken out, 1965, 855 § 1.

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; 1965, 855 § 2.

SECT. 34 revised, 1950, 276.

SECT. 35 amended, 1962, 757 § 33; fourth, fifth and sixth sentences stricken out, 1965, 855 § 3.

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; 1965, 844 § 2. (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).

SECT. 27 revised, 1965, 707.

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; 1965, 844 § 3. (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; 1965, 844 § 4. (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; 1965, 890; 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; 1965, 603 § 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; third paragraph revised, 1965, 603 § 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).

SECTS. 1–1D stricken out and sections 1–1H inserted, 1965, 572 § 2. (See 1965, 572 §§ 37–39, 41, 43–46, 53.)

SECTS. 1I, 1J and 1K added, 1965, 641 § 2 (requiring the board of education to furnish assistance for the elimination of racial imbalance in the public schools).

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; repealed, 1965, 572 § 8. (See 1965, 572 §§ 39, 53.)

SECT. 3B added, 1962, 429 § 1 (establishing in the department of education an advisory board of higher education policy); repealed, 1965, 572 § 8. (See 1965, 572 §§ 39, 53.) (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; section repealed, 1965, 572 § 8. (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; repealed, 1965, 572 § 8. (See 1952, 585 §§ 25, 26.)

SECT. 6 revised, 1947, 652 § 6; sentence added at end, 1963; 406; section repealed, 1965, 572 § 8.

SECT. 6A amended, 1938, 446 § 13; revised, 1941, 531; 1946, 552 § 1; 1947, 652 § 7; 1952, 630 § 1; 1956, 602 § 3; repealed, 1965, 572 § 8. (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; repealed, 1965, 572 § 8. (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. 19A added, 1965, 132 (relative to the appointment of teachers in the universities and colleges of the commonwealth who are blind).

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; 1965, 572 § 3. (See 1965, 572 §§ 40, 43–46, 53.)

SECT. 20B added, 1965, 572 § 4 (establishing an advisory commission to the board of trustees of state colleges).

SECT. 21, caption preceding section changed, 1946, 257 § 9; section revised, 1946, 257 § 8; amended, 1953, 488 § 3; caption preceding section changed and section revised, 1957, 347 § 4. (See 1953, 488 § 4.)

SECT. 21A added, under caption, 1960, 543 § 2 (creating the southeastern Massachusetts technological institute); first sentence amended, 1965, 572 § 5; 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; section repealed, 1965, 572 § 8.

SECT. 26 repealed, 1965, 572 § 8.

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.)

SECT. 27 amended, 1965, 572 § 6.

SECT. 28 revised, 1965, 572 § 7.

Chapter 16. — Department of Public Works.

Chapter stricken out and new chapter 16 (with same title) inserted, 1963, 821 § 1. (See 1963, 821 §§ 2–8.)

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).

SECTS. 4A and 4B added, 1965, 897 (authorizing the commissioner of public works to establish within the department a highway engineer intern program and a co-operative engineering students program).

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. 2A added, 1965, 473 (granting certain powers to the commissioner of public health upon the declaration of an emergency).

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); paragraph inserted, 1965, 238.
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.
SECTS. 8, 9 and 10 added, 1965, 526 § 1 (establishing an advisory council to consult with the department of mental health relative to the construction of community mental health centers and an advisory council to consult with said department relative to the construction of facilities for the mentally retarded).

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.
SECT. 6, first sentence revised, 1965, 678 § 1.
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. 6A, first paragraph amended, 1965, 665 § 1. (See 1965, 665 § 3.)
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, first paragraph, fourth sentence revised, 1965, 785 § 1; sentence added at end, 1939, 503 § 4; same sentence revised, 1943, 175; 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).

SECTS. 9O, 9P, 9Q and 9R added, 1965, 785 § 2 (establishing the procedure for promotions within the uniformed branch of the division of state police). (See 1965, 785 §§ 3, 4.)

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 compen-

sation, 1939, 20 § 1; name of said division changed to division of employment security, 1941, 685 § 4. (See 1935, 479 §§ 6, 7; 1939, 20 §§ 6–9.)

SECT. 9I paragraph (*a*) revised, 1941, 685 § 4, 709 § 4; paragraph (*b*) revised, 1941, 596 § 17; 1946, 591 § 35; section revised, 1950, 792; paragraph (*b*) revised, 1955, 730 § 33; 1960, 730; 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.)

SECT. 9R amended, 1965, 763 § 3.

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.)

The following references are to chapter 23A, as so inserted:

SECT. 2, clause (*a*½) added, 1965, 790 § 1.
SECT. 5A added, 1965, 790 § 2 (establishing a bureau of relocation).
SECT. 6 amended, 1965, 16, 790 § 3.

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; paragraph inserted after first paragraph, 1965, 181. (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; definition of "Limited undiluted liquefied petroleum gas installer" added, 1965, 635 § 1. (See 1965, 635 § 5.)

SECT. 12J revised, 1963, 557 § 3; 1965, 635 § 2.

SECT. 12K, sentence added at end, 1963, 557 § 4; 1965, 635 § 3.

SECT. 12L, first sentence amended, 1963, 557 § 5; section revised, 1965, 635 § 4.

Chapter 26. — Department of Banking and Insurance.

For temporary legislation providing for the liquidation of certain trust companies, see 1939, 515; 1941, 143; 1943, 122.

SECT. 2 amended, 1943, 315; 1946, 591 § 39; 1949, 786; second sentence revised, 1955, 730 § 39; 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. 2A added, 1965, 286 (establishing certain educational qualifications for applicants for certain positions in the department).

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; last paragraph amended, 1965, 769 § 1.

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. 49, paragraph added, 1965, 633.

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. 6 revised, 1965, 655.

SECT. 6A amended, 1965, 314.

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; paragraph inserted after first paragraph, 1965, 856; 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; 1965, 749 § 1; paragraph (2) amended, 1962, 757 § 61; paragraph (3) amended, 1956, 729 § 1; paragraph (4) revised, 1956, 729 § 2; amended,

1963, 775 § 2; paragraph (5) revised, 1956, 729 § 3; clause (*c*) of said paragraph amended, 1962, 757 § 62; paragraph (6) amended, 1955, 643 § 2; 1962, 757 § 63; paragraph 7 (A) added, 1959, 474; amended, 1962, 757 § 64; paragraph (9) added, 1956, 729 § 4; amended, 1957, 648 § 2. (See 1948, 311 §§ 4, 5; 1955, 643 § 12; 1956, 729 §§ 15–21; 1957, 753 § 2, 648 § 3; 1963, 775 § 10; 1964, 357 § 11; 1965, 749 § 2.)

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, first sentence amended, 1962, 757 § 69; 1960, 457; revised, 1965, 853.

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; 1965, 725.

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. For temporary act, see 1965, 271 § 1. (See 1965, 271 § 2.)

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 (*e*) revised, 1965, 53; paragraph (*i*) amended, 1961, 287; paragraph (*k*) amended, 1965, 9. (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. 4A added, 1965, 157 (placing certain regional school districts and regional vocational school districts under the civil service law).

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; revised, 1965, 31; amended, 1965, 365 § 2, 471 § 1. (See 1948, 387 § 1; 1963, 162 § 2; 1965, 471 § 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); revised, 1965, 580 § 1, 775 § 1.

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; two sentences inserted after first sentence, 1965, 445; 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; 1965, 261.

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 para-

graph 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; paragraph B amended, 1965, 237; paragraph D added, 1965, 580 § 2; amended, 1965, 775 § 2. (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; second paragraph revised, 1965, 341.

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; 1965, 32.

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; amended, 1965, 361; 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; eighth sentence striken out, 1965, 33 § 1; paragraph (*f*) amended, 1963, 801 § 72; paragraph (*g*) added, 1956, 629 § 2; revised, 1959, 569 § 3; seventh sentence stricken out, 1965, 33 § 2; paragraph (*g*) revised, 1965, 281; paragraph (*h*) added 1957, 569; revised, 1959, 569 § 4; 1962, 776; paragraph (*i*) added, 1965, 33 § 3. (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; paragraph added, 1965, 703 § 1. (See 1965, 703 § 2.)

SECT. 46F added, 1935, 337 (providing for the reinstatement of members of the police force of the metropolitan district commission in certain cases); amended, 1939, 238 § 48; repealed, 1945, 704 § 7.

SECT. 46G added, 1935, 408 (relative to seniority rights in respect to the suspension and re-employment of persons in the classified civil service in certain cases); revised, 1938, 297 § 2; 1945, 704 § 9; amended, 1949, 170 § 2.

SECT. 46H added, 1936, 287 § 1 (providing for the reinstatement in the classified civil service of retired municipal officers and employees in certain cases of invalid retirement); amended, 1939, 238 § 49.

SECT. 46I added, 1945, 703 § 8 (providing for the establishment of reemployment lists of persons separated from the official or labor service otherwise than by resignation or discharge); amended, 1946, 60; revised, 1947, 12; first two sentences revised, 1960, 231 § 1; paragraph added at end, 1951, 420. (See 1960, 231 § 2.)

SECT. 46J added, 1946, 288 (relative to the right of civil service employees to petition the general court and to appear before committees thereof).

SECT. 46K added, 1952, 138 (authorizing civil service employees to petition their municipal government and to appear before committees thereof).

SECT. 46L added, 1961, 150 § 1 (making permanent certain positions in the labor service in cities). (See 1961, 150 § 2.)

SECT. 46M added, 1961, 378 § 1 (relative to the removal of certain persons refusing appointment as permanent full time junior building custodians in any school system in the commonwealth).

SECT. 47 revised, 1945, 701 § 2; caption preceding section changed, 1957, 29.

SECT. 47A added, 1941, 195 (providing that certain employees in the classified public service shall not be subject to a probationary period); revised, 1945, 701 § 3; second paragraph amended, 1946, 59; first two paragraphs revised, 1948, 278; paragraph added at end, 1950, 376 § 1. (See 1950, 376 § 2.)

SECT. 47B added, 1941, 290 (relative to the classification and establishment of seniority of certain civil service employees); revised, 1945, 701 § 5; paragraph inserted after first paragraph, 1956, 49; fourth paragraph amended, 1960, 73.

SECTS. 47C and 47D added, 1941, 402 § 1 (establishing a merit system, substantially similar to the civil service system, for certain officers and employees of local boards of public welfare). (See 1941, 402 §§ 4–9.)

SECT. 47C, paragraph (1) revised, 1941, 588 § 1; 1950, 793 § 1; 1951, 741 § 3; amended, 1963, 432 § 2; revised, 1965, 387 § 1; paragraph (3) revised, 1965, 580 § 3, 775 § 3. (See 1941, 588 § 3; 1950, 793 § 2.)

SECT. 47D, first sentence revised, 1965, 387 § 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 28, as so inserted:

SECT. 1, definition of "Beneficiary" revised, 1949, 618 § 1; definition of "District" amended, 1953, 583 § 1; 1956, 306 § 1; definition of "Employee" revised, 1947, 660 § 1; 1950, 537; sentence added at end, 1950, 600 § 1; definition of "Employee" revised, 1951, 543 § 1; amended, 1952, 185; 1956, 306 § 2; definition of "Governmental Unit" revised, 1947, 667 § 1; definition of "Maximum age" revised, 1958, 321 § 1; definition of "Political subdivision" revised, 1948, 507 § 1; definition of "Regular compensation" revised, 1948, 606; 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; amended, 1965, 726 § 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; 1965, 73; 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; 1965, 857 § 1; paragraph (*c*), first sentence revised, 1947, 667 § 7; sentence added at end, 1949, 618 § 6; amended, 1965, 857 § 2; 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; amended, 1965, 857 § 3. (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 para-

graph 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; para-

graph (*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; amended, 1965, 498 § 1; paragraph added at end, 1945, 677. (See 1943, 514 § 4; 1948, 665 §§ 4, 5; 1965, 498 § 5, 680 § 2.)

SECT. 57 revised, 1943, 514 § 2; amended, 1947, 453 § 2; revised, 1948, 665 § 2; amended, 1950, 668 § 2; 1954, 627 § 12; 1965, 498 § 2. (See 1943, 514 § 4; 1948, 665 §§ 4, 5; 1954, 627 §§ 65, 67; 1964, 733; 1965, 498 § 5, 680 § 2.)

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; 1965, 498 § 3. (See 1943, 514 § 4; 1948, 665 §§ 4, 5; 1965, 498 § 5, 680 § 2.)

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; first paragraph amended, 1965, 498 § 4, 726 § 3. (See 1954, 627 §§ 65, 67; 1959, 576 § 2; 1960, 619 § 4; 1962, 544 § 4; 1964, 580 § 4; 1965, 498 § 5, 680 § 2, 726 § 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; amended, 1965, 680 § 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; second paragraph amended, 1965, 498 § 6. (See 1938, 452 § 2; 1954, 627 §§ 65, 67; 1961, 297; 1963, 511 § 3; 1965, 498 § 5, 680 § 2.)

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; amended, 1965, 837.

SECT. 77, paragraph (*a*) revised, 1936, 290 § 1; 1939, 243; first sentence revised, 1960, 728 § 7; 1965, 408; 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. 77C added, 1965, 539 (protecting the pension rights of laborers in certain cities and towns).

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; 1965, 278.)

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; 1965, 277.)

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 para-

graph 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. 89D added, 1965, 433 (providing for an increase in the amount of the 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; second sentence amended, 1965, 611; 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; revised, 1965, 727. (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; first sentence revised, 1965, 637 § 1; 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; paragraph (*g*) added, 1965, 840 § 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; 1965, 840 § 2. (See 1960, 389 § 6.)

SECT. 6 amended, 1960, 389 § 3; second sentence revised, 1965, 840 § 3.

SECT. 8, paragraph (*a*), first sentence revised, 1965, 480 § 4; second sentence added, 1959, 426 § 2; paragraph (*b*) revised, 1956, 582 § 4; paragraph (*c*) revised, 1956, 582 § 4; amended, 1958, 355 § 2; sentence inserted after first sentence, 1958, 558 § 2; revised, 1965, 637 § 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; section revised, 1965, 840 § 5. (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; amended, 1965, 840 § 6; paragraphs (*b*) and (*c*) revised, 1964, 461 § 2; paragraph (*e*) amended, 1965, 840 § 6A.

SECT. 10C added, 1965, 840 § 7 (authorizing purchases on behalf of certain eligible retired employees of group policies to be known as optional medicare extension).

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; paragraph (*i*) added, 1965, 841 § 1. (See 1958, 558 §§ 5, 6.)

SECT. 3, first paragraph amended, 1957, 242; 1959, 170; first sentence stricken out and five sentences inserted, 1960, 337 § 2; first sentence stricken out and three sentences inserted, 1961, 236; first four sentences revised, 1961, 334 § 1.

SECT. 4, first sentence revised, 1961, 334 § 2; section revised, 1965, 841 § 2.

SECT. 5 revised, 1960, 337 § 3; 1961, 334 § 3; 1965, 841 § 3.

SECT. 7, paragraph (*a*), first sentence revised, 1965, 841 § 4; second sentence added, 1960, 214 § 2.

SECT. 8A added, 1965, 374 § 1 (providing for the use of local governmental employees' group insurance dividends or refunds to reduce the employees' share of premium costs).

SECT. 9, sentence inserted after first sentence, 1961, 100; section revised, 1961, 334 § 4; 1965, 841 § 5.

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. (Governor declared said chapter 150 an emergency law, effective April 9, 1962.); section revised, 1962, 647 § 4; 1965, 374 § 2.

SECT. 11, first two paragraphs revised, 1960, 337 § 4; section revised, 1965, 841 § 6.

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. 11C added, 1965, 841 § 7 (authorizing purchases on behalf of certain eligible retired employees of group policies to be known as optional medicare extension).

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; revised, 1965, 513.

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; stricken out and two sentences inserted, 1965, 227; 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 noncompliance 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; paragraph inserted after second paragraph, 1965, 874 § 3; 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; 1965, 50; 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); repealed, 1965, 763 § 1.
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; 1965, 179; 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 cooperating with the federal government in certain unemployment relief and other projects); clause (40) added, 1937, 185 (authorizing appropriations for eyeglasses for needy school children); amended, 1960, 3; clause (40A) added, 1947, 525 (authorizing appropriations for payment of expenses incurred by or in behalf of certain injured school children); clause (40B) added, 1952, 247 § 1 (authorizing appropriations for payment of certain expenses incurred for injuries sustained by school pupils in shop or laboratory work); clause (40C) added, 1958, 124 (authorizing cities and towns to provide co-operative or complementary facilities to mental health 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; first sentence revised, 1950, 101; amended, 1965, 117; third sentence amended, 1965, 201; 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; amended, 1965, 66; 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 ap-

propriate 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); clause (59) added, 1965, 327 (authorizing towns to appropriate money for the towing of motor vehicles abandoned on private property). (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; paragraph added, 1965, 150.

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; four sentences added, 1965, 768 § 2.

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, second sentence amended, 1953, 319 § 8; revised, 1965, 316; 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. (See 1965, 582.)

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; first sentence revised, 1965, 250. (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).

SECTS. 44A–44K revised, 1965, 748 § 1.

SECT. 51 revised, 1937, 196; two sentences added at end, 1945, 340; section revised, 1946, 584 § 3. (See 1946, 584 § 22.)

SECT. 54 added, under caption RESTRICTIONS ON ISSUANCE OF BUILDING PERMITS, 1965, 385 § 1 (prohibiting the issuance of building permits for the construction of buildings which would necessitate the use of water therein under certain conditions).

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. 4, last sentence stricken and two sentences inserted, 1965, 63.

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; section revised, 1965, 65; first sentence revised, 1965, 366 § 1. (See 1961, 435 § 3; 1965, 366 § 2.)

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. 23C added, 1965, 344 (providing that any person authorized by vote of a town to act on behalf of the board of selectmen shall be appointed and may be removed by said board).

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, second and third sentences added, 1950, 793 § 4; second sentence amended, 1965, 304.

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).

SECT. 69B, paragraph added, 1965, 99.

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. 69F revised, 1965, 30.

SECT. 70, first paragraph amended, 1957, 273 § 1; paragraph added at end, 1936, 211 § 1; amended, 1947, 340 § 1. (See 1936, 211 § 7.)

SECT. 71 amended, 1943, 266; 1953, 409 § 6.

SECT. 72 revised, 1936, 211 § 2; first sentence amended, 1947, 340 § 2; 1953, 674 § 1. (See 1936, 211 § 7.)

SECT. 73, paragraph added at end, 1936, 211 § 3; amended, 1947, 340 § 3; two sentences added at end, 1953, 674 § 8. (See 1936, 211 § 7.)

SECTS. 81A–81J added, under caption "IMPROVED METHOD OF MUNICIPAL PLANNING", 1936, 211 § 4. (See 1936, 211 § 7.)

SECT. 81A, last paragraph revised, 1938, 113.

SECTS. 81A–81J stricken out and sections 81A to 82Y inserted, 1947, 340 § 4.

SECT. 81A, fourth sentence amended, 1957, 273 § 2; seventh sentence revised, 1959, 143; sentence added at end of first paragraph, 1961, 276 § 2.

SECT. 81B amended and paragraph added at end, 1953, 674 § 2.

SECT. 81C amended, 1953, 409 § 7.

SECT. 81D, sentence inserted after second sentence, 1954, 643 § 1.

SECT. 81E, two sentences and two paragraphs added at end, 1953, 674 § 3.

SECT. 81F, sentence inserted after third sentence, 1957, 235; sentence added at end, 1953, 674 § 4.

SECT. 81G revised, 1953, 674 § 5.

SECT. 81J, first sentence amended and sentence inserted after third sentence, 1953, 674 § 6; section revised, 1956, 279.

Sects. 81K to 81Y stricken out and sections 81K to 81GG inserted, under caption "Subdivision Control", 1953, 674 § 7. (See 1953, 674 § 11.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 81K to 81GG, as so inserted:

SECT. 81L, definition of "Industrial" stricken out, 1955, 411 § 2; definition of "Applicant" inserted 1957, 163; revised, 1961, 331; definition of "Preliminary plan" inserted, 1958, 206 § 1; definition of "Registered mail" inserted, 1957, 138 § 1; definition of "Subdivision" revised, 1956, 282; first sentence revised, 1963, 580; amended, 1965, 61.

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; 1965, 64; 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, 1965, 62; 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. 92, last sentence revised, 1965, 228.

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; revised, 1965, 382.

SECT. 99A added, 1965, 411 (allowing certain municipal police officers to live outside the city or town in which they are employed).

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; revised, 1965, 108. (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 pro-

mulgated 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. 111G½ added, 1965, 735 (relative to computation of length of service of certain municipal employees for vacation purposes).

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; section revised, 1965, 206 § 1; paragraph added, 1965, 581 § 1. (See 1936, 224 §§ 11, 12; 1965, 206 §§ 2, 3, 581 § 2.)

SECT. 8, clause (1) revised, 1965, 98; clause (3) revised, 1938, 172 § 5; clause (4) revised, 1958, 383 § 1; 1963, 82; 1965, 68; 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; second sentence revised, 1965, 204. (See 1951, 798 § 8.)

SECT. 34 revised, 1938, 170; paragraph added at end, 1941, 93.

SECT. 35 amended, 1941, 454; revised, 1951, 17 § 1.

SECT. 40 amended, 1939, 339; first sentence amended, 1945, 29 § 1; sentence inserted after first sentence, 1947, 298 § 6; section revised, 1948, 82; 1951, 17 § 2. (See 1945, 29 § 2; repealed by 1946, 109.)

SECT. 41 revised, 1946, 432 § 4.

SECT. 43, two sentences added at end, 1951, 276.

SECT. 46 amended, 1953, 654 § 4.

SECT. 46A added, 1932, 155 (making permanent certain provisions of law relative to investigations of municipal accounts and financial trans-

actions by the director of accounts). [For prior temporary legislation, see 1926, 210; 1929, 335.]

SECT. 51 amended, 1934, 355; repealed, 1938, 458.

SECT. 53 revised, 1960, 592 § 3; 1962, 246.

SECT. 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. 1B, second paragraph revised, 1965, 12 § 1.

SECT. 1C, second paragraph revised, 1965, 12 § 2.

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; sentence added, 1965, 10. (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); revised, 1965, 12 § 3.

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. 57E added, 1965, 141 (providing that certain fire chiefs who are on duty on certain holidays shall be granted an additional day's pay).

SECT. 57F added, 1965, 786 (providing that certain police chiefs who are on duty on certain holidays shall be granted an additional day's pay).

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. 58D added, 1965, 452 (providing for a forty-two hour work week for fire fighters).

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. 7 and caption preceding section revised, 1965, 530 § 1.
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. 1A, first paragraph revised, 1965, 536.

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; paragraph added 1965, 477.

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; first sentence revised, 1965, 584 § 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. 35B added, 1965, 584 § 2 (providing that city or town clerks notify persons nominated by pasters or write-ins of the necessity of complying with certain laws).

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; sentence added, 1965, 584 § 2A. (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. 1 revised, 1965, 424.
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; second paragraph amended, 1965, 584 § 3; 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; 1965, 584 § 4; 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); amended, 1965, 283 § 1.

SECT. 78 revised, 1932, 135 § 2.

SECT. 79 amended, 1943, 411 § 21; 1965, 283 § 2.

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; subsection (*f*) added, 1965, 592.

SECT. 89 revised, 1936, 404 § 3; second sentence amended, 1965, 329 § 1; sentence inserted after second sentence, 1960, 16; 1963, 111; sentence added at end, 1963, 374 § 3.

SECT. 90 repealed, 1946, 140 § 14.

SECT. 91, first sentence amended, 1965, 329 § 2; 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; amended, 1965, 283 § 3.

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; third sentence amended, 1965, 242; 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; amended, 1965, 412 § 1; fifth sentence amended, 1965, 412 § 2.

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 para-

graph (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. 20 repealed, 1965, 530 § 2.
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; amended, 1965, 127 § 1. (See 1948, 250 §§ 3, 4; 1960, 432 §§ 3, 4.)
SECT. 3 revised, 1939, 507 § 2; 1948, 250 § 2; 1960, 432 § 2; amended, 1965, 127 § 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; second paragraph revised, 1965, 696 § 1. (See 1933, 254 § 66; 1958, 490 § 3; 1965, 696 § 2.)

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; revised, 1965, 597 § 3A. (See 1933, 321 § 9; 350 § 9; 1954, 681 §§ 20, 22; 1965, 597 § 4.)

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); 1965, 212 § 1 (see 1965, 212 § 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; amended, 1965, 620 § 1 (see 1965, 620 § 4); 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; revised, 1965, 620 § 2 (see 1965, 620 § 4); 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; amended, 1965, 398; 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-second D added, 1965, 881; 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; 1965, 748 § 2; 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; stricken out, 1965, 615 § 1 (see 1965, 615 § 4); 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); amended, 1965,

267 § 1 (see 1965, 267 § 3); clause Forty-third added, 1965, 267 § 2 (see 1965, 267 § 3).

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; section repealed, 1965, 620 § 3. (See 1965, 620 § 4.)

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; second sentence revised, 1965, 597 § 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; paragraph added, 1965, 615 § 2. (See 1933, 254 § 66, 266 § 2; 1934, 136 § 3; 1935, 187 § 2; 1946, 199 § 2; 1949, 277; 1950, 165; 1965, 597 § 4, 615 § 4.) 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; seventh sentence of said paragraph revised, 1965, 597 § 2. (See 1937, 400 §§ 1–5, 7; 1965, 597 § 4.)

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; revised, 1965, 597 § 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; first sentence revised, 1965, 615 § 3. (See 1934, 136 § 3; 1943, 564 § 2; 1949, 277; 1954, 444 §§ 4, 5; 1965, 615 § 4.)

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; fifth and sixth paragraph stricken out and paragraph inserted, 1965, 622 § 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; 1965, 622 § 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; first sentence amended, 1953, 654 § 72; second sentence revised, 1951, 699 § 2; 1952, 556 § 12; 1956, 718 § 12; third sentence amended, 1953, 654 § 72; first paragraph revised, 1960, 411 § 1; amended, 1965, 451 § 1; paragraph added at end, 1957, 617 § 6; amended, 1965, 451 § 2. (See 1951, 699 §§ 3–5; 1952, 556 §§ 13–15; 1956, 718 §§ 14, 15; 1957, 617 § 13; 1960, 411 § 3; 1965, 451 §§ 7, 9A, 10.)

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, seventh sentence 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; 1965, 451 § 3; second paragraph revised, 1960, 411 § 2; 1965, 451 § 4. (See 1956, 718 §§ 14, 15; 1960, 411 § 3; 1965, 451 §§ 8, 9A, 10.)
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; first sentence amended, 1965, 451 § 5; 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; second sentence revised, 1965, 451 § 6. (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. 9 repealed, 1965, 40.
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.)
SECT. 27, subsection (*e*) revised, 1965, 324.

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; section revised, 1965, 572 § 9.

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; caption preceding section stricken out, 1965, 572 § 10; section amended, 1965, 572 § 11.

SECT. 30A added, 1963, 202 (providing for the revocation or suspension of the power of certain educational institutions to grant degrees); amended, 1965, 572 § 12.

SECT. 31 amended, 1965, 572 § 13.

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; revised, 1965, 572 § 14; 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; section revised, 1965, 572 § 15.

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); revised, 1965, 572 § 16.

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; 1965, 367; 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; repealed, 1965, 43.

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).

SECTS. 37C and 37D added, 1965, 641 § 1 (providing for the elimination of racial imbalance in the public schools).

SECT. 38, two sentences inserted after first sentence, 1965, 164; 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; second paragraph amended, 1965, 172; paragraph added, 1965, 345. (See 1951, 278 § 2; 1960, 20 § 2.)

SECT. 38H added, 1965, 276 (providing that school librarians and school library supervisors or co-ordinators be given tenure in the same manner as teachers).

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; amended, 1965, 221; paragraph inserted after first paragraph, 1965, 701; 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. 69A added, 1965, 502 (providing for a plaque containing the words "For God and Country" to be placed in a conspicuous location in every public school building within the commonwealth).

SECT. 71 amended, 1935, 193.

SECT. 71A added, 1965, 404 (authorizing school committees to designate the location of highway safety stations for children awaiting a school bus).

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; amended, 1965, 572 § 17.

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; first paragraph stricken out and two paragraphs inserted, 1965, 572 § 18; 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; section repealed, 1965, 572 § 19. (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; definition revised, 1965, 572 § 20. (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; section revised, 1965, 572 § 21. (See 1956, 602 §§ 17–20.)

SECT. 21 amended, 1938, 446 § 10; 1946, 552 § 2; revised, 1947, 652 § 10; amended, 1956, 602 § 8; revised, 1965, 572 § 22. (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; revised, 1965, 572 § 23. (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); amended, 1965, 572 § 24. (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; amended, 1965, 572 § 25.

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); revised, 1965, 572 § 26.

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; amended, 1965, 572 § 27. (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; amended, 1965, 572 § 28.

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; 1965, 572 § 29.

SECT. 55 added, under caption, 1953, 581 (establishing a state agency for surplus property); revised, 1965, 572 § 30.

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; section revised, 1965, 572 § 31.

SECT. 11, two sentences added, 1965, 877.

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; section revised, 1965, 572 § 32.

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. 11 repealed, 1965, 572 § 33.
SECT. 12 amended, 1958, 538 § 3; sentence added at end, 1955, 730 § 41A; amended, 1960, 563; revised, 1963, 801 § 76; 1965, 828; 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.)
SECT. 1 revised, 1965, 572 § 34.
SECT. 2 repealed, 1965, 572 § 35.

Chapter 75C. — Private Correspondence Schools.

New chapter inserted, 1963, 652 § 1.

SECT. 1 amended, 1965, 34 § 1.
SECT. 3, first paragraph revised, 1965, 34 § 2.
SECT. 9 amended, 1965, 34 § 3.

Chapter 76. — School Attendance.

SECT. 1 revised, 1939, 461 § 3; first paragraph, first sentence revised, 1965, 572 § 36; sentence inserted after third sentence, 1941, 423; last sentence revised, 1950, 400.
SECT. 2, two sentences added at end, 1947, 241 § 1; third sentence revised, 1965, 659 § 1. (See 1947, 241 § 2; 1965, 659 § 7.)
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. 7D revised, 1965, 573.
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); paragraph added, 1965, 468. (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; third sentence revised, 1965, 653 § 1. (See 1963, 793 § 3; 1965, 653 § 2.)

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 79A. — Relocation Assistance.

New chapter inserted, 1965, 790 § 4. (See 1965, 790 §§ 5, 6.)

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; 1965, 679. 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; revised, 1965, 755.

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. 15 amended, 1965, 214.

SECT. 18 revised, 1933, 114 § 1; 1965, 378 § 1.

SECT. 19 amended, 1933, 114 § 2; revised, 1965, 378 § 2.

SECT. 20 revised, 1933, 114 § 3; amended, 1939, 147.

SECT. 21 amended, 1955, 505; revised, 1965, 378 § 3.

SECT. 27 added, 1960, 766 § 1 (imposing liability for damages for failure to maintain a barrier around an excavation abutting on a public way).

Chapter 85. — Regulations and By-Laws relative to Ways and Bridges.

SECT. 2, second and third sentences amended, 1947, 442 § 2; section revised, 1951, 646 § 1.

SECT. 2A added, 1941, 346 § 2 (authorizing the department of public works to remove vehicles from state highways when said vehicles interfere with the removal of snow and ice); revised, 1957, 338.

SECT. 2B added, 1959, 541 (authorizing the department of public works to make regulations to exclude, govern and restrict the use of limited access and express state highways).

SECT. 2C added, 1961, 524 (authorizing the towing of vehicles from state highways for purposes of promoting public safety and convenience).

SECT. 8 revised, 1960, 88.

SECT. 9 revised, 1958, 158.

SECT. 11A added, 1941, 710 § 1 (relative to the registration and operation of certain bicycles); first paragraph amended, 1961, 518 § 2; second paragraph revised, 1961, 518 § 3. (See 1961, 518 § 5.)

SECT. 11B added, 1961, 518 § 4 (further regulating the operation of bicycles on the highways of the commonwealth); third sentence stricken out and three sentences inserted, 1962, 346. (See 1961, 518 § 5.)

SECTS. 12–14 repealed, 1941, 710 § 2.

SECT. 14B added, 1938, 432 (requiring the use of certain signal lights at locations on unlighted ways where certain vehicles are disabled); first paragraph amended, 1946, 375; 1953, 234 § 1; second paragraph amended, 1953, 234 § 2.

SECT. 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; first sentence stricken out and two sentences inserted, 1965, 518.

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, definition of "ambulance" inserted, 1965, 35; revised, 1965, 689; "antique motor car" defined, 1948, 432 § 1; definition of "dealer" revised, 1948, 511 § 1; "farmer" defined, 1951, 736 § 1; amended, 1965, 643; "farming" defined, 1955, 483 § 2; revised, 1956, 539; 1965, 528 § 1; "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; 1965, 85 § 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; 1965, 85 § 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; sentence inserted after first sentence, 1961, 568 § 1; revised, 1965, 102; said sentence stricken out and two sentences inserted, 1965, 202 § 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; first sentence amended, 1959, 205; third sentence revised, 1959, 495; 1961, 442; two sentences inserted after third sentence, 1965, 819 § 2; fourth sentence (as appearing in 1958, 274)

revised, 1965, 57; sentence added at end, 1965, 819 § 1; 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; second sentence amended, 1965, 528 § 2; third sentence revised, 1965, 700 § 1; first three sentences stricken out and four sentences inserted, 1965, 830. (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; 1965, 700 § 2.

SECT. 6A added, 1948, 432 § 3 (providing for special registration plates for antique motor cars).

SECT. 6B added, 1953, 2 § 2 (permitting the issuance of one number plate for each motor vehicle). (See 1953, 2 §§ 1, 3.)

SECT. 6C added, 1963, 472 (requiring the repossessor of a motor vehicle to return the number plates issued to the former owner).

SECT. 7 amended, 1932, 123 § 1; 1933, 51; second sentence amended, 1933, 109; stricken out and two sentences inserted, 1965, 627 § 1; 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; 1965, 69 § 1; paragraph inserted after first paragraph, 1962, 132; paragraph added at end of section, 1941, 443; 1964, 187; revised, 1965, 392. (See 1932, 123 § 2; 1954, 570 § 2; 1959, 618 § 2; 1962, 395 § 3; 709 § 2; 1963, 409 § 2, 826 § 2; 1965, 69 § 2, 627 § 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; 1965, 71; 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. 7H added, 1965, 394 § 1 (establishing minimum safety standards for brake linings). (See 1965, 394 § 2.)

SECT. 7I added, 1965, 823 (authorizing suitable identification and equipment for emergency disaster service vehicles of charitable corporations).

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 amended, 1963, 278; fourth sentence (as appearing in 1958, 307) revised, 1960, 604; last paragraph stricken out, 1960, 582. (See 1948, 399 § 3, 619 §§ 2, 3; 1955, 488 § 3.)

SECT. 8A added, 1962, 515 § 2 (regulating the licensing of operators of school buses).

SECT. 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 re-

vised, 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; 1965, 58, 202 § 2.

SECT. 13, two sentences inserted after second sentence, 1950, 763; sentence added at end, 1949, 707; same sentence revised, 1950, 305.

SECT. 14 amended, 1938, 166; third sentence revised, 1947, 418; section revised, 1948, 324; sentence inserted after first sentence, 1961, 318; revised, 1961, 518 § 1; third sentence revised, 1950, 502 § 6; 1951, 196 § 2; 1961, 374; 1965, 244; 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); first paragraph, clauses 1, 2 and 3 revised, 1965, 149; 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; section revised, 1965, 239.

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; revised, 1965, 474; 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; sentence inserted, 1965, 259. (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; amended, 1965, 282; paragraph added at end, 1951, 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. 22C added, 1965, 393 (providing for the removal and disposal of certain abandoned motor vehicles).

SECT. 22D added, 1965, 692 § 6 (providing that the registrar of motor vehicles not suspend or revoke licenses to operate motor vehicles solely because of automobile law violations). (See 1965, 692 § 7.)

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; re-

vised, 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; amended, 1965, 224.

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; first paragraph amended, 1965, 628; paragraph inserted after second paragraph, 1965, 270; same paragraph stricken out, 1965, 664.

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; section revised, 1962, 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; second sentence revised, 1965, 216; two sentences inserted after fourth sentence, 1959, 610; sixth sentence (as appearing in 1935, 477 § 1) amended, 1952, 15; ninth sentence revised, 1964, 194; 1965, 156; 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 in-

serted, 1935, 409 § 1; the paragraph so inserted amended, 1936, 380 § 1; subdivisions (2) and (3) of the paragraph so inserted revised, 1937, 377; subdivision (2) of said paragraph revised, 1945, 595 § 2; subdivision (3) of said paragraph amended, 1938, 430; subdivision (4) of said paragraph amended, 1939, 354 § 3; subdivision (6) of said paragraph amended, 1939, 354 § 4; revised, 1945, 595 § 3; last sentence revised, 1947, 463; sixth paragraph (inserted by 1935, 409 § 1) revised, 1951, 630 § 1; paragraph inserted after subdivision (6), 1948, 432 § 2; paragraph in lines 69–75 (as appearing in the Ter. Ed.) revised, 1948, 511 § 7; paragraph inserted after "registrar" in line 75 (as appearing in the Ter. Ed.) 1947, 401 § 2; same paragraph revised, 1948, 511 § 7; paragraph in lines 85–87 (as appearing in the Ter. Ed.) revised, 1948, 399 § 2, 619 § 2; paragraph inserted, 1950, 306; last paragraph amended, 1936, 401; paragraph added at end, 1949, 644 § 4; section revised, 1951, 699 § 1; paragraph inserted after paragraph numbered (6), 1952, 173 § 1; fifteenth paragraph revised, 1951, 736 § 3; twenty-fourth paragraph revised, 1952, 459; section revised, 1952, 540; third paragraph revised, 1954, 241; first sentence of fifth paragraph revised, 1953, 304; sentence inserted, 1953, 607; subdivision (3) revised, 1956, 569; eleventh paragraph of subdivision (7) revised, 1959, 414; fourteenth paragraph of subdivision (7) revised, 1955, 488 § 2; section revised, 1959, 571 § 1; second paragraph revised, 1965, 819 § 3; amended, 1963, 713 § 3; fourth paragraph (as appearing in 1959, 571 § 1) revised, 1963, 421; subdivision (2) revised, 1961, 121 § 2; 1962, 573; subdivisions (1) to (6) revised, 1965, 679 § 12; subdivision (7) amended, 1965, 679 § 13; fifth paragraph revised, 1965, 700 § 3; eleventh paragraph 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; paragraph (*q*) added, 1965, 670 § 1.

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. 47 amended, 1965, 236.

SECT. 49 revised, 1964, 590; first paragraph revised, 1965, 670 § 2; paragraphs (*b*) and (*c*) revised, 1965, 670 § 3; paragraph (*e*) amended, 1965, 670 § 4.

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 "Audit sheet" revised, 1965, 692 § 1; definition of "Automobile law violation" revised, 1963, 340 § 1; definition of "Citation", 1963, 637 § 1; revised, 1965, 692 § 2; definition of "Police chief" revised, 1965, 590 § 1; definition of "Police officer" revised, 1963, 340 § 2; revised, 1965, 590 § 2. (See 1965, 692 § 7.)

SECT. 2 revised, 1963, 637 § 2; first two paragraphs revised, 1963, 818; third paragraph amended, 1965, 501; section revised, 1965, 692 § 3. (See 1965, 692 § 7.)

SECT. 4, first sentence revised, 1964, 540; section revised, 1965, 692 § 4. (See 1965, 692 § 7.)

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.)

SECT. 6A added, 1965, 692 § 5 (providing a penalty for falsifying citations, copies thereof or records of same issued in cases involving automobile law violations). (See 1965, 692 § 7.)

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; second and third sentences revised, 1965, 223.

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. 13 revised, 1965, 104 § 1.

SECT. 13A revised, 1948, 227; repealed, 1965, 104 § 2.

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; 1965, 632 § 1.

SECT. 16D revised, 1965, 632 § 2.

SECT. 16F revised, 1960, 687.
SECT. 16G revised, 1965, 632 § 3.
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 swordfish).

SECT. 77A stricken out and sections 77A–77I, inclusive, added, 1964, 524 § 12 (relative to the sale and storage of fish, lobster meat and crabmeat).

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, second sentence revised, 1965, 52; 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; 1965, 676.

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, 1965, 229 § 1; 1956, 299 § 1; third paragraph amended, 1965, 229 § 2; fourth paragraph amended, 1956, 299 § 2; sixth paragraph amended, 1965, 229 § 3; ninth paragraph amended, 1965, 27; 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. 187B amended, 1965, 229 § 4.

SECT. 187D added, 1955, 718 § 2 (providing a penalty for the unauthorized making or altering of a prescription); amended, 1965, 229 § 5.

SECT. 187E added, 1961, 509 (providing that manufacturers of harmful drugs be licensed by the department of public health); revised, 1965, 515 § 1.

SECT. 187F added, 1961, 603 (further regulating the shipment of harmful drugs into the commonwealth); revised, 1965, 515 § 2.

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; definition of "Chiropodist (podiatrist)" inserted, 1965, 229 § 6.

SECT. 199A, first paragraph amended, 1965, 229 § 7; third paragraph amended, 1965, 229 § 8.

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.

SECT. 261A, definition of "Agricultural seeds" amended, 1965, 109 § 1; definition of "Seed potatoes" inserted, 1965, 109 § 2.

SECT. 261L added, 1965, 109 § 3 (prohibiting the sale of seed potatoes that do not conform to the standards and allowable tolerances established by the department of agriculture).

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; caption revised to read "UPHOLSTERED FURNITURE, BEDDING AND STUFFED TOYS", 1965, 514 § 1.

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, definition of "Filling material" amended, 1965, 514 § 2; paragraph defining "Renovator", "reupholsterer", "remaker", or "repairer" revised, 1961, 348 § 1; definition of "Retailer" amended, 1965, 514 § 3; definition of "Secondhand", "used" or "used material" amended, 1965, 514 § 4; definition of "Sterilizer" amended, 1965, 514 § 5; definition of "Supply dealer" amended, 1965, 514 § 6; definition of "Stuffed toy" inserted, 1965, 514 § 7.

SECT. 271, first paragraph amended, 1965, 514 § 8; second paragraph amended, 1965, 514 § 9; fourth paragraph amended, 1965, 514 § 10; tenth paragraph amended, 1965, 514 § 11; eleventh paragraph amended, 1965, 514 § 12.

SECT. 272, first paragraph amended, 1965, 514 § 13; second paragraph amended, 1965, 514 § 14; third paragraph amended, 1965, 514 § 15; sixth paragraph amended, 1965, 368, 514 § 16.

SECT. 275 revised, 1965, 514 § 17.

SECT. 276 amended, 1965, 514 § 18.

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; sentence inserted after third sentence, 1965, 463.

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. 33A added, 1965, 406 § 1 (requiring the director of the division of standards and necessaries of life to inspect annually all weighing and measuring devices in towns of five thousand or less inhabitants).

SECT. 34 amended, 1955, 190. (See 1965, 405.)

SECT. 35, first sentence revised, 1965, 406 § 2.

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*½) added, 1934, 98 (establishing fees for sealing certain liquid-measuring meters); section revised, 1937, 74; paragraph (*b*½) added, 1937, 305 § 1; section revised, 1949, 34 § 1; paragraph (*j*)

revised, 1955, 184; 1960, 447 § 3; section revised, 1965, 55. (See 1937, 305 § 2; 1949, 34 § 2.)

SECT. 56A added, 1941, 60 (relative to the location of scales and other weighing devices used in weighing food sold at retail by weight).

Chapter 99. — The Metric System of Weights and Measures.

SECT. 1 amended, 1939, 261 § 20.
SECT. 3 amended, 1939, 261 § 21.
SECT. 4 amended, 1939, 261 § 22.

Chapter 100. — Auctioneers.

SECT. 1, paragraph added at end, 1936, 209 § 1.
SECT. 2 revised, 1941, 81; 1948, 550 § 11; 1949, 297 § 3.
SECT. 5 amended, 1932, 156 § 1.
SECT. 6 revised, 1948, 550 § 12; 1949, 297 § 4.
SECT. 14 revised, 1932, 156 § 2; 1948, 550 § 13; 1949, 297 § 5.
SECT. 16 revised, 1932, 156 § 3.
SECTS. 18–21 added, 1936, 209 § 2 (relative to bankruptcy auctions and other auctions of similar type and relative to certain fraudulent practices at auctions).
SECT. 18 revised, 1948, 550 § 14; 1949, 297 § 6.

Chapter 101. — Transient Vendors, Hawkers and Pedlers.

SECT. 1, paragraph inserted before first paragraph, 1941, 490 § 21; second paragraph revised, 1936, 218; section revised, 1958, 146.
SECT. 2 amended, 1948, 372; 1957, 243; revised, 1959, 218.
SECT. 3 amended, 1939, 261 § 23; 1941, 490 § 22; second sentence revised, 1948, 493 § 1. (See 1948, 493 § 5.)
SECT. 5 amended, 1933, 254 § 64. (See 1933, 254 § 66.)
SECT. 6A added, 1938, 85 (providing that applications for transient vendors' licenses shall contain irrevocable power of attorney for service of process, and providing for services of process under authority thereof).
SECT. 15 amended, 1937, 214; revised, 1937, 333; 1955, 757 § 11.
SECT. 16 revised, 1935, 42; amended, 1937, 130.
SECT. 19 amended, 1934, 114; 1937, 73.
SECT. 22 amended, 1961, 293 § 1; sentence added at end, 1948, 493 § 2. (See 1948, 493 § 5.)
SECT. 22A added, 1962, 541 (further regulating certain hawkers and pedlers).
SECT. 23, sentence added at end, 1948, 493 § 3; section repealed, 1961, 293 § 2. (See 1948, 493 § 5.)
SECT. 24 amended, 1936, 74; 1945, 493 § 1; 1951, 395; sentence added at end, 1948, 493 § 4; section revised, 1954, 627 § 22; 1961, 293 § 3; amended, 1955, 214. (See 1945, 493 § 2; 1948, 493 § 5; 1954, 627 §§ 65, 67.)
SECT. 25 revised, 1961, 293 § 4.
SECT. 26 amended, 1961, 293 § 5.
SECT. 27 amended, 1941, 490 § 23.
SECT. 30 amended, 1934, 77.
SECT. 32 amended, 1941, 490 § 24.
SECT. 33 amended, 1945, 160.

Chapter 102. — Shipping and Seamen, Harbors and Harbor Masters.

SECT. 15 revised, 1932, 232 § 1; repealed, 1960, 275 § 3.

SECT. 15A added, 1932, 232 § 2 (penalty for improper operation of motor and other boats); repealed, 1960, 275 § 3.

SECT. 15B added, 1950, 678 (relative to the regulation of the operation of motor boats upon rivers or inland lakes); repealed, 1960, 275 § 3.

SECT. 16 repealed, 1960, 275 § 3.

SECT. 17 revised, 1932, 57.

Chapter 103. — Pilots.

SECT. 31 revised, 1953, 41; 1958, 222; first paragraph revised, 1962, 159.

Chapter 104. — Agents, Consignees and Factors.

SECT. 4, sentence added at end, 1957, 765 § 4. (See 1957, 765 § 21.)

Chapter 105. — Public Warehouses.

SECT. 1 amended, 1935, 310 § 1; "Public Warehouse" and "Warehouseman" or "public warehouseman" defined, 1957, 765 § 5. (See 1957, 765 § 21.)

SECTS. 2A and 2B added, 1935, 122 § 1 (relative to the termination of liability of sureties on bonds furnished by public warehousemen). (See 1935, 122 § 3.)

SECT. 2C added, 1947, 499 (authorizing the keeping and maintenance of certain public warehouses without a license).

SECT. 6 revised, 1935, 122 § 2. (See 1935, 122 § 3.)

SECT. 9, clause (*h*) revised, 1935, 310 § 2.

SECT. 26 amended, 1948, 145.

SECT. 33, paragraph added at end, 1946, 172.

SECTS. 7–54, 65, 66 repealed, 1957, 765 § 2; captions preceding sections 7, 15, 42, 65 stricken out, 1959, 580 § 1. (See 1957, 765 § 21.)

SECT. 57 amended, 1959, 580 § 2.

SECT. 59 amended, 1959, 580 § 3.

Chapter 106. — Uniform Commercial Code.

Chapter stricken out and new chapter 106 inserted, 1957, 765 § 1. (See 1957, 765 §§ 17–21.)

The following references are to chapter 106, as so inserted:

SECT. 1 — 201, subsection (4) revised, 1963, 188 § 24; subsection (27) amended, 188 § 1; subsection (30) revised, 1958, 542 § 1; subsection (33) revised, 1958, 542 § 2.

SECT. 2 — 312, subsection (4) added, 1958, 542 § 3.

SECT. 2 — 316, subsection (5) added, 1965, 297.

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 (*i½*) inserted, 1945, 288 § 1; last paragraph revised, 1945, 288 § 2; section revised, 1954, 558 § 1.
SECT. 4, paragraph (*e*) amended, 1961, 493 § 5; paragraph (*g*) revised, 1938, 445 § 4; paragraph (*h*) stricken out, 1954, 558 § 2; paragraph (*j*) added, 1938, 445 § 5.
SECT. 5, 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. 5A added, 1965, 131 § 1 (making certain contracts for sale of securities voidable).
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. 15A added, 1965, 222 (regulating sale of certain securities by small loan companies).
SECT. 18 revised, 1938, 445 § 12; 1965, 131 § 2.

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. 4F added, 1965, 484 § 1 (establishing an advisory council on radiation protection).

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; all after first paragraph stricken out, 1965, 898 § 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; first paragraph, fourth and fifth sentences stricken out and three sentences inserted, 1965, 495.

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); paragraph added, 1965, 347. (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; 1965, 695 § 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; 1965, 695 § 2.

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 re-

vised, 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 § 18.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 71-72A and 73, as so inserted:

SECT. 71, sentence inserted after first sentence, 1956, 70; fifth sentence stricken out and three sentences inserted, 1955, 662 § 8; eighth sentence revised, 1955, 662 § 7; tenth sentence revised, 1954, 538 § 3; section revised, 1957, 545 § 1; first sentence revised, 1963, 758; ninth sentence revised, 1963, 783; seventeenth sentence revised, 1963, 285; 1965, 469; two paragraphs added at end, 1964, 277; paragraph added at end, 1964, 620 § 2; 1965, 160. (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. 80, second paragraph amended, 1965, 362.

SECT. 82, fourth sentence revised, 1962, 769 § 1; third and fourth sentences stricken out and three sentences inserted, 1965, 710 § 1. (See 1965, 710 § 2.)

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; second sentence revised, 1965, 898 § 2.
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.
SECTS. 127A–127J, inclusive, added, 1965, 898 § 3 (relative to the enforcement of the minimum standards of fitness for human habitation existing under the state sanitary code).
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. 142B, second paragraph amended, 1965, 472.

SECT. 143 revised, 1933, 269 § 2; 1948, 480 § 1; amended, 1956, 275 § 1.

SECT. 147 amended, 1948, 480 § 2.

SECT. 150A added, 1955, 310 § 1 (concerning the assignment of places for public and private dumps). (See 1955, 310 §§ 2, 3.)

SECT. 151 amended, 1943, 332 § 9; revised, 1956, 275 § 2.

SECT. 154 amended, 1934, 340 § 9. (See 1934, 340 § 18.)

SECT. 159 amended, 1951, 448 § 2.

SECT. 160 amended, 1951, 448 § 3.

SECT. 160A added, 1960, 613 (regulating cross connections between public water supplies and other water supplies).

SECT. 161 repealed, 1961, 48.

SECT. 162 amended, 1951, 448 § 4.

SECT. 163 amended, 1951, 448 § 5.

SECT. 173A added, 1938, 293 (extending the jurisdiction of certain police officers employed to protect public sources of water supply from pollution).

SECT. 173B added, 1943, 84 (authorizing water commissioners and others to enter premises within the watersheds of certain sources of supply).

SECT. 175 revised, 1941, 353; 1963, 453.

SECTS. 176–180 repealed, 1938, 265 § 17.

SECT. 184A added, 1939, 344 (authorizing the state department of public health to issue certificates of approval relative to bacteriological laboratories); second paragraph amended, 1946, 155 § 1; paragraph added at end, 1946, 155 § 2.

SECT. 184B added, 1950, 431 (restricting the establishment and maintenance of blood banks).

SECT. 185A added, 1945, 543 § 2 (relative to the furnishing of certain material for use in determining and recording the physical condition of school children).

SECT. 186A added, 1958, 79 § 2 (regulating the use of shoe-fitting machines employing fluoroscopic, X-ray or radiation principles).

Chapter 111A. — Drug Addiction Rehabilitation.

New chapter inserted, 1963, 763 § 2.

Chapter 112. — Registration of Certain Professions and Occupations.

SECT. 2, second sentence revised, 1933, 171 § 1; 1936, 247 § 1; three paragraphs added at end of section, 1936, 247 § 2; section amended, 1938, 210; paragraph added at end, 1939, 415 § 1; section revised, 1939, 451 § 37; amended, 1941, 722 § 9; second sentence stricken out and four sentences inserted, 1945, 396 § 1; sentence inserted after second sentence,

1955, 622; revised, 1957, 329; third sentence (as appearing in 1945, 396 § 1) amended, 1952, 585 § 21; fourth sentence (as appearing in 1945, 396 § 1) revised, 1954, 519 § 1; fifth and sixth sentences (as appearing in 1939, 451 § 37) revised, 1948, 28; third paragraph revised, 1945, 396 § 2; paragraph inserted after fourth paragraph, 1948, 413; paragraph added at end, 1946, 365; section revised, 1959, 344 § 1; third sentence stricken out and three sentences inserted, 1960, 177; same three sentences stricken out and four sentences inserted, 1960, 367. Affected, 1938, 259; 1948, 221. (See 1933, 171 § 2; 1936, 247 §§ 3–6; 1939, 415 §§ 3, 4; 1959, 344 § 3.)

SECT. 2A amended, 1945, 396 § 3; 1954, 519 § 2; 1959, 344 § 2. (See 1959, 344 § 3.)

SECT. 2B added, 1955, 759 § 1 (relative to schools for the training of medical laboratory technologists). (See 1955, 759 § 2.)

SECT. 2C added, 1957, 655 § 1 (requiring schools for the training of medical X-ray technicians to be approved by the board of registration in medicine). (See 1957, 655 § 2.)

SECT. 5 revised, 1937, 425 § 12. (See 1937, 425 § 15.)

SECT. 8 revised, 1948, 550 § 18.

SECT. 9 revised, 1933, 152; 1945, 186; amended, 1955, 526; revised, 1960, 483; 1962, 578.

SECT. 9A, third sentence amended, 1963, 780.

SECT. 12 amended, 1948, 129 § 7.

SECT. 12A, first sentence amended, 1943, 41; revised, 1962, 407; section revised, 1963, 108.

SECT. 12B added, 1962, 217 (exempting registered physicians from civil liability for emergency care or treatment rendered at the scene of an accident to persons injured in motor vehicle accidents); revised, 1964, 59; 1965, 578.

SECT. 13 amended, 1937, 425 § 2; revised, 1956, 344. (See 1937, 425 § 15.)

SECT. 14 amended, 1937, 425 § 3. (See 1937, 425 § 15.)

SECT. 15 amended, 1937, 425 § 4. (See 1937, 425 § 15.)

SECT. 16 revised, 1937, 425 § 5; 1948, 557; 1950, 363 § 1; first paragraph amended, 1955, 676 § 1; fourth paragraph amended, 1952, 585 § 22. (See 1937, 425 § 15; 1950, 363 § 2; 1951, 767; 1955, 676 §§ 2, 3.)

SECT. 17 revised, 1937, 425 § 6. (See 1937, 425 § 15.)

SECT. 17A added, 1937, 425 § 7 [defining certain duties of the board of registration in chiropody (podiatry)]. (See 1937, 425 § 15.)

SECT. 18 amended, 1937, 425 § 8. (See 1937, 425 § 15.)

SECT. 19 amended, 1937, 425 § 9; revised, 1951, 105. (See 1937, 425 § 15.)

SECT. 20 amended, 1937, 425 § 10. (See 1937, 425 § 15.)

SECT. 21 amended, 1937, 425 § 11; revised, 1948, 550 § 19. (See 1937, 425 § 15.)

SECT. 23 repealed, 1937, 425 § 13. (See 1937, 425 § 15.)

SECTS. 23A–23P added, under caption, 1951, 656 § 1 (relative to the practice of physical therapy by registered physical therapists). (See 1951, 656 § 2.)

SECT. 23G, first sentence revised, 1955, 493 § 1. (See 1955, 493 § 3.)

SECT. 23I, fourth sentence revised, 1955, 493 § 2. (See 1955, 493 § 3.)

SECTS. 23A–23P stricken out and sections 23A–23Q inserted, 1958, 585 § 1. (See 1958, 585 §§ 2–4.)

SECT. 24 amended, 1932, 227; 1933, 126; 1937, 343 § 1; revised, 1941, 52 § 1; amended, 1945, 502 § 1; 1952, 585 § 23; revised, 1957, 463. (See 1941, 52 § 2; 1943, 165; 1945, 502 §§ 2, 4.) Temporarily affected, 1948, 631; 1952, 361.

SECT. 24A added, 1945, 502 § 3 (relative to registrations and renewal of registrations as pharmacists and assistant pharmacists); revised, 1955, 429; 1956, 575. (See 1945, 502 § 4.)

SECT. 24B added, 1946, 194 (relative to standards for schools and colleges of pharmacy); revised, 1947, 503.

SECT. 27 revised, 1934, 328 § 2; amended, 1937, 343 § 2; second sentence amended, 1960, 634 § 1.

SECT. 30 amended, 1937, 343 § 3.

SECT. 32 amended, 1934, 328 § 3.

SECT. 34 amended, 1934, 328 § 4.

SECT. 35 amended, 1934, 328 § 5; 1935, 306; 1937, 343 § 4; revised 1948, 539 § 1.

SECT. 36 revised, 1934, 328 § 6.

SECTS. 36A–36D added, under caption, 1948, 539 § 2 (relative to the licensing of persons engaged in the sale, distribution or delivery, at wholesale, of drugs and medicines).

SECT. 36B revised, 1963, 450 § 1. (See 1963, 450 § 2.)

SECT. 38 revised, 1934, 236.

SECT. 39 amended, 1939, 138; 1951, 410; 1953, 281; revised, 1962, 695; last sentence revised, 1963, 488 § 1. (See 1963, 488 § 2.)

SECT. 40 amended, 1934, 328 § 6A; 1937, 343 § 5.

SECT. 42A added, 1937, 343 § 6 (relative to the retail drug business and pharmacy); paragraph added at end, 1960, 634 § 2.

SECTS. 43–53 temporarily affected, 1949, 473. (See 1950, 667.)

SECT. 43 revised, 1965, 583 § 1.

SECT. 44 amended, 1965, 583 § 2.

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; revised, 1965, 583 § 3.

SECT. 46, clause Third amended, 1934, 108.

SECT. 47 amended, 1965, 583 § 4.

SECT. 48 revised, 1965, 583 § 5.

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; second paragraph amended, 1965, 583 § 6; last paragraph stricken out and two paragraphs inserted, 1965, 583 § 7.

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; clause (5) amended, 1965, 583 § 8.

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 para-

graph inserted, 1958, 533 § 4; first paragraph stricken out and two paragraphs inserted, 1965, 46; 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; 1965, 531 §§ 3, 4.)

SECT. 87W amended, 1937, 385 § 4; revised, 1941, 626 § 5; 1943, 565 § 3; first paragraph revised, 1950, 540 § 2; 1959, 343; amended, 1965, 531 § 1; sentence added at end of second paragraph, 1946, 550 § 2; 1951, 253. (See 1950, 540 § 3; 1953, 307; 1965, 531 §§ 3, 4.)

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; 1965, 531 § 2.

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; first paragraph amended, 1948, 347; 1965, 186; schedule revised, 1951, 427; sentence added, 1953, 537 § 2; schedule revised, 1954, 501; amended, 1959, 388 § 1; revised, 1960, 717; 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. 87PPP, paragraph defining "Radio or television receiver" inserted, 1965, 816 § 1.

SECT. 87QQQ revised, 1965, 816 § 2.

SECT. 87RRR revised, 1965, 714.

SECT. 87SSS, last sentence revised, 1965, 816 § 3.

SECT. 87TTT, second paragraph amended, 1964, 229; 1965, 170.

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 "Reside" added, 1965, 793 § 1; 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; 1965, 793 § 2; sixth paragraph amended, 1965, 793 § 3; 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; revised, 1965, 793 § 4; 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; amended, 1965, 793 § 5. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67; 1965, 793 § 9.)

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.

SECT. 6, last sentence revised, 1965, 793 § 6.

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; last two sentences revised, 1965, 793 § 7. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67.)

SECT. 9 revised, 1957, 143; last sentence revised, 1965, 793 § 8.

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; section revised, 1965, 523 § 1.

SECT. 2A added, 1933, 181 (authorizing local boards of public welfare to aid needy persons in the cultivation of vegetable gardens); repealed, 1965, 523 § 2.

SECT. 3A added, 1937, 277 (protecting needy persons from the public view while applying for public relief and support); revised, 1965, 523 § 3.

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. 20 repealed, 1965, 523 § 4.

SECT. 21 amended, 1941, 196; repealed, 1965, 523 § 4.

SECT. 22 repealed, 1965, 523 § 4.

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; last sentence revised, 1965, 522; paragraph inserted after first paragraph, 1948, 638; paragraph inserted after second paragraph, 1949, 796 § 1; second and third paragraphs revised, 1951, 801 § 2; second paragraph amended, 1965, 599; third paragraph amended, 1955, 728 § 1; revised, 1960, 695; 1962, 653; amended, 1963, 550; revised, 1964, 549; 1965, 724 § 1; 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; 1965, 724 § 2.)

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 assist-

ance); amended, 1941, 729 § 7; revised, 1943, 470; paragraph added at end, 1945, 458 § 2; 1949, 627. (See 1941, 729 § 15.)

SECT. 7 revised, 1951, 533.

SECT. 8 amended, 1941, 729 § 8; first sentence revised, 1960, 781 § 13; stricken out and two sentences inserted, 1961, 462 § 1; two sentences inserted after third sentence, 1943, 490; sentence added at end, 1951, 539; stricken out and four sentences inserted, 1953, 462 § 1; eighth sentence amended, 1962, 412; section revised, 1963, 566 § 2. (See 1939, 454 § 21; 1941, 729 § 15; 1953, 462 § 2; 1960, 781 § 14; 1961, 462 § 2.)

SECT. 9 revised, 1945, 541 § 3; amended, 1946, 584 § 8. (See 1946, 584 § 22.)

SECT. 10 revised, 1941, 597 § 2; two sentences added at end, 1949, 613 § 2; section revised, 1952, 602 § 10; amended, 1954, 340. (See 1952, 602 §§ 15–18.)

SECT. 11 added, 1941, 729 § 10 (establishing the old age assistance fund); amended, 1945, 684; revised, 1955, 540 § 1. (See 1941, 729 §§ 9, 9A, 15; 1955, 540 §§ 5–7.)

SECT. 12 added, 1953, 571 § 1 (relative to the appointment of guardians and conservators for certain applicants for public assistance).

SECTS. 13–32 added, under caption "Medical Assistance for the Aged", 1960, 781 § 8. (See 1960, 781 §§ 9–11.)

SECT. 15, second sentence stricken out and two sentences inserted, 1965, 586 § 1.

SECT. 18 revised, 1964, 591; sentence added, 1965, 657 § 1.

SECT. 19 revised, 1964, 591.

SECT. 24 revised, 1965, 657 § 2.

SECT. 27 revised, 1963, 432 § 8; amended, 1965, 827.

SECT. 30, paragraph 1 amended, 1963, 651 § 3; paragraph 2 amended, 1963, 651 § 4; paragraph 3 revised, 1962, 597 § 2; amended, 1964, 621 § 1; 1965, 340; 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, first sentence stricken out and three sentences inserted, 1965, 586 § 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. 8A added, 1965, 618 (relative to the licensing of certain homes providing day care to children).

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 "Court" revised, 1965, 659 § 2; 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.*

* See 1948, 310 §§ 30, 31.

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; amended, 1965, 348; last sentence revised, 1965, 659 § 3. (See 1965, 659 § 7.)

SECT. 64 revised, 1956, 731 § 2.

SECT. 65 amended, 1932, 95 § 2.

SECT. 66 revised, 1941, 648 § 2; 1943, 244 § 2; amended, 1960, 353 § 2.

SECT. 67 amended, 1941, 648 § 3; revised, 1943, 244 § 2; 1955, 609 § 1.

SECT. 68 revised, 1943, 244 § 2; 1948, 310 § 8*; 1955, 609 § 2; amended, 1956, 269.

SECTS. 68A–68C added, 1955, 609 § 3 (relating to the detention of wayward and delinquent children and juvenile offenders).

SECT. 69 revised, 1943, 244 § 2.

SECT. 69A added, 1948, 310 § 9 (providing that courts and certain public officers and authorities shall make available to the youth service board information relative to cases committed to said board).*

SECT. 72 amended, 1947, 235; revised, 1948, 310 § 10*; amended, 1949, 595; 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.)

*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. 2A added, 1965, 902 (establishing the positions of first, second and third deputy director in the division of youth service).

SECT. 3 revised, 1952, 605 § 6. (See 1952, 605 §§ 19–21.)

SECT. 4 revised, 1952, 605 § 7. (See 1952, 605 §§ 19–21.)

SECT. 4A added, 1952, 605 § 8 (establishing a division of youth service in the department of education). (See 1952, 605 §§ 15, 19–21.)

SECT. 6, paragraph (*e*) revised, 1949, 593 § 1.

SECT. 7 amended, 1952, 605 § 9. (See 1952, 605 §§ 15, 19–21.)

SECT. 8, fourth and fifth sentences revised, 1952, 605 § 10. (See 1952, 605 §§ 15, 19–21.)

SECT. 9 amended, 1952, 605 § 11. (See 1952, 605 §§ 15, 19–21.)

SECT. 10, subsection (*a*) amended, 1950, 545; section revised, 1952, 605 § 12. (See 1952, 605 §§ 15, 19–21.)

SECT. 10A repealed, 1949, 593 § 2.

SECT. 11 revised, 1952, 605 § 13; amended, 1955, 766 § 5; 1957, 532. (See 1952, 605 §§ 15, 19–21.)

SECT. 12 amended, 1949, 593 § 3; revised, 1952, 605 § 14. (See 1952, 605 §§ 15, 19–21.)

SECT. 13 amended, 1949, 593 § 4.

SECT. 13A added, 1953, 619 § 1 (relative to payments by the commonwealth for damages to property caused by acts of certain inmates of institutions under management of the Youth Service Board). (See 1953, 619 § 2.)

SECT. 14 amended, 1954, 685 § 2.

SECT. 22 amended, 1956, 731 § 3.

Chapter 121. — Powers and Duties of the Department of Public Welfare, and the Massachusetts Hospital School.

SECT. 3 revised, 1952, 602 § 11.

SECT. 4A added, 1941, 630 § 3 (relative to information concerning recipients of old age assistance and aid to dependent children); revised, 1945, 240 § 2.

SECT. 6 amended, 1941, 351 § 11; 1948, 310 § 25; 1956, 436 § 1; repealed, 1958, 613 § 4. (See 1948, 310 §§ 30, 31.)

SECT. 7 amended, 1941, 351 § 12; revised, 1941, 404; amended, 1948, 310 § 26; revised, 1952, 602 § 12; second sentence stricken out, 1958, 613 § 5. (See 1948, 310 §§ 30, 31.)

SECT. 8 repealed, 1960, 313 § 3.

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; two paragraphs inserted after first paragraph, 1965, 564.

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; clause (*g*) added, 1965, 740; 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; subdivision (*h*) added, 1965, 899 § 1. (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. 26UU, subdivision (*f*) added, 1965, 899 § 2.

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).

SECT. 18C added, 1965, 859 § 1 (authorizing individuals to undertake or acquire and carry on urban redevelopment projects under the laws applicable to 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; amended, 1965, 200.

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; seventh paragraph amended, 1965, 146; 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; sentence added, 1965, 677.
SECT. 39A amended, 1936, 291 § 2; first sentence amended, 1954, 455; 1965, 67.
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. 39E added, 1965, 750 (providing for the sale of objects made by patients in certain state hospitals).
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; 1959, 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; section revised, 1965, 80.

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 delinquents and drug addicts from one institution to another under the department of correction).

SECT. 113 revised, 1955, 770 § 59. (See 1955, 770 §§ 117, 123.)

SECT. 114 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 117 revised, 1941, 510 § 1; 1943, 120.

SECT. 118 revised, 1938, 456; amended, 1941, 351 § 43; revised, 1941, 510 § 2; amended, 1958, 613 § 8C.

SECT. 122 amended, 1955, 770 § 60. (See 1955, 770 §§ 117, 123.)

SECT. 123 amended, 1941, 510 § 3; second sentence revised, 1955, 770 § 61. (See 1955, 770 §§ 117, 123.)

SECT. 124 revised, 1955, 770 § 62. (See 1955, 770 §§ 117, 123.)

SECT. 125 amended, 1946, 148; revised, 1955, 770 § 63. (See 1955, 770 §§ 117, 123.)

SECT. 126 revised, 1955, 770 § 64. (See 1955, 770 §§ 117, 123.)

SECT. 127 amended, 1938, 71; 1941, 70, 690 § 5A; first sentence revised, 1965, 754; 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; first paragraph amended, 1965, 884 § 1; last sentence of second paragraph revised, 1960, 524, 765 § 4; said sentence stricken out and two sentences inserted, 1961, 282; next to last sentence amended, 1965, 884 § 2; paragraph added at end, 1959, 445 § 2; revised, 1963, 535; amended, 1965, 884 § 3. (See 1945, 49 § 2; 1946, 543 § 6; 1947, 131 § 2; 1948, 450 § 3; 1954, 567 § 10; 1955, 770 §§ 117, 123; 1965, 884 § 4.)

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; section revised, 1965, 317. (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. 131A added, 1965, 887 (requiring the parole board to notify state and local police of the effective date and the conditions of parole permits).

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; 1965, 764 § 1. (See 1955, 770 §§ 117, 123; 1965, 764 § 2.)

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; section revised, 1965, 766 § 1. (See 1965, 766 § 3.)

SECT. 134 revised, 1946, 543 § 4; 1955, 770 § 71; 1960, 765 § 5; 1965, 769 § 2. (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. 147 stricken out, 1965, 772.

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. 149A added, 1965, 765 (providing that parole officers may issue warrants for the temporary custody of parolees).

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; repealed, 1965, 766 § 2. (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; paragraph added, 1965, 619.

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; 1965, 678 § 2; section amended, 1941, 490 § 32; revised, 1965, 678 § 2.

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. 38A added, under caption, 1965, 678 § 3 (providing that the director of the division of fairs supervise the establishment and holding of fairs).

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 (*l*) revised, 1965, 209 § 1; 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; fourth paragraph amended, 1965, 209 § 2; 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; 1963, 290; 1965, 292.

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; 1965, 525. (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; last two sentences revised, 1965, 72 § 1. (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; revised, 1965, 72 § 2.

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; 1965, 72 § 3.

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); third sentence stricken out and two sentences inserted, 1965, 375.

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, second paragraph amended, 1956, 288 § 2; 1965, 124.

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 sentence, 1955, 711; sentence added at end, 1945, 99 § 2; stricken out, 1961, 199 § 3; section revised, 1965, 70.

SECT. 82, sentence inserted after first sentence, 1964, 257 § 1; sentence added at end, 1945, 99 § 3, stricken out, 1961, 199 § 4.
SECT. 83 revised, 1965, 697.
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. 98 revised, 1965, 439.
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. 101A added, 1965, 129 § 1 (providing protection for the gray seal).
SECT. 102 revised, 1964, 257 § 2.
SECT. 104 revised, 1962, 715 § 9.
SECT. 105 added, 1965, 768 § 1 (providing for the protection of the coastal wetlands of the commonwealth). (See 1965, 768 § 4.)

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; section revised, 1965, 801. (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; same sentence stricken out and two sentences inserted, 1965, 76.

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; second paragraph amended, 1965, 129 § 2; 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); last four sentences stricken out and five sentences inserted, 1965, 665 § 2.

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, first sentence amended, 1965, 466; 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).

SECT. 117C added, 1965, 220 (relating to the protection of flood plains).

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; clause (34) amended, 1965, 488; clause (37) revised, 1965, 243; clause (44) added, 1965, 370.
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; sentence added, 1965, 401.

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; revised, 1965, 505; 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; first paragraph, fifth sentence revised, 1965, 400.

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); first paragraph revised, 1965, 629 § 1. (See 1954, 569 §§ 2, 3; 1965, 629 § 2.)

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; 1965, 570; 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 re-

vised, 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; first paragraph amended, 1965, 399; 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 (*c*) revised, 1965, 428; 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; amended, 1965, 490.
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; revised, 1965, 171.
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; sentence added, 1965, 426.
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 firearms); repealed, 1957, 688 § 14.
SECT. 131 revised, 1936, 302; amended, 1951, 201; 1953, 319 § 20; sentence added at end, 1953, 454; section revised, 1957, 688 § 15; 1959, 296 § 6; sentence added at end, 1960, 293. (See 1953, 319 §§ 39, 40.)
SECT. 131A revised, 1957, 688 § 16; 1959, 296 § 7; sentence inserted after first sentence, 1965, 95.
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); first sentence amended, 1957, 688 § 18; revised, 1965, 44.
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); revised, 1965, 86.
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, 488; paragraph added at end, 1946, 502; revised, 1954, 627 § 30. (See 1954, 627 §§ 65, 67.)

SECT. 5 revised, 1954, 200; sentence added at end, 1963, 431 § 4; section revised, 1965, 645 § 1.

SECT. 6 revised, 1934, 347 § 2; third sentence revised, 1965, 645 § 2.

SECT. 8 repealed, 1965, 358 § 1.

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; 1965, 358 § 2. (See 1965, 358 § 3.)

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. 3R added, 1965, 464 § 1 (requiring that the main doors of certain apartment houses be designed or equipped to close and lock automatically). (See 1965, 464 § 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. 53, sentence added, 1965, 113.
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).

SECT. 10F added, 1965, 381 (providing that police appointing authorities may appoint parking control officers).

SECT. 10G added, 1965, 565 (authorizing the appointment as special police officers of employees of colleges, universities and other educational institutions).

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; first sentence revised, 1965, 205.

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; sentence added, 1965, 444. (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; 1965, 25.

For legislation relative to interstate compacts affecting labor and industry, see 1933, Res. 44; 1934, 383, Res. 25; 1935, 315 §§ 1–3; 1936, Res. 68; 1937, 404; 1943, 255.

SECT. 1, paragraph defining "buildings used for industrial purposes" or "industrial establishments" revised, 1962, 102; paragraph defining "cooperative courses" amended, 1939, 461 § 4; paragraph defining "discrimination" inserted, 1937, 367 § 1; paragraphs defining "employee" and "employer" inserted, 1945, 584 § 1; definition of "employment" amended, 1945, 584 § 2; revised, 1945, 646; paragraph defining "employment permit", "permit for employment" or "employment certificate" inserted, 1939, 461 § 4A; revised, 1945, 133 § 3; paragraph defining "mercantile establishments" amended, 1936, 78.

SECT. 6 amended, 1934, 132 § 1; 1937, 249; two paragraphs added at end, 1952, 155; third paragraph amended, 1961, 224; 1962, 710; paragraph added at end, 1954, 680 § 7. (See 1934, 132 § 2.)

SECT. 8 amended, 1943, 441.

SECT. 11 amended, 1935, 328; revised, 1950, 453.

SECT. 17 amended, 1945, 430; revised, 1961, 585.

SECTS. 18A–18I added, under caption, 1959, 614 (establishing safety orders applicable to longshore and waterfront operations).

SECT. 19A added, 1953, 117 (requiring the furnishing of copies of certain medical reports to employees).

SECT. 19B added, 1959, 255 (prohibiting the use of lie detector tests by employers as a condition of employment); revised, 1963, 797.

SECT. 20A added, 1933, 351 § 1 (relative to the judicial enforcement of certain contracts relative to membership in labor or employers' organizations). (See 1933, 351 § 2.)

SECTS. 20B and 20C added, 1935, 407 § 1 (regulating the liability of labor unions and others involved in labor disputes, and defining labor disputes and other terms used in connection therewith). (See 1935, 407 § 6.)

SECT. 20C, first sentence amended, 1950, 452 § 1; subsection (*c*) stricken out and subsections (*c*)–(*f*) inserted, 1950, 452 § 2. (See 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2; 1950, 452 §§ 5–7.)

SECT. 20D added, 1958, 678 (prohibiting the solicitation, acceptance or payment of money for the purpose of encouraging or discouraging the formation or functioning of a labor organization).

SECT. 21 revised, 1965, 234.

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 27B revised, 1965, 417.

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; section revised, 1965, 598.

SECT. 44F revised, 1960, 771 § 3; paragraph added at end, 1961, 604 § 5.

SECT. 44G, first line of "Form for Sub-Bid" revised, 1965, 836 § 1; paragraph C of said form revised, 1965, 836 § 2; paragraph D of said form revised, 1960, 771 § 4; paragraph E of said form revised, 1961, 604 § 6; 1965, 836 § 3. (See 1965, 836 §§ 7, 8.)

SECT. 44H, first sentence revised, 1963, 445 § 2; second sentence amended, 1965, 836 § 4; last sentence of first paragraph stricken out and two sentences inserted, 1960, 771 § 5; fourth sentence amended, 1965, 836 § 5; second paragraph amended, 1965, 836 § 6; paragraph added at end, 1960, 771 § 6; 1961, 604 § 7. (See 1965, 836 § 8.)

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; 1965, 448. (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).

SECTS. 178G–178N added, 1965, 763 § 2 (providing for the election of representative bargaining agents with political subdivisions of the commonwealth).

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 (15) revised, 1965, 416; 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; 1965, 334 §§ 1, 2; paragraph added at end, 1956, 681. (See 1952, 558 § 5; 1955, 762 § 4; 1956, 185, 740 § 4; 1958, 616 § 2; 1959, 551 § 2; 1962, 134 §§ 7, 8, 9; 1963, 586 §§ 3, 4; 1964, 644 §§ 7–11; 1965, 334 §§ 3, 4.)

SECT. 8, last sentence revised, 1952, 558 § 6.

SECT. 9 revised, 1957, 225; 1958, 27; amended, 1961, 272.

SECT. 10, first sentence revised, 1952, 558 § 7.

SECT. 11, first sentence amended, 1952, 558 § 8.

SECT. 12 revised, 1952, 558 § 9.

SECT. 13 amended, 1952, 558 § 10.

SECT. 14, paragraph added at end, 1959, 123.

SECT. 15 amended, 1950, 349 § 1.

SECT. 16 amended, 1952, 558 § 11.

SECT. 19, paragraph (1) revised, 1962, 86; paragraph (2) revised, 1949, 777 § 3; 1952, 558 § 12; amended, 1955, 762 § 3; revised, 1956, 740 § 3; amended, 1958, 620 § 2; revised, 1962, 134 § 3; amended, 1962, 341, 134 § 6; revised, 1964, 644 § 3; amended, 1964, 644 § 6; paragraph (5) added, 1965, 335. (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 wage law).

Chapter 151A. — Employment Security (former title, Unemployment Compensation).

For legislation providing for the payment of unemployment compensation benefits to persons upon termination of service in the military or naval forces of the United States during the present national emergency, see 1941, 701; 1943, 319; 1946, 168.

New chapter inserted, 1935, 479 § 5. (See 1935, 479 §§ 6, 7; 1936, 12 § 3, 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; amended, 1965, 631. (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; 1965, 636. (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; 1965, 634. (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; 1965, 649 § 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; 1965, 649 § 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; subsection 14 added, 1965, 213 § 1.

SECT. 3, subsection 6 amended, 1950, 697 § 3; revised, 1960, 163 § 1; amended, 1965, 397 § 1; subsection 8 amended, 1950, 697 § 4; 1965, 397 § 2; subsection 9 amended, 1950, 697 § 5; 1965, 397 § 3.

SECT. 4, first sentence amended, 1957, 426 § 2; subsection 1 amended, 1950, 697 § 6; 1965, 397 § 4; subsection 2 amended, 1950, 697 § 7; 1965, 397 § 5; subsection 3 amended, 1950, 697 § 8; 1965, 397 § 6; 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; subsection 8 added, 1965, 213 § 2; paragraph added at end of section, 1947, 424; 1957, 426 § 3.

SECT. 5 revised, 1950, 479 § 4; amended, 1957, 426 § 4; second paragraph amended, 1961, 570; revised, 1963, 613 § 2; paragraph added, 1965, 569.

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; first sentence revised, 1965, 397 § 7; 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; second sentence amended, 1965, 487 § 1A. (See 1965, 487 § 2.)

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; amended, 1965, 644 § 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; amended, 1965, 644 § 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; amended, 1965, 644 § 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); second sentence revised, 1965, 891.

SECT. 39 amended, 1937, 317.

SECT. 41 revised, 1965, 487 § 1. (See 1965, 487 § 2.)

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; 1965, 616.
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. (See 1965, 642.)
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. 3A amended, 1965, 310.

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; amended, 1965, 685 § 55. (See 1964, 723 §§ 6, 7; 1965, 685 § 57.)
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.)

SECT. 2, clause (*b*) revised, 1965, 685 § 1.*
SECT. 3 amended, 1965, 685 § 1A.*
SECT. 4 amended, 1965, 685 § 1B.*
SECT. 6, last sentence stricken out, 1965, 685 § 2.*
SECT. 8 revised, 1965, 685 § 3.*
SECT. 11, subsection (*b*) amended, 1965, 685 § 4; subsection (*c*) amended, 1965, 685 § 5; subsection (*d*) amended, 1965, 685 § 6.*
SECT. 12, first paragraph amended, 1965, 685 § 7; second paragraph amended, 1965, 685 § 8.*
SECT. 13, subsection (*c*) amended, 1965, 685 § 9.*
SECT. 17, sentence inserted after first sentence, 1965, 685 § 10.*
SECT. 23 revised, 1965, 685 § 11.*
SECT. 26, first paragraph revised, 1965, 685 § 12.*
SECT. 27 revised, 1965, 685 § 13.*
SECT. 29 amended, 1965, 685 § 13A.*

*See 1965, 685 § 57.

SECT. 31 revised, 1965, 685 § 14.*
SECT. 32, first and second sentences revised, 1965, 685 § 15.*
SECT. 36 amended, 1965, 685 § 16.*
SECT. 39 revised, 1965, 685 § 17.*
SECT. 41 amended, 1965, 685 § 18.*
SECT. 43 amended, 1965, 685 § 19.*
SECTS. 47–49 revised, 1965, 685 § 20.*
SECT. 50 amended, 1965, 685 § 20A.*
SECT. 51, clause (*a*) amended, 1965, 685 § 21.*
SECT. 53, last sentence revised, 1965, 685 § 22.*
SECT. 55 amended, 1965, 685 § 22A.*
SECT. 59 revised, 1965, 685 § 23.*
SECT. 61 amended, 1965, 685 § 24.*
SECT. 62 amended, 1965, 685 § 25.*
SECT. 63 amended, 1965, 685 § 26.*
SECT. 67, two paragraphs added, 1965, 685 § 27.*
SECT. 71 revised, 1965, 685 § 28.*
SECT. 74, first paragraph amended, 1965, 685 § 29.*
SECT. 75, sentence added, 1965, 685 § 30.*
SECT. 78, subsection (*b*) amended, 1965, 685 § 31; subsection (*c*) amended, 1965, 685 § 32; subsection (*d*) amended, 1965, 685 § 32A; subsection (*e*) amended, 1965, 685 § 33.*
SECT. 79, subsection (*c*) amended, 1965, 685 § 33A; subsection (*d*) amended, 1965, 685 § 34.*
SECT. 80 amended, 1965, 685 § 35.*
SECT. 81 amended, 1965, 685 § 36.*
SECT. 82, subsection (*b*) amended, 1965, 685 § 37; subsection (*e*) amended, 1965, 685 § 38.*
SECT. 83, subsection (*d*) amended, 1965, 685 § 38A; subsection (*f*) amended, 1965, 685 § 39.*
SECT. 86 amended, 1965, 685 § 40.*
SECT. 95 amended, 1965, 685 § 41.*
SECT. 97 amended, 1965, 685 § 42.*
SECT. 98 amended, 1965, 685 § 43.*
SECTS. 99–102 revised, 1965, 685 § 44.*
SECT. 103 amended, 1965, 685 § 45.*
SECT. 104 amended, 1965, 685 § 46.*
SECT. 107 amended, 1965, 685 § 47.*
SECT. 108 amended, 1965, 685 § 48.*
SECT. 109 amended, 1965, 685 § 49.*
SECT. 110 repealed, 1965, 685 § 50.*
SECT. 112, last sentence stricken out, 1965, 685 § 51.*
SECT. 113 amended, 1965, 685 § 52.*
SECT. 114, subsection (*b*) amended, 1965, 685 § 53; subsections (*f*), (*g*) and (*h*) inserted, 1965, 685 § 54.*

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.

* See 1965, 685 § 57.

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; section revised, 1965, 537. (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; last sentence stricken out and two sentences inserted, 1965, 886.

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.)

SECT. 3, paragraph (*i*) revised, 1965, 882.
SECT. 6, sentence added, 1965, 323 § 1. (See 1965, 323 § 2.)
SECT. 7, paragraph added, 1965, 509 § 1.
SECT. 12, second paragraph revised, 1965, 650 § 1.
SECT. 13, last paragraph stricken out, 1965, 650 § 2.
SECT. 23, fourth paragraph amended, 1965, 650 § 3.

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. 41 revised, 1965, 180.
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.

SECT. 72, sentence inserted after first sentence, 1965, 457.

SECT. 75A revised, 1965, 199.

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; revised, 1965, 118 § 1.

SECT. 124A added, 1935, 376 § 1 (relative to the shutting off of gas or electric service in homes where there is serious illness); revised, 1965, 118 § 2.

SECT. 124B added, 1965, 130 (prohibiting the curtailment of service by a utility company because of failure to pay for an appliance purchased from it).

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. 1A added, 1965, 385 § 2 (prohibiting the establishment of water companies unless their proposed distribution systems have been approved by the department of public utilities). (See 1965, 385 § 3.)

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; first two sentences stricken out and three sentences inserted, 1965, 154; 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; paragraph added, 1965, 197.

SECT. 48A added, 1961, 271 (relative to trust savings accounts in federal savings and loan associations); revised, 1964, 352; amended, 1965, 301.

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; 1965, 263 § 3, 705 § 1; sentence inserted after said sentence, 1963, 277; revised, 1965, 263 § 4, 705 § 2; 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; provision 3 amended, 1965, 852; 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; 1965, 263 § 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; paragraph 8 revised, 1965, 265.

SECT. 37, first sentence revised, 1956, 689 § 7; section revised, 1960, 272; 1965, 810 § 1. (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; 1965, 263 § 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; paragraph 2 revised, 1965, 42.

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 3, clause (*a*) revised, 1965, 268 § 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; paragraph 7, clause (*b*) revised, 1965, 268 § 3.

SECT. 49, paragraph 1 revised, 1965, 268 § 4; paragraph 1A inserted, 1965, 268 § 5.

SECT. 51 amended, 1961, 493 § 17.

SECT. 53, paragraph 2, sentence added at end, 1962, 80 § 1.

SECT. 58, paragraph 1 amended, 1965, 74.

SECT. 60, paragraph 1 amended, 1962, 169 § 9; paragraph 2 revised, 1959, 89.

SECT. 60A added, 1962, 169 § 10 (relative to the payment of dividends on special notice account deposits and on systematic savings account deposits).

SECT. 65, first sentence amended, 1960, 58 § 1.

SECT. 67A added, under caption, 1956, 324 § 1 (relative to membership in the Federal Deposit Insurance Corporation). (See 1956, 324 §§ 2–12.)

SECT. 68, paragraph 4 revised, 1958, 66.

SECT. 71, subparagraph 1 revised, 1957, 1 § 2. (See 1957, 1 § 7.)
SECT. 72, second sentence revised, 1957, 1 § 3; last paragraph revised, 1958, 106.
SECT. 73, first sentence revised, 1957, 1 § 4; amended, 1961, 493 § 18; first paragraph amended, 1961, 493 § 18A; second paragraph amended, 1961, 493 § 18B.
SECT. 73A added, 1959, 202 § 1 (relative to the conversion of savings banks or savings and loan associations).
SECT. 74 revised, 1959, 197 § 1; 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, first paragraph amended, 1965, 308 § 1; paragraph added, 1964, 611 § 1.

SECT. 12, second sentence revised, 1957, 1 § 5; 1965, 326.

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; amended, 1965, 373 § 2; subsection 4, paragraph (*a*) amended, 1965, 373 § 3. (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; 1965, 308 § 2; subsection 3 amended, 1955, 118 § 2; revised, 1959, 108 § 1; 1963, 101; subsection 3A inserted, 1959, 174; revised, 1963, 146; amended, 1965, 306; subsection 4 revised, 1955, 146; 1958, 96; 1959, 108 § 2; 1960, 54; 1962, 125 § 1; amended, 1964, 227; subsection 4A inserted, 1965, 307; subsection 5 amended, 1956, 34; 1962, 125 § 2; revised, 1963, 124; 1965, 266; 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; fourth sentence revised, 1965, 814. (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 (*b*) amended, 1965, 373 § 1; 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; first three paragraphs stricken out and subsections (A) and (B) inserted, 1965, 430 § 1; fourth paragraph stricken out and subsection (C) inserted, 1965, 430 § 2; fifth paragraph amended (changed to subsection (D)), 1965, 430 § 3. (See 1965, 430 § 5.)

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; paragraph added, 1965, 321.

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; revised, 1965, 251.

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; 1965, 313.

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; amended, 1965, 312; 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; last sentence revised, 1965, 311.

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; revised, 1965, 241; paragraph 2 of subdivision (A) revised, 1954, 122 § 2; 1960, 151 § 2; 1964, 223; paragraph 3 of subdivision (A) revised, 1962, 275 § 2; paragraph 3A of subdivision (A) inserted, 1965, 784; 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 3B of subdivision (B) added, 1965, 333; 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; section revised, 1965, 331.

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; section revised, 1965, 449.

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. 21, subsection D amended, 1965, 279.

SECT. 23, sentence inserted after first sentence, 1965, 41.

SECT. 25A added, 1965, 299 (authorizing trust companies to issue and sell capital notes and debentures).

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. 55, subsection A, paragraph (4) revised, 1965, 262 § 1; paragraph added, 1965, 262 § 2.

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 para-

graph 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; section revised, 1965, 383.

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. 44, three paragraphs added, 1965, 499 § 1. (See 1965, 499 § 2.)

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; amended, 1965, 260 § 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; paragraph 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; clause (*h*) added, 1965, 260 § 3.

SECT. 54, clause (*a*½) 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. 61, sentence inserted after first sentence, 1965, 260 § 1.

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; amended, 1965, 269 § 1; paragraph 14B added, 1951, 154; paragraph 14C added, 1956, 373; clause (*b*) revised, 1965, 269 § 2; paragraphs 14D and 14E added, 1958, 296; paragraph 14F added, 1965, 300.

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; 1965, 112; subdivision 3, paragraph (*a*), provision (2) amended, 1958, 277; provision (3) amended, 1958, 294 § 1; paragraph (*b*), provision (8) stricken out, 1958, 294 § 2; paragraph (*b*½) inserted, 1958, 294 § 3; paragraph C amended, 1954, 681 § 18. (See 1954, 275 §§ 4, 5, 681 §§ 20, 22.)

SECT. 109 repealed, 1954, 275 § 2. (See 1954, 275 §§ 4, 5.)

SECT. 110, sentence added at end, 1939, 133; section amended, 1941, 118; revised, 1943, 424 § 3, 532 § 1; subdivision (1) of second paragraph amended, 1945, 403 § 1; section revised, 1949, 676 § 3; amended, 1950, 392; subdivisions (A) and (B) revised, 1952, 532 § 1; subdivision (A) amended, 1954, 275 § 3, 327; 1953, 229 § 1; 1964, 236 § 2; 1965, 309 § 1; subdivision (B) revised, 1963, 254 § 1; amended, 1964, 236 § 3; 1965, 309 § 2; 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. 111F added, 1965, 369 (requiring certain insurance companies to furnish copies of medical reports of persons injured in an accident).

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. 113K added, 1965, 403 (providing that certain minors shall be competent to contract for motor vehicle liability insurance).

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); revised, 1965, 296.

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; 1965, 567 § 1; third paragraph amended, 1933, 101 § 2. (See 1943, 227 §§ 13, 14; 1965, 567 § 2.)

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, first paragraph amended, 1965, 125; 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).

SECTS. 193I and 193J added, 1965, 354 (relative to disclosure of investments of officers, directors and principal stockholders of domestic stock insurance companies and regulating the solicitation of proxies of shareholders of certain domestic stock insurance companies).

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. 1, definitions of "Visual service" and "Participating optometrist" inserted, 1965, 442 § 1.

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; first paragraph revised, 1965, 442 § 2.

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. 9 amended, 1965, 810 § 2.

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.
SECT. 8, clause (*f*) amended, 1965, 56 § 1.
SECT. 9, last paragraph amended, 1965, 56 § 2.

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 (*j½*) added, 1934, 263 § 1 (granting to land court exclusive original jurisdiction to determine by declaratory judgment the validity and extent of municipal zoning ordinances, by-laws and regulations); clause (*k*) revised, 1934, 67 § 1; clauses (*l*) and (*m*) added, 1935, 318 § 5 (granting to said court original jurisdiction concurrent with supreme judicial and superior courts of certain suits in equity); clause (*n*) added, 1962, 722 § 1 (relative to the causes and matters transferred from the supreme judicial court); paragraph in lines 44–50, inclusive, revised, 1937, 183 § 1; paragraph in lines 51–55 revised, 1947, 449 § 3. (See 1934, 67 § 2; 1935, 318 § 8; 1937, 183 § 2; 1947, 449 § 7.)

SECT. 2 amended, 1937, 409 § 3. (See 1937, 409 § 7.)

SECT. 2A repealed, 1937, 409 § 4. (See 1937, 409 § 7.)

SECT. 6, first sentence stricken out and two sentences inserted, 1953, 449 § 1; last sentence amended, 1949, 447. (See 1953, 449 § 2.)

SECT. 10A revised, 1948, 664 § 3; 1953, 601.

SECT. 11 amended, 1954, 308; 1956, 519.

SECT. 12, sentence added at end, 1941, 27; section revised, 1943, 29; 1949, 47.

SECT. 13 revised, 1956, 553.

SECT. 14, sentence in lines 10–12 stricken out, 1946, 427 § 2; section revised, 1946, 544 § 3; first sentence amended, 1949, 696; section revised, 1951, 742 § 3; 1955, 733 § 3; 1963, 742 § 1. (See 1946, 427 § 3, 544 § 5; 1951, 742 §§ 4, 5; 1953, 567; 1955, 733 §§ 4, 5; 1963, 742 § 2.)

SECT. 15A added, 1963, 74 § 1 (relative to equity practice in the land court.)

SECT. 25A added, 1933, 55 (relative to the power of the land court to enforce its orders and decrees, and relative to service of its processes).

SECT. 40 amended, 1937, 118.

SECT. 46, clause Sixth added at end, 1963, 242 § 2.

SECT. 48, paragraph added at end, 1949, 48.

SECT. 59 revised, 1962, 389.

SECT. 71 revised, 1965, 37.

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. 1 revised, 1965, 165 § 1. (See 1965, 165 § 2.)
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, 470 § 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; second paragraph revised, 1965, 12 § 4.

SECT. 38 revised, 1932, 162; amended, 1946, 197 § 2; 1949, 249; revised, 1965, 11 § 1.

SECT. 39 revised, 1958, 438; third and fourth sentences stricken out and sentence inserted, 1965, 54.

SECT. 40 revised, 1946, 197 § 3; amended, 1965, 11 § 2.

SECT. 42 amended, 1946, 197 § 4; revised, 1965, 11 § 3.

SECT. 47A added, under caption, 1938, 350 § 1 (abolishing causes of action for breach of contract to marry). (See 1938, 350 § 3.)

SECT. 52 revised, 1943, 312 § 1. (See 1943, 312 § 2.)

SECT. 55 repealed, 1946, 273 § 2.

SECT. 57 amended, 1941, 601 § 3. (See 1941, 601 § 4.)

Chapter 208. — Divorce.

For temporary act establishing conciliation divisions in the probate courts for Norfolk and Worcester counties, see 1961, 620.

SECT. 2 revised, 1937, 76 § 1. (See 1937, 76 § 2.)

SECT. 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; revised, 1965, 640. (See 1965, 809 §§ 1, 2.)

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, first sentence revised, 1965, 252; 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 52 and 53 revised, 1965, 103; 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, 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; first four sentences stricken out and three sentences inserted, 1965, 605; first sentence revised, 1965, 729; 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.

* Void for non-acceptance.

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; first paragraph under caption *"Hampden"* revised, 1965, 440 § 1; last paragraph under caption *"Hampden"* revised, 1965, 440 § 2; second paragraph under caption *"Middlesex"* revised, 1965, 624 § 1; eighth paragraph under caption *"Middlesex"* revised, 1965, 624 § 2; 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; seventh paragraph under caption *"Suffolk"* revised, 1965, 659 § 4. (See 1949, 590 §§ 2–4, 739; 1951, 758; 1965, 659 § 7.)

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; 1965, 561. (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; 1965, 813; third sentence revised, 1950, 444; amended, 1955, 723; revised, 1960, 504 § 1; amended, 1963, 286; revised, 1963, 567; 1965, 813; 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; amended, 1965, 470; paragraph inserted after third paragraph, 1964, 692; revised, 1965, 896; 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. 14, paragraph added, 1965, 867.

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. 57 revised, 1965, 659 § 5. (See 1965, 659 § 7.)

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; 1965, 659 § 6. (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; 1965, 550, 802. (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, 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; first paragraph amended, 1965, 900 § 1. (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; first paragraph amended, 1965, 900 § 2. (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.)

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* Void for non-acceptance.

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; 1965, 686, 781, 782, 789, 870, 900 § 3; paragraph (2), salary schedule revised, 1962, 423 § 1; paragraph (2) amended, 1960, 801 § 2; revised, 1963, 841 § 4. (See 1941, 447 §§ 4, 5; 1943, 136 § 3; 1948, 667 §§ 6, 7; 1953, 421; 1956, 738 §§ 11, 13, 14; 1959, 609 §§ 4, 5, 8, 9; 1961, 362 § 2, 612 § 4, 613 § 2; 1962, 423 §§ 4, 5, 761 § 2; 1963, 841 §§ 5, 6, 7.)

SECT. 80, sentence added at end, 1935, 366 § 2; section amended, 1936, 229 § 1; 1937, 378 § 2; revised, 1941, 447 § 3; amended, 1946, 498 § 2; revised, 1948, 667 § 5; 1949, 799; 1951, 768 § 3A; amended, 1957, 559 § 1; revised, 1959, 609 § 2; amended, 1960, 801 § 3; revised, 1963, 306 § 1; amended, 1963, 841 § 4A. (See 1935, 366 § 3; 1936, 229 § 2; 1941, 447 §§ 4, 5; 1948, 667 §§ 6, 7; 1951, 768 § 3B; 1952, 114 § 1; 1957, 559 § 2; 1959, 609 §§ 4, 5, 8, 9.)

SECT. 80A added, 1947, 400 § 2 (relative to the salaries of the secretary and assistant secretary to the justices of the municipal court of the city of Boston); revised, 1951, 288 § 1. (See 1947, 400 §§ 3, 4; 1951, 288 § 2.)

SECT. 81 revised, 1939, 296 § 1; amended, 1956, 738 § 7; revised, 1963, 810 § 17. (See 1939, 296 § 3; 1956, 738 §§ 13, 14.)

SECT. 82 repealed, 1956, 738 § 8. (See 1956, 738 §§ 13, 14.)

SECT. 82A added, 1945, 486 § 1 (relative to salaries of court officers of the municipal court of the city of Boston); revised, 1949, 381; 1951, 788 § 1. (See 1945, 486 § 3; 1951, 788 § 2.)

Chapter 219. — Trial Justices.

Chapter repealed, 1953, 319 § 1. (See 1953, 319 §§ 39, 40.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

Chapter 220. — Courts and Naturalization.

SECT. 2 amended, 1953, 319 § 25. (See 1953, 319 §§ 39, 40.)

SECT. 6 revised, 1947, 449 § 6. (See 1947, 449 § 7.)

SECT. 13 amended, 1953, 319 § 26. (See 1953, 319 §§ 39, 40.)

SECTS. 13A and 13B added, 1935, 407 § 5 (regulating procedure in trials for contempt arising out of disobedience to decrees or process of courts in labor dispute cases). (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2.)

SECT. 14A added, 1936, 206 § 1 (relative to the time within which certain justices shall render their decisions). (See 1936, 206 § 2.)

SECTS. 16 and 17 repealed, 1932, 144 § 3.

SECT. 19 repealed, 1932, 16.

Chapter 221. — Clerks, Attorneys and Other Officers of Judicial Court.

SECT. 4 amended, 1935, 89 § 1; 1937, 158 § 1; 1943, 336 § 1; revised, 1946, 248 § 1; amended, 1955, 354 § 1; revised, 1957, 634; 1961, 355 § 1. (See 1935, 89 § 2; 1937, 158 § 2; 1943, 336 § 3; 1955, 354 § 2; 1961, 355 § 2.)

SECT. 5 amended, 1932, 51; 1943, 336 § 2; second paragraph revised, 1958, 327 § 1; 1963, 746 § 1; fourth paragraph revised, 1957, 585 § 1; fifth paragraph revised, 1951, 228; 1959, 557; paragraph inserted after fifth paragraph, 1956, 432 § 1; revised, 1963, 502 § 1; sixth paragraph revised, 1949, 379; 1950, 324; section revised, 1965, 535. (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. 91B added, 1965, 585 (authorizing defendants to employ a stenographer at certain hearings).

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; first paragraph revised, 1965, 454, 752 § 1. (See 1934, 387 § 5; 1943, 296 § 6, 437; 1954, 616 § 5; 1958, 369 § 4; 1965, 752 § 2.)

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; amended, 1965, 685 § 56. (See 1945, 306 § 2; 1962, 750 § 74; 1965, 685 § 57.)

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; first sentence revised, 1965, 683 § 1. (See 1947, 506 §§ 3, 3A; 1949, 427 § 11; 1958, 238 § 10; 1962, 306 § 2; 1965, 683 § 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; paragraph added, 1965, 491 § 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; 1965, 377.

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; amended, 1965, 275. (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. 144 amended, 1965, 123.

SECT. 145 amended, 1939, 451 § 64; 1953, 104.

SECT. 146, paragraph added, 1965, 491 § 2.

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); revised, 1965, 425. (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; section revised, 1965, 661.

SECT. 79F added, 1952, 476 (relating to proof of the existence of a public way); revised, 1965, 303.

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. 26B amended, 1965, 355 § 1. (See 1965, 355 § 2.)

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. 14 revised, 1965, 328.

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).

SECT. 8A added, 1965, 888 (providing that violations of standards of fitness for human habitation shall constitute a defense in actions of summary process to recover possession of rented or leased premises).

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. 20A added, 1965, 356 (preventing the circumvention of the laws relative to attachment of wages by attachments outside the commonwealth).

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, first sentence revised, 1965, 699; 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 subcontractors and suppliers on construction work).

Chapter 255. — Mortgages, Conditional Sales and Pledges of Personal Property, and Liens thereon.

SECT. 1. See 1933, 142 (recording of federal crop loans to farmers). See also 1936, 264 subsection 20 (relative to trust receipt and pledge transactions); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 2 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 3 amended, 1935, 86 § 2; revised, 1948, 550 § 45; 1949, 404 § 4; repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 4–7 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 7A–7E added, 1935, 86 § 1 (relative to the mortgaging of crops and certain other classes of personal property).

SECTS. 7A–7C repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 7E–10 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 11 revised, 1939, 509 § 1; repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 12 revised, 1939, 509 § 1; 1943, 410 § 1; 1956, 158; 1957, 765 § 10; sentence added at end, 1958, 674 § 2; 1959, 580 § 20. (See 1943, 410 § 2; 1957, 765 §§ 18, 21.)

SECT. 12A added, 1950, 81 (providing that notice relative to finance charges be printed in certain contracts of sale); revised, 1957, 765 § 11; sentence added at end, 1959, 580 § 21. (See 1957, 765 §§ 18, 21.)

SECT. 12B added, 1955, 455 (relative to prepayment of contracts of conditional sales of personal property); revised, 1957, 765 § 12; amended, 1958, 674 § 3; revised, 1959, 593. (See 1957, 765 §§ 18, 21.)

SECT. 12C added, 1961, 595 (providing that promissory notes executed in connection with the sale of consumer goods on credit shall not be negotiable instruments).

SECT. 12D added, 1962, 309 (providing for rebates in certain instalment payment transactions).

SECT. 13 revised, 1939, 509 § 1; amended, 1941, 285; revised, 1957, 765 § 13. (See 1957, 765 §§ 18, 21.)

SECT. 13A added, 1935, 348 § 1 (regulating conditional sales of motor vehicles); revised, 1939, 509 § 1; repealed, 1957, 765 § 2. (See 1935, 348 § 2; 1957, 765 § 21.)

SECT. 13B added, 1935, 396 (relative to certain contracts of conditional sale of household or personal effects); amended, 1957, 765 § 14. (See 1957, 765 §§ 18, 21.)

SECTS. 13C and 13D added, 1937, 315 (relative to contracts of conditional sale of household furniture or other household or personal effects except jewelry).

SECT. 13C revised, 1938, 367.

SECT. 13C and 13D stricken out, and new sections 13C–13G inserted, 1939, 509 § 2.

SECT. 13C revised, 1957, 765 § 15. (See 1957, 765 §§ 18, 21.)

SECTS. 13D–13F repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 13G revised, 1957, 160, 765 § 16. (See 1957, 765 §§ 18, 21.)

SECT. 13H added, 1941, 468 (relative to conditional sales of textile and other machinery, seats for theatres and other places of public assembly, and parts, accessories, appliances and equipment therefor); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 15 revised, 1948, 550 § 46.

SECT. 25A added, 1950, 326 § 9 (relative to liens on trailer coaches for certain charges); 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 259. — Prevention of Frauds and Perjuries.

SECT. 5 revised, 1965, 560 § 1. (See 1965, 560 § 3.)

SECT. 5A added, 1965, 560 § 2 (providing that agreements to revoke or not to revoke, not to make or to change or not to change, a will, codicil, bequest or devise shall be in writing). (See 1965, 560 § 3.)

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; 1965, 302; 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; amended, 1965, 410.

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. 126 revised, 1965, 482.

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; 1965, 407. (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. 1, definition of "Special municipal employee" revised, 1965, 351.

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. 19, paragraph (*b*) revised, 1965, 395.

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. 1 revised, 1965, 647 § 1.
SECT. 2 revised, 1965, 647 § 1A.
SECT. 6 amended, 1965, 647 § 2.
SECT. 8 amended, 1965, 647 § 3.
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); revised, 1965, 521.
SECT. 15 added, 1965, 29 (prohibiting the sale of stink bombs).

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; 1965, 549 § 1. (See 1957, 390 § 2; 1965, 549 § 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. 30C added, 1965, 233 (prohibiting certain tie-in sales in connection with the sale of books, periodicals and phonograph records).
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; sentence added, 1965, 17 § 1.

SECT. 9, sentence added at end, 1957, 74; same sentence stricken out, 1965, 17 § 2; sentence added at end, 1960, 42.

SECT. 10 revised, 1958, 239 § 2.

SECT. 12 revised, 1958, 239 § 3.

SECT. 15, first and second paragraphs revised, 1957, 110 § 1; 1965, 20 § 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); revised, 1965, 20 § 2.

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. 2B, jurat clause of affidavit revised, 1965, 384.

SECT. 3 amended, 1934, 340 § 15; 1957, 660 § 3; revised, 1964, 557 § 4; amended, 1965, 325. (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.

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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; 1965, 280; 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.)

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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.)

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SECT. 38 amended, 1957, 660 § 5. (See 1957, 660 §§ 6, 7.)

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The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, October 3, 1966.

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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