ACT

Approved by the People, November 5, 1968

Chapter 772, Acts of 1968

AND

ACTS AND RESOLVES

PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1969

TOGETHER WITH

RETURNS OF VOTES UPON QUESTIONS SUBMITTED TO VOTERS

TABLES SHOWING CHANGES IN THE STATUTES, ETC.

PUBLISHED BY

JOHN F. X. DAVOREN

Secretary of the Commonwealth



BOSTON

WRIGHT & POTTER PRINTING COMPANY

1969

CHAPTER 772.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Eight.

AN ACT TO ASCERTAIN AND CARRY OUT THE WILL OF THE PEOPLE IN 1970 RELATIVE TO THE CALLING AND HOLDING OF A CONSTITUTIONAL CONVENTION IN 1971 TO DEAL WITH SUBJECTS LIMITED TO THE REVISION, ALTERATION AND AMENDMENT OF THE STRUCTURE OF GOVERNMENT AND TO THE REARRANGEMENT, SIMPLIFICATION, AND METHODS OF AMENDING THE CONSTITUTION; AND TO PROVIDE FOR A PREPARATORY COMMISSION THEREFOR.

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

SECTION 1. For the purpose of ascertaining the will of the people of the commonwealth with reference to the calling and holding of a constitutional convention, the secretary of the commonwealth shall cause to be placed on the official ballot to be used at the biennial state election in the year nineteen hundred and seventy the following question:

"Shall there be a convention to revise, alter or amend the constitution of the commonwealth in the year 1971; provided, that the convention shall be limited to considering and proposing revisions, alterations and amendments on the following subjects insofar as they relate to the structure of government and on no others:

(1) The Executive Branch:

(2) The General Court:

(3) The Executive council:

(4) The government of cities, towns and counties and their relationship to each other and to the government of the commonwealth:

and revisions, alterations, and amendments which rearrange and simplify the provisions of the constitution or which relate to the methods of amending the Constitution of the commonwealth:

and provided further, that the convention shall not consider or propose any measure which relates to the Declaration of Rights of the Inhabitants of the Commonwealth of Massachusetts; to provisions of Chapter III of Part the Second of the Constitution of the Commonwealth, as amended, entitled "Judiciary Power" (other than provisions relating to the executive council); to any of the excluded matters enumerated in Section 2 of the Initiative, II, Initiative Petitions of Article XLVIII of the constitution of the commonwealth; and provided further, that the number of delegates chosen and elected to the convention shall be 150, of which 20 shall be members of the General Court (chosen in accordance with the provisions of the Act which directed the placing of this question on the ballot) and 130 shall be residents of the commonwealth who are not members of the General Court (elected in accordance with the provisions of the Act which directed the placing of this question on the ballot); and provided further, that the convention shall conclude its business not later than 120 calendar days from its first session, Saturdays, Sundays, and holidays included."

The votes upon said question shall be received, sorted, counted, declared and transmitted to the secretary of the commonwealth, laid

before the governor and council, and by them opened and examined, in accordance with the laws relating to votes for state officers so far as they are applicable. The governor shall, by public proclamation, on or before the first Wednesday in January in the year following said state election make known the result by declaring the number of votes in the affirmative and the number in the negative; and if it shall appear that a majority of said votes is in the affirmative, it shall be deemed and taken to be the will of the people that such a convention be called and held to revise, alter or amend the constitution on such subjects and on no others, and in his proclamation the governor shall call upon the general court and the people to choose and elect delegates to the convention in the manner prescribed by this act.

SECTION 2. The number of delegates to be chosen and elected to the convention shall be one hundred and fifty, of whom ten shall be chosen by ballot of the house of representatives on or before the last Tuesday in February in the year nineteen hundred and seventy-one and shall be, at the time chosen, members of the house of representatives but no more than six of the same political party; ten shall be chosen by ballot of the senate on or before the said day and shall be, at the time chosen, members of the senate but no more than six of the same political party; ten shall be elected at large in the manner prescribed by this act; and one hundred and twenty be elected by the forty senatorial districts of the commonwealth existing on the effective date of this act, to wit, three by each district, in the manner prescribed by this act.

SECTION 3. Nomination of candidates for election at large or by senatorial districts for the office of delegate to the constitutional convention shall be made by nomination papers each of which shall contain the name of not more than one candidate without party or political designation, and which shall be signed in the aggregate by not fewer than two thousand and five hundred voters for each candidate at large and by not fewer than five hundred voters resident in a senatorial district for each candidate for delegate from that senatorial district. Said papers shall be provided by the secretary of the state no later than the second Tuesday in January in the year nineteen hundred and seventy-one and shall be filed on or before five o'clock in the afternoon on the first Tuesday in March in the said year. No person who is a member of the general court on the first Tuesday in March aforesaid shall be a candidate for election as a delegate at large or from a senatorial district. No person shall be a candidate for delegate both at large and from a senatorial district. If nomination papers for nomination for delegate both at large and from a senatorial district are filed in behalf of a candidate, and if, within seventy-two hours after five o'clock in the afternoon of the first Tuesday in March aforesaid, he withdraws one nomination, the remaining shall be valid; otherwise, both such nomination papers shall be void and of no effect. No person shall be a candidate for delegate from a senatorial district in which he does not reside. No person shall be a candidate for delegate at large who does not reside in the commonwealth.

SECTION 4. If in the commonwealth at large, or in any senatorial district, the number of persons nominated by nomination papers equals or exceeds three times the number to be elected delegates as provided by section two, a non-partisan preliminary election shall be held in the commonwealth, or in such senatorial district, on the first Tuesday of

April in the year nineteen hundred and seventy-one. At such preliminary election, twice the number of persons to be elected delegates shall be chosen from those nominated by nomination papers, and those so chosen shall be deemed nominated as candidates for delegates. The names of those nominated by nomination papers and those nominated as candidates in the preliminary election where such election was necessary shall appear on the ballot at a special election of delegates to the constitutional convention, to be held in all cities and towns of the commonwealth on the first Tuesday in May in the year nineteen hundred and seventy-one.

SECTION 5. At the special election of delegates to the constitutional convention, and at the preliminary election held under the provisions of section four, every person then entitled to vote for state officers shall have the right to vote for ten delegates at large and for three delegates from his senatorial district. The number of delegates of each class for which the voter has the right to vote shall appear on the official ballot. The names of candidates for the office of delegate in each class shall be printed upon the official ballot in the order in which they may be drawn by the secretary of the commonwealth, whose duty it shall be to make such drawing before each election and to give each candidate an opportunity to be present at such drawing personally or by one representative. No party or political designation shall appear on said ballot.

SECTION 6. The persons chosen and elected delegates shall meet in convention in the State House in Boston, or at such other location within the commonwealth as the governor shall direct by special proclamation, on the second Monday in July in the year nineteen hundred and seventy-one. They shall be the judges of the returns and election of their own members and may adjourn from time to time and hold sessions in other places within the commonwealth. If at any time a vacancy occurs in the convention for any cause in the office of delegate chosen by ballot of the representatives or of the senators, the president of the convention shall forthwith notify the speaker of the house, if the vacancy is in the office of delegate chosen by ballot of the representatives, or the president of the senate, if the vacancy is in the office of delegate chosen by ballot of the senators, and the vacancy shall be filled by appointment of a member of the house or of the senate, according to the nature of the vacancy, by the speaker of the house or the president of the senate so notified. If at any time a vacancy occurs in the convention for any cause in the office of delegate elected at large or from a senatorial district, the convention shall forthwith choose as delegate to fill the vacancy whichever of the defeated candidates for the office of delegate at large, if the vacancy is from such office, or for the office of delegate from the senatorial district, if the vacancy is from such office, at the election at which delegates were elected received the highest number of votes at such election for such office at large or from such senatorial district and is eligible and willing to serve, or if there is no such defeated candidate eligible and willing to serve, a resident of the commonwealth. Seventy-six of the persons chosen and elected shall constitute a quorum for the transaction of business. The delegates shall be called to order by the governor, and shall proceed to organize themselves in convention by choosing a president and such other officers and such committees as they may deem expedient and by establishing rules of procedure; and when organized they may take into consideration the propriety and expediency of revising, altering or amending the

present constitution of the commonwealth in accordance with the provisions of Section one. And provided further, that the convention shall conclude its business no later than one hundred and twenty calendar days from its first session, Saturdays, Sundays, and holidays included. Any such revisions, alterations, and amendments made and adopted by the said convention shall be submitted to the people at the state election in the year nineteen hundred and seventy-two for their ratification and adoption in such manner as the convention shall direct and if so ratified and adopted by a majority of the people voting on such revision, alteration and amendment, the constitution shall be deemed and taken to be revised, altered and amended accordingly; and if not so ratified and adopted the present constitution shall be and remain in such respect the constitution of the commonwealth.

SECTION 7. The convention shall be provided, at the expense of the commonwealth, with suitable quarters and facilities for exercising its functions. It shall establish the compensation of its officers and members, which shall not exceed one thousand dollars for each member of the convention. It shall, subject to the approval of the governor, provide for such other expenses of its officers and members and for its session as it shall deem expedient, and shall cause to be prepared and issued a statement briefly setting forth such arguments as the convention may see fit relative to any revision, alteration or amendment of the constitution adopted by it.

SECTION 8. The provisions of section twenty-one and twenty-two of chapter thirty of the General Laws shall not apply to the salary of delegate to the constitutional convention authorized by the people pursuant to this act.

SECTION 9. If the public proclamation pursuant to section one of this act shall declare that a majority of the votes is in the affirmative, the governor shall, on or after the sixth day of January and before the eleventh day of January in the year nineteen hundred and seventy-one, appoint a special commission, which shall be known as the Massachusetts constitutional convention preparatory commission and shall, upon its first organization, be composed of five learned and discreet persons of whom one shall be selected from a list furnished by the Massachusetts Bar Association: one shall be selected from a list furnished by the Boston Bar Association: one shall be a professor of law at an accredited law school; and two shall hold or have held elective state, county or municipal office. If the Massachusetts Bar Association or the Boston Bar Association shall fail to furnish a list for the selection of such person or persons, the governor shall appoint in lieu of such person or persons a member or members of the Massachusetts bar. No more than three of the members of said commission shall be members of the same political party. The governor shall designate one of the members to act as chairman. If any vacancy shall occur in the membership of said commission the governor shall forthwith appoint any citizen of the commonwealth as a successor. The commission shall compile and render accessible, in convenient form and arrangement, such information, data and material as may aid the convention in the discharge of its duties. Each member of the commission shall receive as compensation the sum of ten thousand dollars. In the discharge of its duties, the commission may incur such expenses for research, legal, clerical, printing, travel and other purposes as the governor may approve, not to exceed in all the sum of two hundred thousand dollars. The provisions

of the law relating to civil service shall not apply to persons employed by said commission. The commission shall be provided with suitable accommodations in the state house or in other premises owned or leased by the commonwealth and shall have the same right of access to the state library as the members of the general court.

SECTION 10. The secretary of the commonwealth is hereby directed to transmit forthwith printed copies of this act to the selectmen of each town and the mayor of each city within the commonwealth; and whenever the governor shall issue his proclamation, calling upon the people to elect delegates, the secretary shall also, immediately thereafter, transmit printed copies of said proclamation, attested by him, to the selectmen and mayors.

SECTION 11. All laws relating to nominations and nomination papers, and to primaries, elections and corrupt practices therein shall so far as is consistent herewith, apply to the nomination of candidates for delegates to the convention, and to the preliminary and special election provided for by this act.

SECTION 12. The provisions of this act are hereby declared to be severable, and if any such provisions, or the application of any such provision to any person or group of persons or circumstance shall be held to be unconstitutional, such unconstitutionality shall not be construed to affect the constitutionality of any of the remaining provisions of this act, or the application of such provisions or to persons or circumstances other than those to which it is so held unconstitutional.

OFFICE OF THE SECRETARY, Boston, December 11, 1968.

I hereby certify that the foregoing law entitled "AN ACT TO ASCERTAIN AND CARRY OUT THE WILL OF THE PEOPLE IN 1970 RELATIVE TO THE CALLING AND HOLDING OF A CONSTITUTIONAL CONVENTION IN 1971 TO DEAL WITH SUBJECTS LIMITED TO THE REVISION, ALTERATION AND AMENDMENT OF THE STRUCTURE OF GOVERNMENT AND TO THE REARRANGEMENT, SIMPLIFICATION, AND METHODS OF AMENDING THE CONSTITUTION; AND TO PROVIDE FOR A PREPARATORY COMMISSION THEREFOR" was approved by the People at the State Election held on November 5, 1968, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, as amended by Article LXXIV of said Amendments.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

ACTS AND RESOLVES

OF

MASSACHUSETTS

1969

☞The General Court, which was chosen November 5, 1968, assembled on Wednesday, the first day of January, 1969, for its first annual session.

The oaths of office were taken and subscribed by His Excellency JOHN A. VOLPE and His Honor FRANCIS W. SARGENT, on Thursday, the second day of January, in the presence of the two Houses assembled in convention.

ACTS.

Chap. 1. AN ACT INCREASING THE AMOUNT OF MONEY THAT MAY BE EXPENDED BY THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY FOR THE PURPOSE OF PROMOTING THE RECREATIONAL, AGRICULTURAL AND INDUSTRIAL ADVANTAGES OF SAID COUNTY.

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 of chapter 30 of the acts of 1966 as amended by chapter 589 of the acts of 1967, is hereby further amended by striking out, in line 3, the word "ten" and inserting in place thereof the word — fifteen, — and by striking out, in line 6, the word "twice" and inserting in place thereof the word. — triple. *Approved February 5, 1969*

Chap. 2. AN ACT PROVIDING THAT PUBLIC EMPLOYEES WHO ARE MEMBERS OF THE ARMED FORCES OF THE COMMONWEALTH OR OF RESERVE COMPONENTS OF THE ARMED FORCES OF THE UNITED STATES BE RELEASED FROM WORK FOR CERTAIN DRILLS.

Be it enacted, etc., as follows:

Chapter 33 of the General Laws is hereby amended by inserting after section 59 the following section: —

Section 59A. Any person in the service of the commonwealth, or of a county, city or town which has accepted the provisions of section fifty-nine, shall be entitled, during the time of his service in the armed forces of the commonwealth or during his tour of duty as a member of a reserve component of the armed forces of the United States, to be released from his work, without compensation, in order to attend assigned weekly and weekend drills which require absence from his normally scheduled work tour. Such release from work shall not affect his leaves of absence or vacation with pay, and he shall receive the same leaves of absence or vacation with pay given to other like employees or officials

Approved February 5, 1969

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, February 6, 1969.

The Honorable JOHN F. X DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 2 of the Acts of 1969, entitled "AN ACT PROVIDING THAT PUBLIC EMPLOYEES WHO ARE MEMBERS OF THE ARMED FORCES OF THE COMMONWEALTH OR OF RESERVE COMPONENTS OF THE ARMED

FORCES OF THE UNITED STATES BE RELEASED FROM WORK FOR CERTAIN DRILLS." and the enactment of which received my approval on February 5, 1969, should take effect forthwith.

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

It would enable a number of persons getting out of the service, who are potential police or firefighters, to take a "make up" exam within the next three months rather than postponing the same if they thought their reserve meetings would hinder their initial service.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, Boston, February 6, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at four o'clock, P M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter two of the acts of nineteen hundred and sixty-nine

JOHN F. X. DAVOREN,
Secretary of the Commonwealth

Chap. 3. AN ACT CLARIFYING THE PROVISIONS OF THE CIVIL SERVICE LAW RELATIVE TO REINSTATEMENT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 31 of the General Laws is hereby amended by striking out the definition of "Reinstatement", as appearing in section 1 of chapter 703 of the acts of 1945, and inserting in place thereof the following definition: —

"Reinstatement", the restoration to employment of an officer or employee made in accordance with this chapter and the rules made thereunder.

SECTION 2. The first sentence of section 46C of said chapter 31 is hereby further amended by inserting after the word "from", in line 2, the words: — an office or position in.

SECTION 3. Said section 46C of said chapter 31 is hereby further amended by striking out the last two sentences, as appearing in section 2 of chapter 373 of the acts of 1947, and inserting in place thereof the following sentence: — The director shall forthwith hold a hearing and render his decision.

SECTION 4. The first sentence of section 46E of said chapter 31, as appearing in chapter 143 of the acts of 1967, is hereby amended by inserting after the word "absence", in line 1, the words: — or extension of a leave of absence.

SECTION 5. Said section 46E of said chapter 31 is hereby further amended by adding the following paragraph: —

Any person who has been granted a leave of absence or an extension of a leave of absence in accordance with the provisions of this section shall be reinstated at the end of the period of approved absence and may be reinstated earlier. If the appointing authority fails to make a request of the director for the approval of the reinstatement upon demand of such person, the person may make a request for a hearing before the director. The director shall forthwith hold a hearing and render his decision. Notwithstanding the provisions of section forty-three and forty-five, if any person does not return to his office or employment prior to or at the end of the period of approved absence, the appointing authority shall, within fourteen days after the expiration of such period, give such person a written notice setting forth the pertinent facts in the case and notifying him that his services are considered as terminated, whereupon the service of the officer or employee shall terminate. The appointing officer shall forward to the director a copy of the written notice and a notice of the termination of service, setting forth the date on which the service of such officer or employee should be noted as terminated. Nothing in this section shall be deemed to prevent the subsequent reinstatement of such a person in accordance with the provisions of section forty-six C. *Approved February 5, 1969.*

Chap. 4. AN ACT FURTHER DEFINING THE WORD "ROSTER" UNDER THE CIVIL SERVICE LAW AND REQUIRING EACH APPOINTING AUTHORITY TO BE GIVEN A COPY THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 31 of the General Laws is hereby amended by striking out the definition of "Roster", as appearing in section 1 of chapter 703 of the acts of 1945, and inserting in place thereof the following definition: —

"Roster", a list of permanent civil service employees in a department, arranged according to seniority, and supplemented by a list of employees appointed on a temporary or provisional basis.

SECTION 2. Section 31B of said chapter 31 is hereby amended by inserting after the word "legal", in line 6, as appearing in section 1 of chapter 165 of the acts of 1941, the words · — , and each appointing authority shall be given a copy of the roster for his department; — and by striking out, in said line 6, the word "He" and inserting in place thereof the words — The director. *Approved February 5, 1969.*

Chap. 5. AN ACT PROVIDING THAT THE PERIODIC REPORT OF THE DIRECTOR OF CIVIL SERVICE TO THE CIVIL SERVICE COMMISSION SHALL BE MADE QUARTERLY.

Be it enacted, etc., as follows:

Section 2A of chapter 31 of the General Laws is hereby amended by striking out paragraph (*k*), as amended by chapter 9 of the acts of 1965, and inserting in place thereof the following paragraph: —

(*k*) On the tenth day of October, January, April and July make a report to the commission containing complete information as to the division's activities during the preceding quarter, including data on

examinations, a complete list of noncompetitive appointments, if any, and a list of provisional appointments made. Such report shall be a public record, and copies of it shall be furnished to the governor and to the state library. 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 5, 1969.*

Chap. 6. AN ACT RELATIVE TO PASSING REQUIREMENTS FOR CIVIL SERVICE EXAMINATIONS

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 8 of chapter 31 of the General Laws, as appearing in section 3 of chapter 703 of the acts of 1945, is hereby amended by striking out, in lines 4 and 5, the words ", passing requirements".

SECTION 2 The first paragraph of section 10 of said chapter 31 is hereby amended by striking out the fourth sentence, as amended by section 4 of chapter 703 of the acts of 1945, and inserting in place thereof the following sentence: — The director shall determine the scope, weight and passing requirements of examinations.

Approved February 5, 1969.

Chap. 7. AN ACT PROHIBITING THE MAKING OF FALSE STATEMENTS IN APPLICATIONS FOR REGISTRATION OF MOTOR VEHICLES.

Be it enacted, etc , as follows:

The first sentence of paragraph (a) of subdivision (2) of section 24 of chapter 90 of the General Laws is hereby amended by striking out, in lines 16, 17 and 18, as appearing in chapter 316 of the acts of 1966, the words "whoever in an application for registration of a motor vehicle or trailer gives as his name or address or place where such vehicle is principally garaged a false name, address or place," and inserting in place thereof the words: — whoever knowingly makes any false statement in an application for registration of a motor vehicle.

Approved February 5, 1969

Chap. 8. AN ACT FURTHER REGULATING THE PROMOTION OF CERTAIN PERMANENT EMPLOYEES UNDER THE CIVIL SERVICE LAW

Be it enacted, etc., as follows.

The third sentence of paragraph A of section 15 of chapter 31 of the General Laws, as appearing in chapter 112 of the acts of 1967, is hereby amended by inserting after the word "district", in line 2, the words: — who is eligible for promotion. *Approved February 5, 1969*

Chap. 9. AN ACT FURTHER REGULATING APPOINTMENTS AND PROMOTIONS UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 15 of chapter 31 of the General Laws is hereby amended by striking out the third sentence, as amended by section 2 of chapter 652 of the acts of 1968, and inserting in place thereof the following sentence: — A provisional appointment may be authorized to fill a permanent position for a period of not more than one year, or to fill a temporary position other than one in the service of the commonwealth for not more than six months, or to fill a temporary position in the service of the commonwealth for the period for which approval has been granted by the director of personnel and standardization; provided that if sufficient reason is forwarded to the director by the appointing authority to justify a request made by him for an extension of the provisional appointment to a temporary position, such authorization, where such position is not in the service of the commonwealth, may be extended for not more than eighteen months or until the establishment of an eligible list, whichever occurs first, and, where such temporary position is in the service of the commonwealth, may be extended until the establishment of an eligible list or until two years from the date of the authorization first granted for such provisional appointment, whichever occurs first; and provided, further, that in any office or position in the commonwealth or any agency or political subdivision thereof where compliance with the federal standards for a merit system of personnel administration is a condition for the granting of federal funds, the director shall forthwith make arrangements to establish an eligible list within a year from the date of the approval of the provisional authorization.

SECTION 2. The second paragraph of said section 15 of said chapter 31, as appearing in section 1 of chapter 720 of the acts of 1964, is hereby amended by inserting after the word "position", in line 2 and in line 4, the words: — in the official service.

SECTION 3. Said section 15 of said chapter 31 is hereby further amended by striking out the antepenultimate paragraph, as so appearing, and inserting in place thereof the following paragraph: —

All departmental competitive examinations for positions in the department of public works shall be open to eligible employees in said department, as determined by the director, and in the case of promotional qualifying examinations length of service shall be computed on total length of permanent service, as set forth in section fifteen D, regardless of the unit to which assigned. *Approved February 5, 1969.*

Chap. 10. AN ACT PROVIDING THAT TOWN MEETINGS SHALL BE HELD ON THE DAY FOLLOWING IF THE DAY SET FOR SUCH MEETINGS FALLS ON A LEGAL HOLIDAY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith that towns shall hold their town meetings on the day following if the day set for such meetings falls on a legal holiday, therefore it is hereby declared to be an

emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 9 of chapter 39 of the General Laws is hereby amended by adding the following sentence: — If the day set for a town meeting by by-law or otherwise falls on a legal holiday, such meeting shall be held on the day following *Approved February 6, 1969.*

Chap. 11. AN ACT REPEALING THE LAW AUTHORIZING THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY TO SELL BONDS IN THE POSTWAR REHABILITATION FUND AND TO USE THE PROCEEDS TO INSTALL AN ELEVATOR IN THE FRANKLIN COUNTY COURT HOUSE

Be it enacted, etc., as follows:

Chapter seventy-two of the acts of nineteen hundred and sixty-seven is hereby repealed. *Approved February 6, 1969.*

Chap. 12. AN ACT PROVIDING FOR THE ESTABLISHMENT AND MAINTENANCE OF CLASSIFICATION PLANS FOR POSITIONS SUBJECT TO THE CIVIL SERVICE LAW IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Section 2A of chapter 31 of the General Laws is hereby amended by striking out paragraph (*b*), as most recently amended by section 1 of chapter 295 of the acts of 1954, and inserting in place thereof the following paragraph. —

(*b*) Establish, with the approval of the commission, classification plans for positions in every city and town which are subject to any provision of this chapter. Upon the establishment of such classification plan the director shall forthwith make such plan effective. He shall keep said classification plan current, and, with like approval, may from time to time amend or change said classification plan.

SECTION 2. Section 108A of chapter 41 of the General Laws, as most recently amended by chapter 87 of the acts of 1960, is hereby further amended by adding the following paragraph: —

In any city or town for which a classification plan has been established in accordance with the provisions of paragraph (*b*) of section two A of said chapter thirty-one, the city or town affected thereby shall, within one year after receiving notice from the director of the effective date of such classification plan or of said amendment or change, establish, amend or change a compensation plan, as the case may be, with a minimum and maximum salary, in accordance with the class and grade, for each position. No rule or regulation or change in rules or regulations shall be promulgated as a part of any such compensation plan except after a public hearing held not less than two weeks nor more than two months after notice thereof shall have been posted in a conspicuous place in the city or town hall and in at least five other convenient and conspicuous places and shall also have been published on one or more days in one or more newspapers having a circulation in the city or town.

Every notice posted shall contain, or have subjoined or annexed thereto, a copy of the proposed rule or regulation. If such rule or regulation or change therein is to be adopted by vote of the town or by by-law, the publication of the proposed rule, regulation or change in the warrant for the town meeting shall be deemed to satisfy the requirements of this paragraph. *Approved February 6, 1969.*

Chap. 13. AN ACT PROVIDING THAT CERTAIN MOTOR VEHICLES SHALL HAVE THEIR HEIGHT PRINTED IN A CONSPICUOUS PLACE THEREON

Be it enacted, etc , as follows:

Section 19 of chapter 90 of the General Laws is hereby amended by inserting after the third sentence, inserted by chapter 221 of the acts of 1968, the following sentence: — No motor vehicle registered under the provisions of this chapter which has a total height exceeding ten feet, excluding the height of any load thereon, shall be operated on any way unless such total height is painted or printed in letters and numerals at least four inches high in a conspicuous place upon the side or front of such vehicle. *Approved February 11, 1969*

Chap. 14. AN ACT CLARIFYING THE LAW RELATIVE TO CERTAIN POSITIONS IN THE DEPARTMENT OF MENTAL HEALTH WHICH ARE EXEMPT FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Chapter 123 of the General Laws is hereby amended by striking out section 42, as amended by section 5 of chapter 735 of the acts of 1966, and inserting in place thereof the following section: —

Section 42. Stationary engineers, steam firemen, school teachers and head farmers employed in the department and, except as otherwise provided by the civil service rules, the classified labor service of the department shall be exempt from chapter thirty-one; provided, however, that whenever, 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 the civil service law and rules to any such position, or to the classified labor service or any portion thereof, said positions or service shall be subject to chapter thirty-one; provided, further, such federal requirements are uniform in all states

Approved February 13, 1969.

Chap. 15. AN ACT PROVIDING FOR THE HEARING OF APPEALS BY LESS THAN A MAJORITY OF THE MEMBERS OF THE CIVIL SERVICE COMMISSION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make permanent the provisions of law authorizing certain appeals to be heard by less than a majority of the civil service

commission, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*b*) of section 2 of chapter 31 of the General Laws is hereby amended by striking out the second and third sentences, as appearing in chapter 270 of the acts of 1962, and inserting in place thereof the following sentence: — Hearings on any appeal may be held before less than a majority of the commission or the chairman may assign a member or members to hold such hearings and to report his or their findings of fact and recommendations to the commission for action

SECTION 2. This act shall take effect on April eighth, nineteen hundred and sixty-nine. *Approved February 18, 1969.*

Chap. 16. AN ACT RELATIVE TO THE ESTABLISHMENT OF RESIDENCY REQUIREMENTS FOR CERTAIN PERSONS APPOINTED AS POLICE OFFICERS UNDER CIVIL SERVICE LAW

Be it enacted, etc., as follows:

Section 48A of chapter 31 of the General Laws is hereby amended by striking out, in line 12, as appearing in chapter 857 of the acts of 1967, the word "six" and inserting in place thereof the word: — nine.

Approved February 18, 1969.

Chap. 17. AN ACT REDUCING THE FEE FOR THE ISSUANCE OF A NON-RESIDENT AND ALIEN FUR BUYER'S LICENSE.

Be it enacted, etc., as follows:

Clause (2) of the first paragraph of section 28 of chapter 131 of the General Laws, as appearing in section 1 of chapter 802 of the acts of 1967, is hereby amended by striking out, in line 3, the words "one hundred" and inserting in place thereof the word. — twenty.

Approved February 18, 1969.

Chap. 18. AN ACT INCREASING THE AMOUNT WHICH A DOG OFFICER MAY CHARGE FOR THE CARE OF CONFINED DOGS.

Be it enacted, etc., as follows:

Section 151A of chapter 140 of the General Laws is hereby amended by striking out the fifth sentence, as most recently amended by chapter 98 of the acts of 1962, and inserting in place thereof the following sentence: — A dog officer having custody of a confined dog shall be allowed the sum of two dollars per day for the care of such dog, payable by the owner or keeper thereof, if known, otherwise from the dog fund.

Approved February 18, 1969.

Chap. 19. AN ACT ESTABLISHING THE COMPENSATION AND THE EXPENSE AND TRAVEL ALLOWANCES 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 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-nine and nineteen hundred and seventy eleven thousand four hundred dollars. The president of the senate and the speaker of the house of representatives shall each receive eleven thousand four 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 of the house committee on ways and means shall each receive eight thousand five hundred and fifty dollars additional compensation for each such session. The vice chairman of the house committee on ways and means, the assistant floor leader of each of the major political parties in the senate and the house of representatives and the second assistant floor leader of the minority party in the house of representatives shall each receive five thousand seven hundred dollars additional compensation for each such session and the senate chairman and the house chairman of the joint committees on taxation, the judiciary and counties shall each receive three thousand eight hundred 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 one thousand 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, thirteen hundred and fifty dollars in any one such session, or one thousand eight 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 twelve hundred dollars annually for expenses for the years

nineteen hundred and sixty-nine and nineteen hundred and seventy to be paid as follows. — each member shall be entitled to receive one hundred dollars on the first day of each session and on the first day of each month thereafter until said sum of twelve 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 twelve hundred dollars.

Each member of the general court shall be paid an allowance for each day he attends a session thereof during said years in accordance with the following schedule: —

A member of the general court who lives in the city or town of Arlington, Belmont, Boston, Brookline, Cambridge, Chelsea, Dedham, Everett, Lexington, Malden, Medford, Melrose, Milton, Newton, Quincy, Revere, Somerville, Stoneham, Wakefield, Waltham, Watertown, Winchester, Winthrop or Woburn shall receive a per diem allowance for mileage, meals and lodging of two dollars per day; a member of the general court who lives in the city or town of Braintree, Burlington, Canton, Dover, Holbrook, Lynn, Lynnfield, Nahant, Needham, Norwood, Randolph, Reading, Swampscott, Wellesley, Weston, Westwood, Weymouth or Wilmington shall receive a per diem allowance of two dollars and fifty cents per day for mileage, meals and lodging; a member of the general court who lives in the city or town of Abington, Acton, Andover, Ashland, Avon, Bedford, Beverly, Billerica, Brockton, Carlisle, Cohasset, Concord, Danvers, East Bridgewater, Easton, Framingham, Hanover, Hanson, Hingham, Holliston, Hull, Lincoln, Manchester, Mansfield, Marblehead, Medfield, Middleton, Millis, Natick, Norfolk, North Reading, Peabody, Rockland, Salem, Saugus, Sharon, Sherborn, Stoughton, Sudbury, Tewksbury, Topsfield, Walpole, Wayland, Wenham, West Bridgewater, Whitman or Wrentham shall receive a per diem allowance for mileage, meals and lodging of four dollars per day, a member of the general court who lives in the city or town of Bellingham, Boxborough, Bridgewater, Chelmsford, Essex, Foxborough, Franklin, Georgetown, Halifax, Hamilton, Hopkinton, Ipswich, Lawrence, Lowell, Maynard, Medway, North Andover, Norwell, Pembroke, Scituate, Southborough or Stow shall receive a per diem allowance for mileage, meals and lodging of five dollars per day; a member of the general court who lives in the city or town of Ayer, Blackstone, Boxford, Dracut, Duxbury, Gloucester, Groveland, Haverhill, Hopedale, Hudson, Kingston, Littleton, Marlborough, Marshfield, Methuen, Middleborough, Milford, Norton, Plainville, Plympton, Rockport, Rowley, Tyngsborough, Westborough or Westford shall receive a per diem allowance for mileage, meals and lodging of six dollars per day; a member of the general court who lives in the city or town of Acushnet, Amesbury, Ashby, Attleboro, Auburn, Berkley, Berlin, Bolton, Boylston, Carver, Clinton, Dighton, Douglas, Dudley, Dunstable, Fairhaven, Fall River, Fitchburg, Freetown, Grafton, Groton, Harvard, Holden, Lakeville, Lancaster, Leicester, Leominster, Lunenburg, Marion, Mattapoisett, Mendon, Merrimac, Millbury, Millville, New Bedford, Newbury, Newburyport, North Attleborough, Northborough, Northbridge, Oakham, Oxford, Paxton, Pepperell, Plymouth, Princeton, Raynham, Rehoboth, Rochester, Rutland, Salisbury, Seekonk, Shirley, Shrewsbury, Somerset, Sterling, Sutton, Swansea, Taunton, Townsend, Upton, Uxbridge, Wareham,

Webster, West Boylston, Westminster, West Newbury or Worcester shall receive a per diem allowance for mileage, meals and lodging of seventeen dollars and fifty cents per day, a member of the general court who lives in the city or town of Ashburnham, Athol, Barnstable, Barre, Belchertown, Bourne, Brewster, Brimfield, Brookfield, Charlton, Chatham, Dartmouth, Dennis, East Brookfield, Eastham, Erving, Falmouth, Gardner, Hardwick, Harwich, Holland, Hubbardston, Mashpee, Monson, New Braintree, New Salem, North Brookfield, Orange, Orleans, Palmer, Petersham, Phillipston, Royalston, Sandwich, Southbridge, Spencer, Springfield, Sturbridge, Templeton, Wales, Ware, Warren, Warwick, Wendell, West Brookfield, Westport, West Springfield, Wilbraham, Winchendon or Yarmouth shall receive a per diem allowance for mileage, meals and lodging of nineteen dollars per day; a member of the general court who lives in the city or town of Agawam, Amherst, Bernardston, Blandford, Buckland, Chicopee, Colrain, Conway, Deerfield, East Longmeadow, Easthampton, Gill, Granby, Granville, Greenfield, Hadley, Hampden, Hatfield, Holyoke, Huntington, Leverett, Leyden, Longmeadow, Ludlow, Montague, Montgomery, Northampton, Northfield, Pelham, Provincetown, Russell, Shelburne, Shutesbury, Southampton, South Hadley, Southwick, Sunderland, Truro, Wellfleet, Westfield, Westhampton, Whately or Williamsburg shall receive a per diem allowance for mileage, meals and lodging of twenty dollars per day; a member of the general court who lives in the city or town of Ashfield, Charlemont, Chester, Chesterfield, Cummington, Florida, Goshen, Hawley, Heath, Middlefield, Rowe, Tolland or Worthington shall receive a per diem allowance for mileage, meals and lodging of twenty-two dollars per day; a member of the general court who lives in the city or town of Monroe, Plainfield or Washington shall receive a per diem allowance for mileage, meals and lodging of twenty-three dollars per day; a member of the general court who lives in the city or town of Becket, Clarksburg, Dalton, Hinsdale, New Ashford, North Adams, Peru or Williamstown shall receive a per diem allowance for mileage, meals and lodging of twenty-four dollars per day, a member of the general court who lives in the city or town of Pittsfield or Windsor shall receive a per diem allowance for mileage, meals and lodging of twenty-five dollars per day; a member of the general court who lives in the city or town of Adams, Cheshire, Hancock, Lanesborough, Lee, Lenox, Richmond, Savoy or West Stockbridge shall receive a per diem allowance for mileage, meals and lodging of twenty-six dollars and fifty cents per day; a member of the general court who lives in the city or town of Chilmark, Edgartown, Gay Head, Gosnold, Oak Bluffs, Otis, Stockbridge, Tisbury, Tyringham or West Tisbury shall receive a per diem allowance for mileage, meals and lodging of twenty-eight dollars per day; a member of the general court who lives in the city or town of Alford, Egremont, Great Barrington, Monterey, Mount Washington, New Marlborough, Sandisfield or Sheffield shall receive a per diem allowance for mileage, meals and lodging of thirty dollars per day; a member of the general court who lives in the town of Nantucket shall receive a per diem allowance for mileage, meals and lodging of thirty-two dollars per day.

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-nine or

nineteen hundred and seventy or who resigns his seat during a regular annual session in the year nineteen hundred and sixty-nine or nineteen hundred and seventy shall be entitled to a per diem compensation for the time of his membership at the rate of eleven thousand four 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. Chapter 3 of the General Laws is hereby amended by striking out section 9 and inserting in place thereof the following section: —

Section 9. Each member of the general court shall receive for each regular annual session eleven thousand four hundred dollars. The president of the senate and the speaker of the house of representatives shall each receive eleven thousand four hundred dollars additional compensation. The floor leaders of each of the major political parties in the senate and house of representatives, the chairman of the senate committee on ways and means and the chairman of the house committee on ways and means shall each receive eight thousand five hundred and fifty dollars additional compensation. The vice chairman of the house committee on ways and means, the assistant floor leader of each of the major political parties in the senate and the house of representatives and the second assistant floor leader of the minority party in the house of representatives shall each receive five thousand seven hundred dollars additional compensation and the senate chairman and the house chairman of the joint committees on taxation, the judiciary and counties shall each receive three thousand eight hundred dollars additional compensation. Each member of the general court shall be entitled to be paid his compensation for such regular session at the rate of one thousand 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, thirteen hundred and fifty dollars in any one such session, or one thousand eight 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 5. Said chapter 3 is hereby further amended by striking out section 9B and inserting in place thereof the following section: —

Section 9B. Each member of the general court shall receive twelve hundred dollars annually for expenses, to be paid as follows: — each member shall be entitled to receive one hundred dollars on the first day of each session and on the first day of each month thereafter until said sum of twelve 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 twelve hundred dollars.

Each member of the general court shall be paid an allowance for each day he attends a session thereof in accordance with the following schedule: —

A member of the general court who lives in the city or town of Arlington, Belmont, Boston, Brookline, Cambridge, Chelsea, Dedham, Everett, Lexington, Malden, Medford, Melrose, Milton, Newton, Quincy, Revere, Somerville, Stoneham, Wakefield, Waltham, Watertown, Winchester, Winthrop or Woburn shall receive a per diem allowance for mileage, meals and lodging of two dollars per day; a member of the general court who lives in the city or town of Braintree, Burlington, Canton, Dover, Holbrook, Lynn, Lynnfield, Nahant, Needham, Norwood, Randolph, Reading, Swampscott, Wellesley, Weston, Westwood, Weymouth or Wilmington shall receive a per diem allowance of two dollars and fifty cents per day for mileage, meals and lodging; a member of the general court who lives in the city or town of Abington, Acton, Andover, Ashland, Avon, Bedford, Beverly, Billerica, Brockton, Carlisle, Cohasset, Concord, Danvers, East Bridgewater, Easton, Framingham, Hanover, Hanson, Hingham, Holliston, Hull, Lincoln, Manchester, Mansfield, Marblehead, Medfield, Middleton, Millis, Natick, Norfolk, North Reading, Peabody, Rockland, Salem, Saugus, Sharon, Sherborn, Stoughton, Sudbury, Tewksbury, Topsfield, Walpole, Wayland, Wenham, West Bridgewater, Whitman or Wrentham shall receive a per diem allowance for mileage, meals and lodging of four dollars per day; a member of the general court who lives in the city or town of Bellingham, Boxborough, Bridgewater, Chelmsford, Essex, Foxborough, Franklin, Georgetown, Halifax, Hamilton, Hopkinton, Ipswich, Lawrence, Lowell, Maynard, Medway, North Andover, Norwell, Pembroke, Scituate, Southborough or Stow shall receive a per diem allowance for mileage, meals and lodging of five dollars per day; a member of the general court who lives in the city or town of Ayer, Blackstone, Boxford, Dracut, Duxbury, Gloucester, Groveland, Haverhill, Hopedale, Hudson, Kingston, Littleton, Marlborough, Marshfield, Methuen, Middleborough, Milford, Norton, Plainville, Plympton, Rockport, Rowley, Tyngsborough, Westborough or Westford shall receive a per diem allowance for mileage, meals and lodging of six dollars per day; a member of the general court who lives in the city or town of Acushnet, Amesbury, Ashby, Attleboro, Auburn, Berkley, Berlin, Bolton, Boylston, Carver, Clinton, Dighton, Douglas, Dudley, Dunstable, Fairhaven, Fall River, Fitchburg, Freetown, Grafton, Groton, Harvard, Holden, Lakeville, Lancaster, Leicester, Leominster, Lunenburg, Marion, Mattapoisett, Mendon, Merrimac, Millbury, Millville, New Bedford, Newbury, Newburyport, North Attleborough, Northborough, Northbridge, Oakham, Oxford, Paxton, Pepperell, Plymouth, Princeton, Raynham, Rehoboth, Rochester, Rutland, Salisbury, Seekonk, Shirley, Shrewsbury, Somerset, Sterling, Sutton, Swansea, Taunton, Townsend, Upton, Uxbridge, Wareham, Webster, West Boylston, Westminster, West Newbury or Worcester shall receive a per diem allowance for mileage, meals and lodging of seventeen dollars and fifty cents per day; a member of the general court who lives in the city or town of Ashburnham, Athol, Barnstable, Barre, Belchertown, Bourne, Brewster, Brimfield, Brookfield, Charlton, Chatham, Dartmouth, Dennis, East Brookfield, Eastham, Erving, Falmouth, Gardner, Hardwick, Harwich, Holland, Hubbardston, Mashpee, Monson, New Braintree, New Salem, North Brookfield, Orange, Orleans, Palmer, Petersham, Phillipston, Royalston, Sandwich, Southbridge, Spencer, Springfield, Sturbridge, Templeton, Wales, Ware, Warren, Warwick,

Wendell, West Brookfield, Westport, West Springfield, Wilbraham, Winchendon or Yarmouth shall receive a per diem allowance for mileage, meals and lodging of nineteen dollars per day, a member of the general court who lives in the city or town of Agawam, Amherst, Bernardston, Blandford, Buckland, Chicopee, Colrain, Conway, Deerfield, East Longmeadow, Easthampton, Gill, Granby, Granville, Greenfield, Hadley, Hampden, Hatfield, Holyoke, Huntington, Leverett, Leyden, Longmeadow, Ludlow, Montague, Montgomery, Northampton, Northfield, Pelham, Provincetown, Russell, Shelburne, Shutesbury, Southampton, South Hadley, Southwick, Sunderland, Truro, Wellfleet, Westfield, Westhampton, Whately or Williamsburg shall receive a per diem allowance for mileage, meals and lodging of twenty dollars per day; a member of the general court who lives in the city or town of Ashfield, Charlemont, Chester, Chesterfield, Cummington, Florida, Goshen, Hawley, Heath, Middlefield, Rowe, Tolland or Worthington shall receive a per diem allowance for mileage, meals and lodging of twenty-two dollars per day; a member of the general court who lives in the city or town of Monroe, Plainfield or Washington shall receive a per diem allowance for mileage, meals and lodging of twenty-three dollars per day; a member of the general court who lives in the city or town of Becket, Clarksburg, Dalton, Hinsdale, New Ashford, North Adams, Peru or Williamstown shall receive a per diem allowance for mileage, meals and lodging of twenty-four dollars per day; a member of the general court who lives in the city or town of Pittsfield or Windsor shall receive a per diem allowance for mileage, meals and lodging of twenty-five dollars per day; a member of the general court who lives in the city or town of Adams, Cheshire, Hancock, Lanesborough, Lee, Lenox, Richmond, Savoy or West Stockbridge shall receive a per diem allowance for mileage, meals and lodging of twenty-six dollars and fifty cents per day, a member of the general court who lives in the city or town of Chilmark, Edgartown, Gay Head, Gosnold, Oak Bluffs, Otis, Stockbridge, Tisbury, Tyringham or West Tisbury shall receive a per diem allowance for mileage, meals and lodging of twenty-eight dollars per day; a member of the general court who lives in the city or town of Alford, Egremont, Great Barrington, Monterey, Mount Washington, New Marlborough, Sandisfield or Sheffield shall receive a per diem allowance for mileage, meals and lodging of thirty dollars per day; a member of the general court who lives in the town of Nantucket shall receive a per diem allowance for mileage, meals and lodging of thirty-two dollars per day.

SECTION 6. Said chapter 3 is hereby further amended by striking out section 10 and inserting in place thereof the following section. —

Section 10. Each member of the general court chosen to fill a vacancy, or who resigns his seat during a regular annual session, shall be entitled to a per diem compensation for the time of his membership at the rate of eleven thousand four hundred dollars for each regular annual session, and the allowances for travel and other expenses for the time of his membership as provided in section nine B.

SECTION 7. The provisions of sections one, two and three of this act shall take effect as of January first, nineteen hundred and sixty-nine; and the provisions of sections four, five and six of this act shall take effect on January sixth, nineteen hundred and seventy-one.

Approved February 18, 1969.

Chap. 20. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BRISTOL COUNTY TO HAVE PLANS AND SPECIFICATIONS PREPARED FOR THE BUILDING OF AN ADDITION TO THE FOURTH DISTRICT COURT OF BRISTOL, IN THE CITY OF ATTLEBORO.

Be it enacted, etc., as follows:

The county commissioners of Bristol county are hereby authorized and directed to have plans and specifications prepared for the building of an addition to the fourth district court of Bristol, in the city of Attleboro, the cost of which addition shall not exceed two hundred thousand dollars. Said commissioners may expend from available funds a sum not to exceed twenty thousand dollars for such plans and specifications. *Approved February 19, 1969.*

Chap. 21. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES BY CERTAIN CLUBS AND VETERANS' ORGANIZATIONS IN THE TOWN OF WINTHROP.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any limitations imposed by section eleven or eleven A of chapter one hundred and thirty-eight of the General Laws as to the time and manner of voting upon the questions therein set forth, the selectmen of the town of Winthrop shall cause to be placed on the official ballot used in the town of Winthrop by the registered voters of the town of Winthrop at the annual town meeting to be held in the year nineteen hundred and sixty-nine the following question, to wit.

Shall licenses be granted in the town of Winthrop for the sale therein of all alcoholic beverages by clubs and war veterans' organizations?

YES.	
NO.	

If a majority of the votes cast in said town in answer to said question is in the affirmative, said town shall be taken to have authorized, until the end of calendar year nineteen hundred and seventy, the sale in said town of all alcoholic beverages to be drunk on the premises of clubs and veterans' organizations as defined and limited in section twelve of said chapter one hundred and thirty-eight, notwithstanding any provisions of said section twelve to the contrary. Said licenses shall be subject, however, to all other provisions of said chapter one hundred and thirty-eight.

SECTION 2. The state secretary shall cause to be placed on the official ballot used in the town of Winthrop at each biennial state election the following subdivision to the question which he is required under the provisions of section eleven of chapter one hundred and thirty-eight of the General Laws to place on the official ballot in all cities and towns at such elections, to wit:

E. Shall licenses be granted in the town of Winthrop for the sale therein of all alcoholic beverages by clubs and war veterans' organizations?

YES.	
NO.	

If a majority of the votes cast in such town in answer to subdivision A is in the affirmative, such town shall, irrespective of the result of the votes in answer to subdivisions B, C, D and E, be taken to have authorized, for the two calendar years next succeeding, the retail sale

in such town of all alcoholic beverages to be drunk on and off the premises where sold, in accordance with the provisions of this chapter.

If a majority of the votes cast in said town in answer to subdivision E is in the affirmative, said town shall, irrespective of the results of the votes in answer to subdivisions A, B, C and D, be taken to authorize, for the two calendar years next succeeding, the sale in said town of all alcoholic beverages to be drunk on the premises of clubs and veterans' organizations as defined and limited in section twelve of said chapter one hundred and thirty-eight, notwithstanding any provisions of said section twelve to the contrary. Said licenses shall be subject, however, to all other provisions of said chapter one hundred and thirty-eight.

SECTION 3 This act shall take effect upon its passage.

Approved February 20, 1969.

Chap. 22. AN ACT AUTHORIZING THE CITY OF WESTFIELD TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, A CERTAIN UNPAID BILL

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Westfield is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, an unpaid bill incurred by said city in the amount of sixty-seven dollars and fifty cents to Callaghan and Company for materials supplied to the law department of said city in the year nineteen hundred and sixty-seven, which bill is legally unenforceable against said city by reason of its having been incurred in excess of available appropriations.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the materials for which said bill was submitted were ordered by an official or an employee of said city and that such materials were delivered to said city.

SECTION 3. Any person who knowingly files a certificate required by section two which is false, and who thereby receives payment for materials which were not delivered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both. *Approved February 24, 1969.*

Chap. 23. AN ACT GRANTING PERMANENT CIVIL SERVICE STATUS TO AGNES T. LEAHY AS JUNIOR CLERK AND TYPIST IN THE DEPARTMENT OF CORPORATIONS AND TAXATION WHO WAS NOT PERMANENTLY CERTIFIED TO SUCH POSITION THROUGH ERROR.

Be it enacted, etc., as follows:

Agnes T. Leahy, who passed an open, competitive civil service examination and became eligible on or about May fifth, nineteen hundred and sixty-four, for appointment as permanent junior clerk and typist

in the department of corporations and taxation, but who, through error, was not certified on a permanent basis to said position, shall, notwithstanding any law or rule to the contrary, be recorded on the records of the division of civil service as a permanent junior clerk and typist classified under the civil service law and rules in the department of corporations and taxation as of June twenty-eighth, nineteen hundred and sixty-five. *Approved February 24, 1969*

Chap. 24. AN ACT AUTHORIZING THE CIVIL SERVICE COMMISSION TO SUMMON WITNESSES AT THE REQUEST OF INTERESTED PARTIES TO PROCEEDINGS BEFORE SAID COMMISSION.

Be it enacted, etc., as follows:

Section 32 of chapter 31 of the General Laws, as most recently amended by section 17 of chapter 780 of the acts of 1967, is hereby further amended by adding the following sentence: — Subpoenas may be issued at the instance of a complainant, respondent or any other party to any proceeding before the commission under such rules as the commission may establish, in which case the cost of service and the fees of the witnesses shall be borne by the party at whose instance the witness is summoned, and such fees shall be paid to the witnesses as provided in the case of witnesses before the superior court.

Approved February 24, 1969.

Chap. 25. AN ACT RELATIVE TO THE FILLING OF VACANCIES IN CIVIL SERVICE POSITIONS.

Be it enacted, etc., as follows:

Section 12 of chapter 31 of the General Laws is hereby amended by adding the following paragraph: —

If an eligible list for a permanent civil service position is in effect at the time a vacancy occurs in such position through death or retirement and if requisition is made to fill said vacancy within six months after said death or retirement, the director shall, if said eligible list has expired, reestablish said eligible list for the purpose of filling said vacancy and certifying from said list unless said eligible list was established on a statewide basis. *Approved February 24, 1969.*

Chap. 26. AN ACT AUTHORIZING THE MIDDLESEX COUNTY COMMISSIONERS TO REDESIGNATE THE MIDDLESEX SANATORIUM AS THE MIDDLESEX COUNTY HOSPITAL.

Be it enacted, etc., as follows:

The county commissioners of Middlesex county are hereby authorized and directed to redesignate the Middlesex Sanatorium as the Middlesex County Hospital. A suitable marker bearing said designation shall be attached thereto by said county commissioners.

Approved February 24, 1969.

Chap. 27. AN ACT RELATIVE TO THE RIGHTS OF AN ADOPTED CHILD UNDER CERTAIN INSTRUMENTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 210 of the General Laws is hereby amended by striking out section 8, as amended by section 1 of chapter 121 of the acts of 1958, and inserting in place thereof the following section: —

Section 8. The words "child", "grandchild", "issue", "heir" or "heir-at-law", or their respective equivalents, in a grant, trust settlement, entail, devise or bequest, shall include one who is adopted to the same extent as if born to the adopting parent or parents in lawful wedlock, whether the adoption was decreed before or after the date of execution or the effective date of any such grant, trust settlement, entail, devise or bequest, unless the contrary plainly appears by the terms of the instrument.

SECTION 2. The provisions of section eight of chapter two hundred and ten of the General Laws, as amended by section one of this act, shall be applicable to all grants, trust settlements, entails, devises or bequests whether the same were executed or effective before or after the effective date of this act provided that said provisions shall not apply to any such grant, trust settlement, entail, devise or bequest which was executed or effective prior to August twenty-six, nineteen hundred and fifty-eight with respect to any interests or right therein which had vested prior to the effective date of this act.

SECTION 3. This act shall take effect on September one, nineteen hundred and sixty-nine. *Approved February 25, 1969.*

Chap. 28. AN ACT PROVIDING THAT THE COMMISSIONER OF MENTAL HEALTH SHALL ESTABLISH THE EDUCATIONAL AND EXPERIENCE REQUIREMENTS FOR CERTAIN PROFESSIONAL POSITIONS IN THE DEPARTMENT OF MENTAL HEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to expedite the employment of certain persons rendering professional services in the department of mental health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc , as follows:

Section 10 of chapter 19 of the General Laws is hereby amended by striking out the third paragraph, as appearing in section 1 of chapter 735 of the acts of 1966, and inserting in place thereof the following paragraph: —

Educational and experience requirements for the positions of director of psychological services, director of psychological research, principal psychologist, chief supervisor of psychiatric nursing, head psychiatric social worker and head occupational therapist in the department shall be established as recommended by the commissioner, subject to the approval of the director of civil service. *Approved February 28, 1969.*

Chap. 29. AN ACT REACTIVATING A CERTAIN CIVIL SERVICE LIST ESTABLISHED FOR THE POSITION OF HOSPITAL INSPECTOR IN THE DEPARTMENT OF PUBLIC HEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the correction of an inequity relative to an appointment to fill a vacancy in the position of hospital inspector, division of adult health, department of public health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience

Be it enacted, etc., as follows:

Notwithstanding any law to the contrary, the eligible list established for the position of hospital inspector, division of adult health, department of public health, which expired on February twenty-one, nineteen hundred and sixty-eight, is hereby reactivated as it appeared on said date of expiration for the sole purpose of certifying from such list for an appointment to fill the next permanent vacancy occurring in said department for said position. For the purposes of seniority and eligibility for examination said appointment to said position shall be deemed to have been made as of June thirty, nineteen hundred and sixty-eight. *Approved February 28, 1969.*

Chap. 30. AN ACT MAKING CORRECTIVE CHANGES IN THE LAW PROVIDING BENEFITS FOR WIDOWS OF CERTAIN MEMBERS OF THE JUDICIARY.

Be it enacted, etc., as follows:

SECTION 1. Section 65C of chapter 32 of the General Laws, as most recently amended by chapter 699 of the acts of 1968, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph: —

Any pension payable to the widow of a special justice shall not exceed four thousand dollars per year.

SECTION 2. Notwithstanding the provisions of section sixty-five C of chapter thirty-two of the General Laws, the word "widow," as used in said section sixty-five C, shall include any widow of a justice, associate justice, a judge or associate judge who died in office prior to July first, nineteen hundred and sixty, provided, however, that any pension payable to such widow, under said section sixty-five C, shall not exceed four thousand dollars per year.

SECTION 3. This act shall take effect as of the effective date of chapter six hundred and ninety-nine of the acts of nineteen hundred and sixty-eight. *Approved February 28, 1969.*

Chap. 31. AN ACT PROVIDING FOR A THIRD ASSISTANT CLERK OF THE SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY

Be it enacted, etc., as follows:

Section 5 of chapter 221 of the General Laws is hereby amended by striking out the sixth paragraph, as appearing in chapter 535 of the acts of 1965, and inserting in place thereof the following paragraph: —

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 a third assistant clerk, designated from his office force. Said second assistant clerk and said third assistant clerk appointed under the authority of this paragraph shall each 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.

Approved February 28, 1969.

Chap. 32. AN ACT DESIGNATING THE BRIDGE ON INTERSTATE ROUTE I-95 OVER DOLE STREET IN THE CITY OF REVERE AS THE MARTIN L. GILLESPIE, JR. BRIDGE.

Be it enacted, etc., as follows:

The bridge on interstate route I-95 over Dole street in the city of Revere shall be known and designated as the Martin L. Gillespie, Jr bridge, in memory of Martin L. Gillespie, Jr., who was killed in action while a member of the armed forces of the United States in the Vietnam campaign. Suitable markers 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 February 28, 1969.*

Chap. 33. AN ACT DESIGNATING THE MOUNTAIN AVENUE BRIDGE OVER INTERSTATE ROUTE I-95 IN THE CITY OF REVERE AS THE ARTHUR R. LEGROW, JR. BRIDGE.

Be it enacted, etc., as follows:

The Mountain Avenue bridge over interstate route I-95 in the city of Revere shall be known and designated as the Arthur R. LeGrow, Jr. bridge, in memory of Lieutenant Arthur R. LeGrow, Jr., who is missing and believed killed in action while a member of the armed forces of the United States in the Vietnam campaign. Suitable markers 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 February 28, 1969.

Chap. 34. AN ACT DESIGNATING THE BRIDGE ON INTERSTATE ROUTE I-95 OVER THE REVERE BEACH PARKWAY IN THE CITY OF REVERE AS THE ALAN J. O'BRIEN BRIDGE.

Be it enacted, etc., as follows:

The bridge on interstate route I-95 over the Revere Beach Parkway in the city of Revere shall be known and designated as the Alan J. O'Brien bridge, in memory of Lieutenant Alan J. O'Brien, who was killed in action while a member of the armed forces of the United States in the Vietnam campaign. Suitable markers 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 February 28, 1969.*

Chap. 35. AN ACT DESIGNATING THE PARK AVENUE BRIDGE OVER INTERSTATE ROUTE I-95 IN THE CITY OF REVERE AS THE JOHN M. GLASSER BRIDGE.

Be it enacted, etc., as follows:

The Park Avenue bridge over interstate route I-95 in the city of Revere shall be known and designated as the John M. Glasser bridge, in memory of Corporal John M. Glasser, who was killed in action while a member of the armed forces of the United States in the Vietnam campaign. Suitable markers 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 February 28, 1969.*

Chap. 36. AN ACT PROVIDING FOR NONCOMPETITIVE EXAMINATIONS UNDER THE CIVIL SERVICE LAW

Be it enacted, etc., as follows:

SECTION 1. Section 15 of chapter 31 of the General Laws is hereby amended by striking out the ninth paragraph, as amended by section 2 of chapter 127 of the acts of 1966, and inserting in place thereof the following paragraph: —

Except as otherwise provided in sections nineteen A, twenty A, twenty C, twenty-two, forty-two, forty-seven A, forty-eight and forty-nine A of this chapter, section thirty-six of chapter forty-eight, section four of chapter two hundred and seventy-three of the acts of nineteen hundred and thirteen and section four of chapter three hundred and seventy-two of the acts of nineteen hundred and fourteen, no person shall receive an original appointment to the official service of the commonwealth or any city or town thereof otherwise than by virtue of a competitive examination, unless (*a*) the director shall certify that he has previously held a competitive examination for the position involved and has been unable to establish an eligible list of at least two available persons; or unless (*b*) a position not under civil service is placed thereunder by virtue of a statute or rule and the director makes recommendations supported by four affirmative votes of the commission to include under civil service any present incumbent of the position, subject to passing a qualifying examination, prescribed by the director. If one person passes a competitive examination, his name shall be certified by the director to the appointing authority. A noncompetitive examination may not, however, be given to a person who failed a competitive examination or to anyone who was provisionally employed in a position and did not take the examination for said position.

SECTION 2. Section 1 of said chapter 31 is hereby amended by inserting after the paragraph "Mentally retarded person", inserted by section 1 of chapter 756 of the acts of 1968, the following paragraph: —

"Noncompetitive examination", an examination given to an individual selected for original appointment by an appointing authority when it has been impossible to establish an eligible list.

Approved February 28, 1969.

Chap. 37. AN ACT PLACING THE SUPERVISION OF MINK RANCHES UNDER THE DEPARTMENT OF AGRICULTURE.

Be it enacted, etc., as follows:

SECTION 1. Section 6A of chapter 21 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 1 of chapter 665 of the acts of 1965, and inserting in place thereof the following paragraph: —

It shall be the duty of the division of law enforcement and its officers to enforce all penal laws which it is the duty of the department to enforce, provisions of the general laws or any special laws to the contrary notwithstanding, including the laws relating to fish, birds, mammals, dogs, and fires, and all rules and regulations made under the authority thereof.

SECTION 2. Chapter 128 of the General Laws is hereby amended by inserting after section 8A the following section: —

Section 8B. Mink that have been propagated in captivity for two or more generations shall be considered domesticated mammals subject to all the laws of the commonwealth with reference to possession, ownership and taxation as are at any time applicable to domesticated animals; such domesticated mink and the pelts or products thereof shall be deemed agricultural products and shall not be subject to the provisions of chapter one hundred and thirty-one. The breeding, raising, producing

in captivity and marketing thereof shall be deemed an agricultural pursuit. For the purposes of this section, a mink ranch shall be deemed to be any place where mink as defined by this section are raised and propagated in captivity. 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 any provisions of this section shall be punished by a fine of not more than one hundred dollars. *Approved February 28, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, February 28, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 37 of the Acts of 1969, entitled "AN ACT PLACING THE SUPERVISION OF MINK RANCHES UNDER THE DEPARTMENT OF AGRICULTURE" and the enactment of which received my approval on February 28, 1969, 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

This bill is corrective legislation in that it restores to the Department of Agriculture the authority to regulate mink ranches, which was inadvertently omitted at the time Chapter 131 of the General Laws was recodified.

Postponement of the operation of this act for 90 days would defeat its purpose which is to restore to the Department of Agriculture the above mentioned authority.

Sincerely,
FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, March 3, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting 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 thirty-seven of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth

Chap. 38. AN ACT PROVIDING FOR AN ADDITIONAL COURT OFFICER IN THE SECOND DISTRICT COURT OF PLYMOUTH.

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 764 of the acts of 1968, 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 eight court officers may be appointed; in the municipal court of the Dorchester district seven court officers may be appointed, of whom one shall be designated by the justice of said court as chief court officer and one assistant chief court officer; in the third district court of eastern Middlesex and in the central district court of Worcester five court officers may be appointed; in the district court of Springfield four court officers may be appointed; in the municipal court of the West Roxbury district, in the district court of Somerville, in the district court of East Norfolk, in the East Boston district court and in the fourth district court of eastern Middlesex three court officers may be appointed; in the third district court of Bristol, in the municipal court of the South Boston district, of the Charlestown district, the district court of Chelsea, the first district court of eastern Middlesex, the second district court of eastern Middlesex, the district court of Newton, the district court of northern Norfolk and the second district court of Plymouth 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 February 28, 1969.

Chap. 39. AN ACT REPEALING THE LAW AUTHORIZING MUNICIPALITIES TO REVOKE THEIR ACCEPTANCE OF LAWS PROVIDING FOR ABSENT VOTING AT REGULAR MUNICIPAL ELECTIONS.

Be it enacted, etc., as follows:

Section 103A of chapter 54 of the General Laws is hereby amended by striking out the last paragraph, added by chapter 118 of the acts of 1946.

Approved February 28, 1969.

Chap. 40. AN ACT REQUIRING OWNERS OF MOTOR VEHICLES AND LICENSEES AND PERMITTEES TO REPORT CHANGES OF NAME AND ADDRESS.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by inserting after section 26 the following section: —

Section 26A. Every person in whose name a motor vehicle or trailer has been registered under the provisions of this chapter and every

person to whom a learner's permit or a license to operate motor vehicles has been granted by the registrar shall report any change of his name, residential address or mail address in writing to the registrar within thirty days after the date on which such change was made. The registrar may revoke or suspend the license or certificate of registration or learner's permit of any person violating the provisions of this section.

Approved February 28, 1969.

Chap. 41. AN ACT PROVIDING FOR ADDITIONAL CONSTRUCTION AND TO FURTHER EQUIP THE FACILITIES AT JOHN T. BERRY HALL AT ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE.

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Essex agricultural and technical institute are hereby authorized to complete the construction of John T. Berry Hall, including equipping the same, and to construct such additional facilities thereto as may be necessary

SECTION 2. For the purposes aforesaid, the treasurer of Essex county, with the approval of the county commissioners thereof, may borrow upon the credit of the county such sums as may be necessary, not exceeding in the aggregate three hundred thousand dollars, and may issue bonds or notes of the county thereof, which shall bear on their face the words, Essex Agricultural and Technical Institute Building Loan, Act of 1969 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 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 full effect upon its acceptance during the current year by the county commissioners of Essex county, but not otherwise. *Approved February 28, 1969.*

Chap. 42. AN ACT PROVIDING THAT FUNDS BE ALLOCATED FOR THE RECONSTRUCTION OR RELOCATION OF A CERTAIN PORTION OF BOSTON ROAD IN THE CITY OF SPRINGFIELD, IN CONNECTION WITH THE ACCELERATED HIGHWAY PROGRAM.

Be it enacted, etc., as follows:

Section 6 of chapter 616 of the acts of 1967 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — The department is also authorized and directed to allocate a sum not less than three million dollars to be expended for reconstruction or relocation of Boston Road in the city of Springfield, beginning at the Wilbraham-Springfield line and continuing westerly a distance of not less than two miles to a suitable connection with Interstate Route I-291 *Approved February 28, 1969*

Chap. 43. AN ACT PROVIDING FOR THE CONSTRUCTION OF AN ADMINISTRATION BUILDING AT THE BARNSTABLE COUNTY FIRE FIGHTERS TRAINING SCHOOL.

Be it enacted, etc , as follows:

SECTION 1. The county commissioners of Barnstable county are hereby authorized to construct an administration building at the Barnstable county fire fighters training school.

SECTION 2. For the purposes of section one, the treasurer of Barnstable county, with the approval of the county commissioners of said county, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Barnstable County, Administration Building Loan, Act of 1969. Each authorized issue shall constitute a separate loan, and such loans shall be payable in 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 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 February 28, 1969.

Chap. 44. AN ACT PROVIDING FOR THE APPOINTMENT OF A SPECIAL OFFICER TO PROSECUTE CRIMINAL MATTERS IN THE DISTRICT COURT OF DUKES COUNTY.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the county commissioners of the county of Dukes county may appoint a member of the bar as a special officer of the district court of Dukes county to prosecute criminal cases on behalf of the commonwealth in said district court. He shall receive such salary, not to exceed five thousand dollars, as the county commissioners may determine. In the event of the disability or absence from the county of said prosecutor, the presiding justice at said district court may appoint a member of the police department making the complaint to prosecute in his stead.

Nothing contained in this act shall be construed so as to abrogate or interfere with the right of the district attorney for the southern district to intervene in any matter pending in said district court.

Approved February 28, 1969.

Chap. 45. AN ACT CLARIFYING THE PROVISIONS OF THE CIVIL SERVICE LAW RELATIVE TO SENIORITY OF OFFICERS AND EMPLOYEES FOLLOWING AN ABSENCE BECAUSE OF SUSPENSION OR INJURIES RECEIVED IN THE PERFORMANCE OF DUTY AND DEFINING THE TERM "SUSPENSION".

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 31 of the General Laws is hereby amended by inserting after the definition "Roster", as appearing in section 1 of chapter 703 of the acts of 1945, the following definition: —

"Suspension", the temporary, involuntary separation from service for just cause, made in accordance with the provisions of section forty-three.

SECTION 2. Section 15D of said chapter 31 is hereby amended by striking out paragraph 1, as most recently amended by chapter 40 of the acts of 1955, and inserting in place thereof the following paragraph: —

1. The length of service of a permanent officer or employee shall be computed from the date of his original permanent appointment, including the probationary period served for such employment, other than an appointment on an intermittent or a part-time basis, to the official or labor service in the department in which he serves, regardless of class or grade, unless the continuity of his service has been interrupted by an absence from the payroll of more than six months, in which case the length of his service shall be computed from the date of his restoration to the payroll, but upon continuous service following such an absence for a period of twice the length of the absence, the length of his service shall be computed from the date obtained by adding the period of such absence from the payroll to the date of his original appointment Proof of absence from the payroll shall be evidenced by official payroll records.

SECTION 3. Paragraph 2 of said section 15D of said chapter 31, as most recently amended by chapter 510 of the acts of 1962, is hereby further amended by striking out the second sentence and inserting in place thereof the following two sentences· — In the event of a change of service by transfer of an officer or employee, with his consent, from one department of the commonwealth to another department thereof, from one department to another in the same or another municipality, or from a municipality to the commonwealth, or from the commonwealth to a municipality, the length of his service shall be computed from the date of said change until the completion of three years' service in the position to which he is changed, upon the completion of which the length of his service shall be again computed from the same date from which computed immediately prior to such change In the event of a change in service by such a transfer which does not have the consent of the employee, the length of his service shall be computed from the same date from which it was computed immediately prior to such transfer.

SECTION 4. Said section 15D of said chapter 31 is hereby further amended by striking out paragraph 3, as appearing in section 5 of chapter 704 of the acts of 1945, and inserting in place thereof the following paragraph: —

3 Upon reinstatement of such an officer or employee after an absence because of injuries received in the performance of duty for which compensation under chapter one hundred and fifty-two was paid, the length of his service shall be computed from the same date from which it was computed immediately prior to such absence and he shall not be deemed by reason of such absence to have become separated from such service, provided that such person has notified the appointing authority not later than six months after the final payment of compensation aforesaid, in writing, that he is ready, willing and able to do his former work, and files with said appointing authority a certificate of a registered physician that he is able to efficiently perform the duties of his position.

SECTION 5. Said section 15D of said chapter 31 is hereby further amended by striking out the paragraph defining the word "Absence",

as amended by chapter 167 of the acts of 1949, and inserting in place thereof the following paragraph: —

"Absence", as used in this section, shall not include absence because of military service or illness, absence on educational leaves of absences or absence because of abolition of position or after lay-off resulting from lack of work or lack of money.

SECTION 6. Section 46E of said chapter 31 is hereby amended by striking out the second paragraph, as most recently amended by chapter 136 of the acts of 1941. *Approved March 3, 1969*

Chap. 46. AN ACT PROHIBITING THE LIMITATION OF TIME WITHIN WHICH CREDIT SLIPS MAY BE REDEEMED

Be it enacted, etc., as follows:

Chapter 93 of the General Laws is hereby amended by inserting after section 14R, under the caption CREDIT SLIPS, the following section:—

Section 14S. A credit slip issued by a store to a buyer who returns goods, which credit slip enables said buyer to receive other goods of similar value in exchange for the returned goods, shall not contain any limitation as to the time within which said credit slip may be used

Approved March 3, 1969

Chap. 47. AN ACT AUTHORIZING THE TREASURER OF MIDDLESEX COUNTY TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

The treasurer of Middlesex county is hereby authorized to pay from any available funds to Leo Allen, Inc. the sum of one thousand and seventy-nine dollars for furnishing two secretarial desks, two secretarial chairs and eight sidearm chairs to the probation office of the first district court of southern Middlesex during the year nineteen hundred and sixty-seven, payment for which is legally unenforceable against said county. *Approved March 3, 1969.*

Chap. 48. AN ACT VALIDATING THE PROCEEDINGS TAKEN AT ADJOURNED SESSIONS OF THE TOWN MEETING OF THE TOWN OF MILLIS HELD IN THE YEAR NINETEEN HUNDRED AND SIXTY-EIGHT.

Be it enacted, etc., as follows.

SECTION 1. The proceedings taken by the town of Millis at the adjourned sessions of the annual town meeting held on March eighteenth, nineteen hundred and sixty-eight and March twenty-fifth, nineteen hundred and sixty-eight are hereby validated and confirmed in all respects notwithstanding the failure of the town to comply with its by-laws relative to posting the warrant for such adjourned sessions.

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

Approved March 5, 1969.

Chap. 49. AN ACT REACTIVATING A CERTAIN CIVIL SERVICE LIST ESTABLISHED FOR THE POSITION OF PRINCIPAL CLERK IN THE DEPARTMENT OF PUBLIC WELFARE IN THE CITY OF WORCESTER

Be it enacted, etc., as follows.

SECTION 1. Notwithstanding any law to the contrary, the eligible civil service list established on March fourth, nineteen hundred and sixty-six for the position of principal clerk in the department of public welfare in the city of Worcester, which expired on March fourth, nineteen hundred and sixty-eight, is hereby reactivated for a period of ninety days following the effective date of this act.

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

Approved March 5, 1969

Chap. 50. AN ACT RECONSTITUTING THE MONTACHUSETT REGIONAL VOCATIONAL-TECHNICAL SCHOOL DISTRICT AND AUTHORIZING THE DISTRICT TO BORROW MONEY FOR SCHOOL CONSTRUCTION.

Be it enacted, etc , as follows:

SECTION 1. The Montachusett Regional Vocational-Technical School District heretofore organized under chapter five hundred and sixty-eight of the acts of nineteen hundred and sixty-four, as amended by chapter two hundred and eleven of the acts of nineteen hundred and sixty-seven and validated by chapter three hundred and forty-two of the acts of nineteen hundred and sixty-seven, is hereby reconstituted and shall consist of the cities of Fitchburg and Gardner and the towns of Ashby, Barre, Harvard, Hubbardston, Lunenburg, Royalston, Sterling and Winchendon All references to the town of Ashburnham in the agreement now in force between the members of the district shall be deemed to have been deleted, but the obligations of the town of Ashburnham with respect to debt of the district heretofore incurred shall not be impaired by this act and the extent of such obligations shall be determined pursuant to sections X (D) and (E) of said agreement

SECTION 2. The regional district school committee on behalf of the Montachusett Regional Vocational-Technical School District, with the approval of the emergency finance board, may borrow six million five hundred thousand dollars under chapter five hundred and sixty-eight of the acts of nineteen hundred and sixty-four, as amended, and may issue bonds or notes therefor pursuant to the vote of the regional district school committee passed October twenty-third, nineteen hundred and sixty-eight without further submission to the members of the district as required by clause (d) of section six of said chapter five hundred and sixty-eight.

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

Approved March 5, 1969.

Chap. 51. AN ACT PROVIDING A PENALTY FOR THE MANUFACTURE, SALE, TRANSFER OR PURCHASE OF A FORGED CREDIT CARD.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by striking out section 37A, inserted by chapter 456 of the acts of 1960, and inserting in place thereof the following section: —

Section 37A. As used in this section a credit card is any card, plate, coupon book or other credit device which then, or when completed, exists for the purpose of obtaining money, property, labor or services on credit, and a revoked credit card is any credit card which has been terminated by the issuer of the credit card by written notice sent to the holder of the credit card at his last known address by certified mail.

Whoever makes, or causes to be made, or aids in the making of, a forged credit card, or whoever makes or manufactures or has in his possession a plate or block engraved in any part, or a press or other tool, instrument or implement, or other material adapted to and designed for the making of a forged credit card, with intent to use the same or to cause or permit the same to be used in making a forged credit card, or whoever sells, purchases or otherwise transfers a forged credit card, or whoever knowingly possesses a forged credit card, or whoever with intent to defraud knowingly uses or authorizes another person to use a forged credit card or makes reference by number or other description to a non-existent credit card and thereby obtains credit or the privilege of making a deferred payment for the purchase or acquisition of money, goods, services, or other property, or whoever steals or wrongfully appropriates or uses without authority a credit card belonging to another person shall be punished by imprisonment in the state prison for not more than five years or by imprisonment in jail for not more than two years or by a fine of not more than six hundred dollars. Whoever with intent to defraud knowingly uses or authorizes another person to use a revoked credit card shall be guilty of larceny. *Approved March 5, 1969.*

Chap. 52. AN ACT PROVIDING NO PUPIL SHALL BE REQUIRED TO ATTEND AN EXPERIMENTAL SCHOOL PROJECT UNLESS HIS PARENTS ASSENT THERETO.

Be it enacted, etc., as follows:

The seventh paragraph of section 1G of chapter 15 of the General Laws, added by section 1 of chapter 808 of the acts of 1967, is hereby amended by adding the following sentence: — No pupil shall be required to attend any experimental school established under such plan unless he has obtained the written consent of his parents or guardian.

Approved March 5, 1969.

Chap. 53. AN ACT RELATIVE TO THE CERTIFICATION BY THE DIRECTOR OF CIVIL SERVICE OF THE NAMES OF INTERMITTENT POLICE OFFICERS AND FIRE FIGHTERS WHO ARE ELIGIBLE FOR APPOINTMENT TO THE REGULAR POLICE FORCE OR FIRE FORCE

Be it enacted, etc., as follows:

SECTION 1. Chapter 31 of the General Laws is hereby amended by striking out section 19B, as amended by section 1 of chapter 75 of the acts of 1966, and inserting in place thereof the following section: —

Section 19B. In each city and town having fire fighters subject to this chapter and classified as intermittent fire fighters, appointments to the regular force shall be made by the appointing authority upon certification by the director from the list of the intermittent fire fighters of such city or town, except that the basis of certification shall be the order of appointment as such intermittent fire fighters, or, if not ascertainable, the order of the respective ratings of such intermittent fire fighters obtained in the examination upon which the list of eligibles for appointment as such fire fighters was based. No intermittent fire fighter who has passed his fiftieth birthday shall be appointed under this section to the regular fire force of such city or town. No such intermittent fire fighter who, having been duly certified, three times refuses permanent appointment to the regular force shall be eligible for further certification. Notwithstanding the provisions of sections forty-three and forty-five or any other law, any member of an intermittent force refusing to accept permanent appointment to the regular force on the occasion of three separate certifications shall thereupon cease to be a member of the intermittent fire force The appointing officer shall forward to the director a notification of termination of the service of such intermittent fire fighter setting forth the occasion of each refusal and the date upon which the services of such fire fighter ceased. The provisions of this section shall not be deemed to prevent the appointment to the regular force of a city or town of a call fire fighter under the provisions of any general or special law.

SECTION 2 Section 20C of said chapter 31, as most recently amended by section 2 of chapter 136 of the acts of 1954, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence — In each city and town having police officers subject to this chapter and classified as intermittent police officers, appointments to the regular force shall be made by the appointing authority upon certification by the director from the list of members of the intermittent force of such city or town, except that the basis of certification shall be the order of appointment as such intermittent police officers, or, if not ascertainable, the order of the respective ratings of such intermittent police officers obtained in the examination upon which the list of eligibles for appointment as such officers was based, and no request of a member of the intermittent police force that he be not certified in any instance shall be granted by the director

Approved March 5, 1969.

Chap. 54. AN ACT FURTHER DEFINING SCHOOL BUSES SO AS TO INCLUDE BUSES USED TO TRANSPORT CHILDREN ENROLLED IN CAMPS.

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 "School bus", as most recently amended by section 1 of chapter 502 of the acts of 1950, and inserting in place thereof the following definition: —

"School bus", any motor vehicle used for the transportation of school children or for the transportation of children enrolled in a camp, while so used, but not including any such motor vehicle used for not more than three days in case of emergency or a motor vehicle while also used for common carriage of the public under a certificate and permit issued under sections seven and eight of chapter one hundred and fifty-nine A, or a motor vehicle having permanent seating accommodations for and carrying not more than nine persons in addition to the operator.

SECTION 2. Section 14 of said chapter 90 is hereby amended by striking out the fourth sentence, as most recently amended by chapter 244 of the acts of 1965, and inserting in place thereof the following sentence. — When approaching a vehicle which displays a sign bearing the words "SCHOOL BUS" and is equipped with front and rear blinker lights which are flashing, as provided in section seven B, and which has been stopped to allow passengers to alight from or board the same, a person operating a motor vehicle shall, except when approaching from the opposite direction on a divided highway, bring his vehicle to a full stop before reaching said school bus and shall not thereafter proceed until such school bus resumes motion or until such person is signaled by the driver of the school bus to proceed or the blinker lights are no longer flashing *Approved March 5, 1969.*

Chap. 55. AN ACT REQUIRING THE BOARD OF FIRE PREVENTION REGULATIONS TO MAKE RULES AND REGULATIONS RELATIVE TO THE MANUFACTURE AND SALE OF TENTS MADE OF FLAMMABLE MATERIAL.

Be it enacted, etc., as follows:

Section 28 of chapter 148 of the General Laws is hereby amended by adding after paragraph O the following paragraph. —

P. Prohibiting or regulating the manufacture or sale of tents which are made of flammable material. *Approved March 5, 1969.*

Chap. 56. AN ACT RELATIVE TO THE DAMAGING OF MACHINERY AND EQUIPMENT USED IN THE TRANSMISSION OF WATER FOR AGRICULTURAL PURPOSES

Be it enacted, etc , as follows:

Chapter 266 of the General Laws is hereby amended by inserting after section 138 the following section: —

Section 138A. Whoever wilfully, intentionally and without right damages or renders unusable machinery and equipment used in the

transmission of water for agricultural purposes shall be punished by imprisonment in state prison for not more than five years or by a fine of not more than five hundred dollars and imprisonment in jail for not more than two years. *Approved March 5, 1969.*

Chap. 57. AN ACT RELATIVE TO THE DISCONTINUANCE OF THE USE OF VOTING MACHINES OR APPROVED ELECTRONIC VOTING SYSTEMS BY CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 34 of chapter 54 of the General Laws, as appearing in section 6 of chapter 564 of the acts of 1967, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — Notice of such determination to use voting machines, or to discontinue the use thereof, shall be sent to the state secretary by the city or town clerk within five days after such determination, provided, however, that no such discontinuance shall take place later than sixty days prior to a state or presidential primary or state election, nor later than thirty days prior to a city or town primary, preliminary election or election at which it is to become effective.

SECTION 2. Said section 34 of said chapter 54 is hereby further amended by striking out the third paragraph, as so appearing, and inserting in place thereof the following paragraph: —

Notice of determination to use an approved electronic voting system, or to discontinue its use, shall be sent to the state secretary by the city or town clerk within five days after such determination; provided, however, that no such discontinuance shall take place later than sixty days prior to a state or presidential primary or state election, nor later than thirty days prior to a city or town primary, preliminary election or election at which it is to become effective

Approved March 5, 1969.

Chap. 58. AN ACT REPEALING THE LAW REQUIRING THE PRINTING OF CHALLENGED BALLOTS IN CITIES AND TOWNS USING VOTING MACHINES.

Be it enacted, etc., as follows:

SECTION 1. Section 35A of chapter 54 of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 62 of the acts of 1945, and inserting in place thereof the following sentence: — For such polling places the state secretary or the city or town clerk, as the case may be, shall prepare for the use of voters voting in person whose right to vote is challenged official absent voting ballots, marked "Challenged Ballots" in large type on the back thereof, when folded.

SECTION 2. Said section 35A of said chapter 54 is hereby further amended by striking out the fourth sentence, as so appearing, and inserting in place thereof the following sentence: — At any primary or preliminary election where voting machines are used specimen ballots, so-called, shall be marked "Challenged Ballots" on the reverse thereof and shall be employed for challenged voters as provided by section thirty-five B. *Approved March 5, 1969.*

Chap. 59. AN ACT REPEALING CERTAIN OBSOLETE PROVISIONS OF LAW RELATIVE TO INTELLIGENCE OFFICES AND MAKING A CORRECTIVE CHANGE IN THE LAW RELATING TO EMPLOYMENT AGENCIES.

Be it enacted, etc., as follows:

SECTION 1. Sections forty-one to forty-six, inclusive, of chapter one hundred and forty of the General Laws are hereby repealed

SECTION 2 Section 46D of said chapter 140, as appearing in chapter 729 of the acts of 1966, is hereby amended by striking out the sixth sentence and inserting in place thereof the following sentence. — The commissioner shall appoint a time and place for a hearing of such application and shall give at least five days notice thereof to the applicant and to any person filing such protest

SECTION 2A. Section 202 of said chapter 140, as most recently amended by section 10 of chapter 297 of the acts of 1949, is hereby further amended by striking out, in line 2 and in line 19, the words "keepers of intelligence offices,".

SECTION 3. Section 12 of chapter 272 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 8, the words "intelligence or employment office" and inserting in place thereof the words: — employment agency.

Approved March 5, 1969.

Chap. 60. AN ACT PROVIDING THAT A VOTER VOTING BY ABSENT BALLOT MAY RECEIVE A NEW BALLOT IF HIS BALLOT IS SPOILED

Be it enacted, etc., as follows:

Section 89 of chapter 54 of the General Laws is hereby amended by striking out the last sentence, added by section 3 of chapter 374 of the acts of 1963, and inserting in place thereof the following sentence: — The provisions of section eighty-one shall be applicable to absent voting ballots; provided, that no request for a substitute ballot from a voter who has received his ballot by mail shall be valid unless it is accompanied by the spoiled ballot and unless it is received in the office of the city or town clerk or the registrars of voters before noon on the day preceding the election for which such substitute absent voting ballot is requested.

Approved March 5, 1969.

Chap. 61. AN ACT PROVIDING THAT THE NAMES OF CANDIDATES FOR WARD AND TOWN COMMITTEES AND OF CANDIDATES FOR DELEGATES AT LARGE AND ALTERNATE DELEGATES AT LARGE TO NATIONAL CONVENTIONS OF POLITICAL PARTIES SHALL APPEAR ON THE BALLOT WHETHER OR NOT THEIR CANDIDACIES ARE CONTESTED

Be it enacted, etc., as follows:

SECTION 1. Section 70E of chapter 53 of the General Laws, as most recently amended by section 4 of chapter 407 of the acts of 1966, is hereby further amended by striking out, in line 16, the words ", if any are to appear on the ballot".

SECTION 2. Section 70F of said chapter 53, as most recently amended by section 5 of said chapter 407, is hereby further amended by striking out, in line 5, the words "if said office appeared on the ballot", — and by striking out, in line 13, the words ", where such office appeared upon the ballot".

SECTION 3. The first paragraph of section 70J of said chapter 53, as appearing in section 7 of said chapter 407, is hereby amended by striking out the second sentence.

SECTION 4 Section seventy K of said chapter fifty-three is hereby repealed. *Approved March 5, 1969.*

Chap. 62. AN ACT FURTHER REGULATING THE COMPENSATION FOR OVERTIME SERVICE BY CERTAIN OFFICERS OR MEMBERS OF FIRE FIGHTING FORCES OF CITIES AND TOWNS.

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by striking out section 58C, as amended by chapter 368 of the acts of 1968, and inserting in place thereof the following section: —

Section 58C. If an officer or member of the fire fighting force of the fire department of a city or town shall be required to be on duty for any period in excess of his regular hours of duty as from time to time established, he may be given time off equal to such period of overtime duty or, if time off cannot be given by reason of a personnel shortage or other cause, he may be paid for such period of overtime duty at such an hourly rate as may be determined by the authority in charge of a fire department, which rate shall in no event be less than one and one half of the basic hourly rate of his regular compensation for his average weekly hours of regular duty. *Approved March 6, 1969.*

Chap. 63. AN ACT PROVIDING ADDITIONAL FUNDS FOR THE SUITABLE RECOGNITION OF THOSE RESIDENTS OF MASSACHUSETTS WHO SHALL HAVE SERVED IN THE ARMED FORCES OF THE UNITED STATES DURING THE VIETNAM CONFLICT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide additional funds for suitable recognition of certain Massachusetts residents upon their honorable discharge or release from duty in the armed forces of the United States during the hostilities 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. In anticipation of the issue of bonds authorized in section two of this act, 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 chapter six hundred and forty-six of the acts of nineteen hundred and sixty-eight 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 seventy-three.

SECTION 2. To meet the expenditures necessary in carrying out the provisions of sections one, three, four and five of said chapter six hundred and forty-six, or to refinance notes issued as provided in 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 twenty-five million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Vietnam Conflict Loan, Act of 1969, 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 semiannually at such rates 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-four.

SECTION 3. Section twelve of chapter six hundred and forty-six of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the last sentence and inserting in place thereof the following sentence. — The initial maturity of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-five.

Approved March 10, 1969.

Chap. 64. AN ACT AUTHORIZING THE TOWN OF WESTPORT TO APPROPRIATE A CERTAIN SUM FOR THE PAYMENT OF CERTAIN SALARY INCREASES FOR MEMBERS OF ITS POLICE DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. The town of Westport may raise and appropriate the sum of twelve thousand three hundred and forty-four dollars to pay for so much of the salary increases as were voted for under Article 5 of the warrant for the special town meeting held on July thirteenth, nineteen hundred and sixty-eight, for the period of January first, nineteen hundred and sixty-eight to July thirtieth, nineteen hundred and sixty-eight, which sum shall be charged to the tax levy for the year nineteen hundred and sixty-nine.

SECTION 2. This act shall take effect upon its passage

Approved March 10, 1969.

Chap. 65. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF BATTLESHIP MASSACHUSETTS MEMORIAL DAY, POLICE OFFICERS' WEEK AND KEEP MASSACHUSETTS BEAUTIFUL MONTH.

Be it enacted, etc , as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15L, inserted by chapter 8 of the acts of 1968, the following three sections: —

Section 15M. The governor shall annually issue a proclamation calling for the proper observance of the last Saturday in June as Battleship Massachusetts Memorial Day in commemoration of the establishment of the battleship Massachusetts in the city of Fall River as a memorial to the citizens of the commonwealth who made the supreme sacrifice during World War II.

Section 15N. The governor shall annually issue a proclamation setting apart the week in which May fifteen occurs as Police Officers' Week, recommending the proper observance of said week as a period for special attention to the police officers in the commonwealth, to their duties and responsibilities and their accomplishments.

Section 15O. The governor shall annually issue a proclamation setting aside the month of May as Keep Massachusetts Beautiful Month, recommending its observance by the public by the establishment of programs designed to encourage and promote the civic and natural beautification of the commonwealth. *Approved March 10, 1969.*

Chap. 66. AN ACT AUTHORIZING SCHOOL COMMITTEES TO MAKE EXPENDITURES FOR THE GRANTING OF AWARDS TO PUPILS WHO HAVE PERFORMED MERITORIOUSLY IN THE FIELDS OF ART, DEBATING, DISTRIBUTIVE EDUCATION, MUSIC, SCIENCE, SOCIAL STUDIES AND LANGUAGES.

Be it enacted, etc., as follows:

Section 47 of chapter 71 of the General Laws is hereby amended by inserting after the third sentence the following sentence: — Expenditures by the committee for making special awards to pupils who have performed meritoriously in the fields of art, debating, distributive education, music, science, social studies or languages shall also be deemed to be for a school purpose. *Approved March 10, 1969.*

Chap. 67. AN ACT AUTHORIZING THE COMMISSIONER OF LABOR AND INDUSTRIES TO REVOKE OR SUSPEND THE LICENSE OF ANY EMPLOYMENT AGENCY WHICH INTERFERES WITH HIS AGENTS OR INSPECTORS OR FAILS TO FURNISH CERTAIN INFORMATION.

Be it enacted, etc., as follows:

The first paragraph of section 46Q of chapter 140 of the General Laws, as appearing in chapter 729 of the acts of 1966, is hereby amended by adding the following sentence: — The commissioner may suspend or revoke the license of any employment agency if it fails to furnish in-

formation required under this section, or if such agency or any of its employees hinders or interferes with any such duly authorized agent or inspector while in the performance of his duties as hereinbefore provided.

Approved March 10, 1969.

Chap. 68. AN ACT MAKING AN APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-NINE, SUPPLEMENTING A CERTAIN APPROPRIATION MADE TO DEFRAY THE COST OF SNOW AND ICE REMOVAL ON PUBLIC WAYS.

Be it enacted, etc., as follows:

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

SECTION 2

Department of Public Works.

Highway Activities

Maintenance and Operation of State Highways and Bridges.

The appropriation under this heading may be expended for traffic safety on certain city or town ways.

Item		
6030-7201	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	**$1,700,000**
	Highway Fund 100%	

SECTION 3 This act shall take effect upon its passage

Approved March 11, 1969

Chap. 69. AN ACT DESIGNATING A CERTAIN BRIDGE OVER INTERSTATE ROUTE I-195 IN THE TOWN OF SWANSEA AS THE HENRY C. COUSINEAU MEMORIAL BRIDGE

Be it enacted, etc., as follows:

The bridge over interstate route I-195 on state highway route 6 in the town of Swansea shall be known and designated as the Henry C. Cousineau Memorial bridge, in memory of Henry C. Cousineau of Swansea, who was killed in action while a member of the armed forces of the United States in the Vietnam campaign. Suitable markers 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 March 11, 1969.

Chap. 70. AN ACT DESIGNATING A CERTAIN BRIDGE OVER INTERSTATE ROUTE I–95 IN THE CITY OF ATTLEBORO AS THE CHARLES V. SCIOLTO MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge on interstate route I–295 over interstate route I–95 in the city of Attleboro shall be known and designated as the Charles V. Sciolto Memorial bridge, in memory of Patrolman Charles V. Sciolto, who was killed while in the performance of his duty as a police officer of the city of Attleboro. Suitable markers 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 March 11, 1969.*

Chap. 71. AN ACT DESIGNATING THE BRIDGE ON ROUTE 24 OVER STAFFORD ROAD IN THE CITY OF FALL RIVER AS THE STEPHEN J. RAGO MEMORIAL BRIDGE.

Be it enacted, etc , as follows:

The bridge on state highway route 24 over Stafford road in the city of Fall River shall be known and designated as the Stephen J. Rago Memorial bridge, in memory of Corporal Stephen J. Rago, who was killed in action while a member of the armed forces of the United States in the Vietnam campaign. Suitable markers bearing said designation shall be attached thereto by the department of public works.

Approved March 11, 1969.

Chap. 72. AN ACT DESIGNATING THE OVERPASS OVER WELD SQUARE IN THE CITY OF NEW BEDFORD AS THE JOHN PHILIP REYNOLDS OVERPASS.

Be it enacted, etc., as follows:

The overpass over Weld square in the city of New Bedford shall be known and designated as the John Philip Reynolds overpass, in memory of John Philip Reynolds, who was killed in action while a member of the armed forces of the United States in World War I. Suitable markers 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 March 11, 1969.

Chap. 73. AN ACT PROVIDING THAT CERTAIN TAXES OF PRIOR YEARS, COLLECTED BY THE TOWN OF FRANKLIN IN THE MONTH OF JANUARY IN THE CURRENT YEAR, MAY BE CONSIDERED AS AVAILABLE FUNDS IN DETERMINING THE TAX LEVY OF THE CURRENT YEAR

Be it enacted, etc., as follows:

SECTION 1. The board of assessors of the town of Franklin, in determining the amount of available funds which they may be required

to deduct under the provisions of clauses (*b*) and (*c*) of section twenty-three of chapter fifty-nine of the General Laws, shall be limited to the amount certified by the director of accounts as available on January first of the current year, together with the net receipts from real and personal taxes of prior years collected or received in January of the current year.

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

Approved March 12, 1969.

Chap. 74. AN ACT RELATIVE TO AWARDING OF CONTRACTS FOR THE PURCHASE OF MATERIALS AND SUPPLIES OR FOR LABOR TO BE FURNISHED EXCEPT LABOR TO BE RENDERED IN PERSON, WITHOUT ADVERTISING IN THE CITY OF BEVERLY.

Be it enacted, etc., as follows:

SECTION 1. Section 22 of chapter 542 of the acts of 1910 is hereby amended by striking out, in line 2, the words "three hundred" and inserting in place thereof the words: — one thousand.

SECTION 2. Section 45 of said chapter 542, as most recently amended by chapter 29 of the acts of 1936, is hereby further amended by striking out, in line 4, the words "three hundred" and inserting in place thereof the words: — one thousand.

SECTION 3. This act shall take effect upon its acceptance by the city of Beverly. *Approved March 12, 1969.*

Chap. 75. AN ACT DESIGNATING THE ZOO AT THE MIDDLESEX FELLS RESERVATION AS THE WALTER D. STONE MEMORIAL ZOO.

Be it enacted, etc , as follows:

The zoo at the Middlesex Fells reservation shall be known and designated as the Walter D. Stone Memorial Zoo, in memory of Walter D. Stone, a former curator of the metropolitan district commission zoos. Suitable markers bearing said designation shall be erected at said zoo by said commission *Approved March 14, 1969.*

Chap. 76. AN ACT RELATIVE TO THE PUBLICATION OF SPECIAL REGULATIONS AS TO THE SPEED OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

The first paragraph of section 18 of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 18 of chapter 338 of the acts of 1962, and inserting in place thereof the following sentence: — The city council, the traffic and parking commission of the city of Boston, the selectmen, park commissioners, a traffic commission or traffic director, or the department, on ways within their control, may make special regulations as to the speed of motor vehicles and as to the use of such vehicles upon particular ways, and may prohibit the use of such vehicles altogether on certain ways; provided, that except in the case of a speed regulation no such special regulation shall be effective unless it shall have been published

in one or more newspapers, if there be any, published in the town in which the way is situated otherwise in one or more newspapers published in the county in which the town is situated; nor until after the department, and in the case of a speed regulation the department and the registrar, acting jointly, shall have certified in writing that such regulation is consistent with the public interests; and no regulation shall be valid which excludes motor vehicles from any state highway or from any main highway leading from any town to another, except a regulation of heavy commercial vehicles of a carrying capacity of five tons or over on main highways when such regulation describes a reasonable alternate route; provided, that nothing herein contained shall be construed as affecting the right of the metropolitan district commission or of the department of natural resources to make rules and regulations governing the use and operation of motor vehicles on lands, roadways and parkways under its care and control. *Approved March 14, 1969.*

Chap. 77. AN ACT REQUIRING THE DISPLAY OF THE FLAG OF THE UNITED STATES IN EACH CLASSROOM IN THE PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

Section 69 of chapter 71 of the General Laws, as appearing in chapter 258 of the acts of 1935, is hereby amended by inserting after the fourth sentence the following sentence: — A flag shall be displayed in each classroom in each such schoolhouse. *Approved March 14, 1969.*

Chap. 78. AN ACT AUTHORIZING THE ESTABLISHMENT AND MAINTENANCE OF A POLICE RADIO BROADCASTING SYSTEM BY THE COUNTY OF FRANKLIN.

Be it enacted, etc , as follows:

The county commissioners of Franklin County are hereby authorized to expend such sums, not exceeding ten thousand dollars, as may be appropriated therefor, to establish a radio broadcasting system to aid in police protection and law enforcement in said county, and thereafter to operate and maintain said system. *Approved March 14, 1969.*

Chap. 79. AN ACT FURTHER REGULATING THE UNLOCKING OF VOTING MACHINES FOLLOWING AN ELECTION.

Be it enacted, etc., as follows:

Section 135A of chapter 54 of the General Laws is hereby amended by striking out the third sentence, inserted by chapter 142 of the acts of 1945, and inserting in place thereof the following sentence: — All voting machines used in an election shall remain locked and sealed for the period of thirty days next succeeding the date of the election, after which time the voting machines may be unsealed and unlocked and made available for preparation for use in the succeeding election; provided, that upon receipt of notice of contest, as provided by section one hundred and thirty-four, or a petition for a recount under section one

hundred and thirty-five, or upon certification by the city or town clerk to the registrars of a necessity of releasing said machines for an ensuing primary, preliminary election or election, the registrars of voters shall, within five days from the receipt thereof, proceed to inspect and examine the voting machines showing the votes cast for such contested office, and shall make a record of the votes for said contested office as shown on said voting machines, or in the case of such certification by a city or town clerk a record of the votes for all offices as shown on said voting machines, which record, if correct, they shall duly certify as correct over their signatures, and shall preserve such records so that the same may be available in such contest or recount as evidence of the votes cast for such office upon said voting machines. *Approved March 14, 1969.*

Chap. 80. AN ACT PROVIDING THAT NONRESIDENTS MAY FILE MARRIAGE INTENTIONS IN ANY CITY OR TOWN.

Be it enacted, etc., as follows:

Chapter 207 of the General Laws is hereby amended by striking out section 19, as most recently amended by section 1 of chapter 118 of the acts of 1959, and inserting in place thereof the following section: —

Section 19. Persons intending to be joined in marriage in the commonwealth shall, not less than three days before their marriage, cause notice of their intention to be filed in the office of the clerk or registrar of the city or town where each of them dwells, or, if they do not dwell within the commonwealth, in the office of the clerk or registrar of any city or town and pay the fee provided by clause (42) of section thirty-four of chapter two hundred and sixty-two. In computing the three day period specified in this section and in determining the third day referred to in section twenty-eight, Sundays and holidays shall be counted. *Approved March 14, 1969.*

Chap. 81. AN ACT PROVIDING FOR THE WEARING OF UNIFORMS BY COURT OFFICERS IN DISTRICT COURTS.

Be it enacted, etc., as follows:

Chapter 218 of the General Laws is hereby amended by striking out section 63, as amended by chapter 341 of the acts of 1935, and inserting in place thereof the following section: —

Section 63. Court officers in district courts shall, while on duty in said courts, wear uniforms to be approved by the justices of said courts, which shall be furnished at the expense of the counties in which the courts are located. *Approved March 14, 1969.*

Chap. 82. AN ACT DESIGNATING THE BRIDGE ON ROUTE 106 OVER ROUTE 24 IN THE TOWN OF WEST BRIDGEWATER AS THE AMERICAN LEGION POST NO. 66 MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge on route 106 over state highway route 24 in the town of West Bridgewater shall be known and designated as the American

Legion Post No. 66 Memorial bridge. Suitable markers 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 March 14, 1969.*

Chap. 83. AN ACT RELATIVE TO THE SALARIES OF CERTAIN ASSISTANT CLERKS OF THE DISTRICT COURT OF HAMPSHIRE.

Be it enacted, etc., as follows:

SECTION 1. Nowithstanding the provisions of section two of chapter two hundred and seventy-three of the acts of nineteen hundred and sixty-eight, any person appointed to the office of an assistant clerk of the district court of Hampshire between June fifteenth and December thirty-first, nineteen hundred and sixty-eight, both dates inclusive, shall receive such salary as is provided by section seventy-nine and section eighty of chapter two hundred and eighteen of the General Laws, said salary to be effective as of the date of his said appointment.

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

Approved March 18, 1969.

Chap. 84. AN ACT PROVIDING THAT COMPENSATION PAID TO POLICE OFFICERS AND FIRE FIGHTERS FOR HOLIDAY SERVICE SHALL BE INCLUDED AS REGULAR COMPENSATION FOR DEDUCTION PURPOSES TOWARD RETIREMENT.

Be it enacted, etc , as follows:

The paragraph defining "Regular Compensation" in section 1 of chapter 32 of the General Laws is hereby amended by inserting before the last sentence the following sentence: — In the case of police officers and fire fighters, money paid for service rendered on holidays shall be regarded as regular compensation rather than as overtime and shall be included in the salary on which deductions are to be paid to the annuity savings fund *Approved March 18, 1969.*

Chap. 85. AN ACT AUTHORIZING SCHOOL COMMITTEES TO ENTER INTO AGREEMENTS WITH OTHER SCHOOL COMMITTEES INVOLVING THE EXPENDITURE OF FUNDS FOR INNOVATIVE EDUCATIONAL PROGRAMS AND SUPPLEMENTARY EDUCATION CENTERS.

Be it enacted, etc., as follows:

The first paragraph of section 4A of chapter 40 of the General Laws, as appearing in chapter 286 of the acts of 1966, is hereby amended by inserting after the word "forty-four", in line 9, the words: — , or the expenditure of funds for establishing supplementary education centers and innovative educational programs. *Approved March 18, 1969.*

Chap. 86. AN ACT PROHIBITING THE INSTALLATION OF SIDING WHICH IS A CONDUCTOR OF ELECTRICITY ON A BUILDING UNLESS SUCH SIDING IS GROUNDED AND ITS INSTALLATION IS SUBJECT TO AN ELECTRICAL PERMIT.

Be it enacted, etc., as follows:

Chapter 148 of the General Laws is hereby amended by adding the following section: —

Section 57. No side walling or siding which is a conductor of electricity shall be installed on any building unless it is properly grounded and approved by the city or town electrician or other officer having similar duties.

Approved March 19, 1969.

Chap. 87. AN ACT PROVIDING FOR THE APPOINTMENT OF A TEMPORARY PROBATION OFFICER WHEN A VACANCY OCCURS IN THE POSITION OF PROBATION OFFICER.

Be it enacted, etc., as follows:

Section 89 of chapter 276 of the General Laws, as most recently amended by section 1 of chapter 526 of the acts of 1959, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences —The superior court or the justice of a district court may, in the case of a vacancy in the position of probation officer or in the absence of a probation officer, appoint a temporary probation officer, who shall have the powers and perform the duties of such probation officer and shall receive as compensation for each day's service an amount equal to the rate by the day of the minimum compensation of a regular probation officer according to the salary schedule established by the committee on probation. Compensation so paid to a temporary probation officer for service rendered in the absence of a probation officer, in excess of thirty days in any one year, shall be deducted from the compensation of the probation officer in whose place such service is rendered; provided, however, that if a probation officer is absent, due to his illness or physical disability, for a period not exceeding thirty days in any year, in addition to said thirty days, he shall be deemed to be on sick leave and no such deduction shall be made.

Approved March 19, 1969.

Chap. 88. AN ACT PROVIDING THAT TEMPORARY PROBATION OFFICERS SHALL HAVE THE SAME DUTIES AS PERMANENT PROBATION OFFICERS.

Be it enacted, etc., as follows:

The second paragraph of section 83A of chapter 276 of the General Laws, as appearing in section 1 of chapter 677 of the acts of 1941, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The provisions of law applicable to probation officers appointed under section eighty-three or section eighty-nine shall, so far as they may be pertinent and not inconsistent herewith, apply to probation officers appointed hereunder.

Approved March 19, 1969.

Chap. 89. 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 seventy-one 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 commission 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 suspension authorized by this act.

Approved March 19, 1969.

Chap. 90. AN ACT PROHIBITING DISCRIMINATION AGAINST A VETERAN OR A MEMBER OF THE ARMED FORCES IN THE SALE OR LEASING OF RESIDENTIAL REAL PROPERTY.

Be it enacted, etc., as follows:

Section 4 of chapter 151B of the General Laws is hereby amended by striking out subsection 6, as most recently amended by chapter 128 of the acts of 1961, and inserting in place thereof the following subsection: —

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

Approved March 19, 1969.

Chap. 91. AN ACT AUTHORIZING THE GOVERNOR TO CHANGE THE DATE OF THE OBSERVANCE OF STUDENT GOVERNMENT DAY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to allow the governor to change the date of student government day 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 Section 12M of chapter 6 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 368 of the acts of 1959, and inserting in place thereof the following paragraph: —

The governor shall annually set apart the first Friday in April or, with the approval of the commissioner of education, any other Friday, as Student Goverment Day, and shall by proclamation recommend that exercises appropriate to such day be observed in the schools of the commonwealth.

SECTION 2. The third paragraph of said section 12M of said chapter 6 is hereby amended by striking out the fourth sentence, as so amended, and inserting in place thereof the following sentence: — Said students may assemble in Boston on the designated Friday and may use the chamber of the senate and of the house of representatives for the purpose of the meeting, may elect officers, appoint committees, introduce bills, conduct hearings, receive committee reports, debate such reports and vote on the acceptance or rejection of the same, and in general conduct its proceedings in the same manner as the general court. *Approved March 24, 1969.*

Chap. 92. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO BORROW MONEY FOR THE PREPARATION OF PLANS AND SPECIFICATIONS FOR A NEW JAIL AND HOUSE OF CORRECTION AND SHERIFF'S QUARTERS FOR SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing a new jail and house of correction and sheriff's quarters in and for Worcester county, the county commissioners of Worcester county may erect, on land now owned by said county, a suitable building or buildings for the purposes aforesaid, and may originally equip and furnish the same.

Said county commissioners are hereby further authorized to cause plans and specifications to be prepared for the construction of such facilities; provided, that the total cost of such plans and specifications shall not exceed one hundred and twenty-five thousand dollars; and provided, further, that such plans and specifications shall be so drawn that the total cost of the project, the preparation of plans and specifications and the construction and originally equipping said facilities shall not exceed six million 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. 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 twenty-five thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Worcester County Prison Colony Loan, Act of 1969. 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 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 March 25, 1969.

Chap. 93. AN ACT REPEALING THE PROVISION OF LAW REQUIRING THE FIRING OF A NATIONAL SALUTE ANNUALLY ON BOSTON COMMON IN COMMEMORATION OF NEW ORLEANS DAY.

Be it enacted, etc., as follows:

Section 12F of chapter 6 of the General Laws, as amended by chapter 49 of the acts of 1938, is hereby further amended by striking out, in lines 10 and 11, the words ", and the governor shall annually cause a national salute to be fired on Boston Common at noon of said day".

Approved March 25, 1969.

Chap. 94. AN ACT AUTHORIZING THE CITY OF MALDEN TO APPLY A CERTAIN SUM RECEIVED IN THE YEAR NINETEEN HUNDRED AND SIXTY-NINE TO ITS ESTIMATED RECEIPTS FOR THE YEAR NINETEEN HUNDRED AND SIXTY-EIGHT.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the city of Malden is hereby authorized to apply the sum of two hundred and forty-eight thousand nine hundred and sixty-seven dollars and thirty-eight cents to its estimated receipts for the year nineteen hundred and sixty-eight, notwithstanding the fact that such sum, representing the distribution to said city from the department of community affairs, was received in the year nineteen hundred and sixty-nine.

Approved March 25, 1969.

Chap. 95. AN ACT PROVIDING FOR THE DISTRIBUTION TO THE CHIEFS OF POLICE IN BARNSTABLE COUNTY OF CERTAIN SUMS TO ASSIST IN THE INVESTIGATION, ARREST AND PROSECUTION OF PERSONS VIOLATING THE NARCOTIC DRUGS LAWS.

Be it enacted, etc., as follows:

SECTION 1. The sheriff of Barnstable county, acting through the drug abuse information bureau established under the provisions of

chapter four hundred and twenty-seven of the acts of nineteen hundred and sixty-eight, is authorized to approve payments, as provided in section two, of such sums, not exceeding, in the aggregate, ten thousand dollars annually, as may be appropriated therefor, to chiefs of police of the several towns in the county, to be used by said chiefs to assist in the investigation of illegal traffic in narcotic drugs and the arrest and prosecution of persons violating the laws relative to such drugs.

SECTION 2 No expenditures shall be made by the county treasurer of said county from an appropriation provided under section one except upon orders approved by said sheriff and drawn and signed by a majority of the county commissioners, and such expenditures shall be considered as advances to the chiefs of police to be accounted for to said county treasurer under such regulations as he shall from time to time prescribe.

Approved March 25, 1969.

Chap. 96. AN ACT REPEALING THE AUTHORIZATION OF THE DEPARTMENT OF PUBLIC UTILITIES TO ESTABLISH MINIMUM MILEAGE RATES FOR CARRIERS FURNISHING SPECIAL SERVICE OR SCHOOL SERVICE.

Be it enacted, etc , as follows:

The third paragraph of section 11A of chapter 159A of the General Laws, as appearing in chapter 537 of the acts of 1965, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — The department shall also establish minimum mileage rates for any such charter 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.

Approved March 25, 1969.

Chap. 97. AN ACT FURTHER REGULATING THE ISSUANCE OF SPECIAL SERVICE OR SCHOOL SERVICE BUS PERMITS.

Be it enacted, etc., as follows:

The second paragraph of section 11A of chapter 159A of the General Laws, as appearing in chapter 537 of the acts of 1965, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — No person shall operate any motor vehicle carrying ten or more persons, including the driver, 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.

Approved March 25, 1969.

Chap. 98. AN ACT RECONSTITUTING THE GREATER LOWELL VOCATIONAL REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The Greater Lowell Vocational Regional School District, consisting of the city of Lowell and the towns of Dracut, Dunstable

and Tyngsborough, which was erected and constituted by chapter five hundred and sixty-six of the acts of nineteen hundred and sixty-seven is hereby reconstituted by the addition of the town of Pepperell as a member of said district in accordance with chapter ninety-four of the acts of nineteen hundred and sixty-seven and the agreement signed by the members of the vocational regional school district planning board and dated May eleventh, nineteen hundred and sixty-seven.

SECTION 2. This act shall take effect as of October twenty-fifth, nineteen hundred and sixty-seven. *Approved March 25, 1969.*

Chap. 99. AN ACT AUTHORIZING SAVINGS BANKS TO EXECUTE AND DELIVER SUCH GUARANTIES AS MAY BE INCIDENTAL OR USUAL IN THE TRANSFER OF INVESTMENT SECURITIES.

Be it enacted, etc., as follows:

Chapter 168 of the General Laws is hereby amended by inserting after section 56 the following section: —

Section 56A. Such corporation may execute and deliver such guaranties as may be incidental or usual in the transfer of investment securities. *Approved March 25, 1969.*

Chap. 100. AN ACT EXTENDING THE TIME FOR WHICH CERTAIN LOANS MAY BE MADE BY TRUST COMPANIES TO FINANCE THE CONSTRUCTION OF INDUSTRIAL OR COMMERCIAL BUILDINGS.

Be it enacted, etc., as follows:

Section 55 of chapter 172 of the General Laws is hereby amended by striking out subsection C, as amended by section 2 of chapter 220 of the acts of 1966, and inserting in place thereof the following subsection —

C. Loans made to finance the construction of industrial or commercial buildings and having maturities not exceeding thirty-six months where there is a valid and binding agreement entered into by a financially responsible lender to advance the full amount of the bank's loan upon the completion of the buildings shall not be considered as real estate loans, but shall be classed as ordinary commercial loans whether or not secured by a mortgage or similar lien upon the real estate upon which the building or buildings are being constructed; provided, that no such corporation shall invest in, or be liable on, any such loans in an aggregate amount in excess of one hundred per cent of its capital stock, surplus account and guaranty fund. *Approved March 25, 1969.*

Chap. 101. AN ACT PROVIDING THAT CERTAIN PERSONS WHO ARE NOT CITIZENS OF THE UNITED STATES MAY BE REGISTERED AS ARCHITECTS.

Be it enacted, etc., as follows:

Section 60B of chapter 112 of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 2 of chapter 696 of the acts of 1941, and inserting in place thereof the following paragraph: —

Any person who is at least twenty-five years of age and of good moral character may apply to the board for registration.

Approved March 25, 1969

Chap. 102. AN ACT PROVIDING THAT SESSIONS FOR REGISTRATION OF VOTERS NEED NOT BE HELD IN WARDS PRIOR TO REGULAR CITY ELECTIONS.

Be it enacted, etc., as follows:

Section 29B of chapter 51 of the General Laws, as most recently amended by section 2 of chapter 236 of the acts of 1966, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences: — In cities the registrars shall, within sixty days before the biennial state election, on or before the last day fixed for registration, hold one or more sessions in one or more suitable places in each ward of the city. They shall, within sixty days before the regular city election, but on or before the last day fixed for registration, hold such sessions unless the city council votes otherwise.

Approved March 25, 1969.

Chap. 103. AN ACT EXTENDING THE TIME WITHIN WHICH THE OXFORD-ROCHDALE SEWER DISTRICT MAY BORROW CERTAIN SUMS.

Be it enacted, etc., as follows:

Section 8 of chapter 250 of the acts of 1957 is hereby amended by striking out the first sentence, as amended by chapter 424 of the acts of 1962, and inserting in place thereof the following sentence: — For the purpose of paying the necessary expenses and liabilities incurred under this act, the district 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 hundred and twenty-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Oxford-Rochdale Sewerage Loan, Act of 1957.

Approved March 25, 1969.

Chap. 104. AN ACT REDUCING THE NUMBER OF MEMBERS OF THE BOARD OF REGISTRATION IN VETERINARY MEDICINE NECESSARY TO CONSTITUTE A QUORUM.

Be it enacted, etc., as follows:

Section 54 of chapter 112 of the General Laws, as amended by section 3 of chapter 533 of the acts of 1958, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — Three members of the board shall constitute a quorum for the transaction of business. *Approved March 25, 1969.*

Chap. 105. AN ACT INCREASING THE MEMBERSHIP AND DEFINING THE METHOD OF ELECTION AND APPOINTMENT OF THE BOARD OF TRUSTEES OF THE MUSEUM OF FINE ARTS AND AUTHORIZING SAID CORPORATION TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

SECTION 1. The board of trustees comprising the body corporate of the Museum of Fine Arts shall consist of not more than thirty-nine

members, of whom not more than thirty, as said board may determine, shall be elected for such terms and upon such conditions as the by-laws shall provide, and one of whom shall be appointed annually by each of the following corporations: — The President and Fellows of Harvard College, with the consent of the Board of Overseers, the Proprietors of the Boston Athenaeum, the Massachusetts Institute of Technology and The Ladies Committee of the Museum of Fine Arts, if said corporation shall make such appointments, and the mayor of the city of Boston, the president of the Trustees of the Public Library of the city of Boston, the superintendent of public schools of said city, the commissioner of education and the trustee of the Lowell Institute, ex officiis.

SECTION 2. Whenever a vacancy shall occur among the elected trustees, such vacancy shall be filled by the board of trustees.

SECTION 3. In addition to the land from time to time owned and occupied by the Museum of Fine Arts and the buildings located or which may be erected thereon and the works of art from time to time contained therein, said Museum of Fine Arts may receive by gift, devise, bequest or otherwise, and may hold, in trust or otherwise, real and personal estate to an amount not exceeding one hundred million dollars, which estate or its income shall be devoted to the purposes for which said Museum of Fine Arts was incorporated.

SECTION 4. Section three of chapter four of the acts of eighteen hundred and seventy, chapter two hundred and forty of the acts of nineteen hundred and fifty-three and section one of chapter one hundred and twenty-nine of the acts of nineteen hundred and sixty-two are hereby repealed.

SECTION 5. Any person serving as a trustee of the Museum of Fine Arts on the effective date of this act shall continue to serve for such term and upon such conditions as the by-laws of said Museum shall provide. *Approved March 25, 1969.*

Chap. 106. AN ACT PROVIDING THAT CERTAIN MEDICAL OFFICERS MAY EXECUTE DEATH CERTIFICATES EVEN THOUGH THEY HAD NOT ATTENDED THE DECEASED

Be it enacted, etc., as follows:

Chapter 46 of the General Laws is hereby amended by striking out section 9, as most recently amended by section 3 of chapter 48 of the acts of 1960, and inserting in place thereof the following section: —

Section 9. A physician, after the death of a person whom he has attended during his last illness, or if the death occurred in a hospital, a registered hospital medical officer duly appointed by the hospital director or administrator, shall, at the request of an undertaker or other authorized person or any member of the family of the deceased, furnish for registration a standard certificate of death, stating to the best of his knowledge and belief the name of the deceased, his supposed age, the disease of which he died, defined as required by section one, where same was contracted, the duration of the illness from which he died, when last seen alive by the physician, or, if death occurs in a hospital, when last seen alive by a physician and the date of death. Said physician or officer shall print or type on every certificate furnished by him under this section and section nine A the cause, or causes, of death and, directly

below his signature, his name. The foregoing provisions shall apply in the same manner in the event of a child dying immediately after birth and said certificate shall include a statement that, to the best knowledge and belief of the certifying physician or hospital medical officer, as the case may be, such child died immediately after birth. Both the birth and death of such child shall be recorded. *Approved March 27, 1969.*

Chap. 107. AN ACT PROVIDING THAT CERTAIN CHILDREN MAY BE EMPLOYED AS GOLF CADDIES DURING DAYLIGHT HOURS.

Be it enacted, etc., as follows:

The second paragraph of section 60 of chapter 149 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 109 of the acts of 1947, and inserting in place thereof the following sentence — Except as provided in sections sixty-nine and eighty-six, no such child shall be employed at work performed for wage or other compensation, to whomever payable, during the hours when public schools are in session, nor, except as provided in section sixty-nine, and except that such child may be employed as a golf caddie during daylight hours, shall he be employed at work before half past six o'clock in the morning or after six o'clock in the evening.

Approved March 27, 1969.

Chap. 108. AN ACT PROVIDING THAT THE LAW ESTABLISHING A MINIMUM RATE FOR HOURS WORKED IN EXCESS OF FORTY HOURS IN A WORK WEEK SHALL NOT APPLY TO EMPLOYEES EMPLOYED IN CHARITABLE HOMES FOR THE AGED.

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 (16), as appearing in chapter 431 of the acts of 1961, and inserting in place thereof the following clause: —

(16) in a hospital, sanatorium, convalescent or nursing home, infirmary, rest home or charitable home for the aged.

Approved March 27, 1969.

Chap. 109. AN ACT AUTHORIZING THE CITY OF WORCESTER TO BORROW MONEY OUTSIDE THE DEBT LIMIT FOR FLOOD PROTECTION PURPOSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to initiate forthwith the acquisition of land and structures by the city of Worcester for the purpose of the protection of life and property against the dangers of floods, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc , as follows:

SECTION 1. The city of Worcester may incur indebtedness in an amount not exceeding three million dollars for acquiring by purchase or, under the provisions of chapter seventy-nine of the General Laws, any

right, title or interest in land and structures for use in connection with the protection of life and property against floods and for the construction of any project for said purpose and also for the cost of surveys, engineering fees, architects' fees, plans and supervision, reasonably and necessarily related thereto, and may issue bonds or notes therefor which shall bear on their face the words, Worcester Flood Protection Loan, Act of 1969 Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates of making. 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 limitation contained in the first paragraph of section seven thereof.

SECTION 2. Any amounts borrowed hereunder shall be paid to the state treasurer and be expended by the department of public works for the purposes authorized in section one. Said city may assume liability for all damages to property suffered by any person by any taking of land, or of any right, interest or easement therein, within said city made by said department for said purposes. *Approved April 1, 1969.*

Chap. 110. AN ACT PROVIDING THAT FIRE AND POLICE SIGNAL OPERATORS, FIRE AND POLICE SIGNAL MAINTENANCE REPAIRMEN AND LICENSED ELECTRICIANS IN CITIES AND TOWNS BE RESTORED TO GROUP 2 UNDER THE RETIREMENT LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediately that fire and police signal operators and signal maintenance repairmen and that licensed electricians be restored to Group 2 under the retirement 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. *Group 2* of paragraph (*g*) of subdivision (2) of section 3 of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 650 of the acts of 1968, is hereby further amended by inserting after the word "powers", in line 11, the words: — , employees of a municipal fire or police department who are employed as signal operators or signal maintenance repairmen, employees of a city or town who are employed as licensed electricians.

SECTION 2. Any person who as a result of the provisions of section one of this act is reclassified as a member in *Group 2* after attaining the maximum age for said group may, upon his written request and with the approval of the appropriate retirement board, be continued in service for a period not exceeding two years from the date as of which he is so reclassified, but in no event beyond the maximum age for a member classified in *Group 1;* and the provisions of paragraph (*c*) of subdivision (1) of section five of chapter thirty-two of the General Laws relative to deductions from his regular compensation and to the amount of his retirement allowance shall be applicable to such person.

SECTION 3. Any action taken by a city or town in retiring any person who was employed by it as a fire or police signal operator or a signal

maintenance repairman or as a licensed electrician and who was reclassified in *Group 2* under the retirement law, pursuant to the provisions of chapter five hundred and sixteen of the acts of nineteen hundred and sixty-eight, is hereby confirmed and validated.

Approved April 1, 1969.

Chap. 111. AN ACT INCREASING THE NUMBER OF MEMBERS WHICH MAY BE ELECTED BY THE DEMOCRATIC TOWN COMMITTEE OF THE TOWN OF SAUGUS.

Be it enacted, etc., as follows:

Notwithstanding any previous notice given to the contrary under the provisions of section nine of chapter fifty-two of the General Laws, the democratic town committee of the town of Saugus shall, for the remainder of the term expiring in the year nineteen hundred and seventy-two, be entitled to the maximum number of members allowed under the provisions of said section. *Approved April 1, 1969.*

Chap. 112. AN ACT AUTHORIZING THE SANDWICH WATER DISTRICT TO BORROW MONEY FOR ADDITIONAL WATER MAINS AND OTHER EQUIPMENT.

Be it enacted, etc., as follows:

For the purpose of constructing additional well, pumphouse with equipment, standpipe, booster pump and water mains of not less than six inches in diameter, the Sandwich water district may borrow, from time to time within five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one million dollars, and may issue bonds or notes therefor which shall bear on their face the words, Sandwich Water District Loan, Act of 1969. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be within the limits of the amount prescribed by the last paragraph of section eight of chapter forty-four of the General Laws, and, except as otherwise provided herein, shall be subject to the provisions of said chapter. *Approved April 1, 1969.*

Chap. 113. AN ACT REDUCING THE AGE AT WHICH POLICEMEN WHO ARE NOT MEMBERS OF A CONTRIBUTORY RETIREMENT SYSTEM MAY BE ELIGIBLE FOR PENSION.

Be it enacted, etc., as follows:

The first paragraph of section 83A of chapter 32 of the General Laws, as appearing in section 11 of chapter 728 of the acts of 1960, is hereby amended by striking out subdivision (c) and inserting in place thereof the following subdivision: —

(c) Any permanent member of said department, at his request, at any time after attaining the age of fifty-five and before attaining the age of sixty-five, if he has performed faithful service therein for not less than twenty years continuously. *Approved April 1, 1969.*

Chap. 114. AN ACT PROVIDING THAT ANY BUILDING IN WHICH A PERSON WORKS BE PROPERLY LIGHTED, VENTILATED AND KEPT CLEAN.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 113, as most recently amended by chapter 158 of the acts of 1968, and inserting in place thereof the following section: —

Section 113. Every factory, workshop, manufacturing, mechanical and mercantile establishment, railroad freight house, railway express terminal and any other building in which a person is employed, other than a building under construction, shall be well lighted, well ventilated and kept free from unsanitary conditions, and work rooms therein in actual use shall be properly heated during the period from October fifteenth to May fifteenth, according to reasonable rules and regulations adopted by the department establishing minimum requirements with reference thereto; provided, however, that the provisions of this section shall not apply to such rooms which are under the supervision of the department of public health and are subject to the provisions of section seventy-three A of chapter ninety-four *Approved April 1, 1969.*

Chap. 115. AN ACT MAKING VOID CERTAIN PROVISION OF LEASES AND AGREEMENTS PERTAINING TO WAIVERS OF NOTICES TO LESSEES OR TENANTS OF PREMISES OCCUPIED FOR DWELLING PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 186 of the General Laws is hereby amended by inserting after section 15 the following section: —

Section 15A. Any provision of a lease or other rental agreement relating to residential real property whereby a lessee or tenant enters into a covenant, agreement or contract, by the use of any words whatsoever, the effect of which is to waive the notices required under section eleven or twelve, shall be deemed to be against public policy and void.

SECTION 2. This act shall apply only to rental leases and agreements entered into on and after the effective date of this act.

Approved April 1, 1969

Chap. 116. AN ACT PROVIDING FOR DISCLOSURE BY CREDIT UNIONS RELATIVE TO INTEREST ON DEPOSITS IN CHRISTMAS CLUB, VACATION CLUB, TAX CLUB AND OTHER GROUP CLUB ACCOUNTS.

Be it enacted, etc., as follows:

Section 16 of chapter 167 of the General Laws is hereby amended by inserting after the first sentence the following sentence: — Credit unions shall also be subject to the provisions of the previous sentence except that the aggregate maximum amount of deposits for a depositor in a credit union shall be in accordance with the provisions of section ten of chapter one hundred and seventy-one. *Approved April 1, 1969.*

Chap. 117. AN ACT REPEALING THE PROVISIONS OF LAW PROHIBITING APPLICANTS WHO FAIL TO PASS A CIVIL SERVICE EXAMINATION FROM TAKING THE SAME EXAMINATION WITHIN SIX MONTHS.

Be it enacted, etc., as follows:

The second paragraph of section 8A of chapter 31 of the General Laws, as appearing in section 1 of chapter 110 of the acts of 1967, is hereby amended by striking out the last sentence. *Approved April 1, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, April 1, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 117 of the Acts of 1969, entitled "An Act REPEALING THE PROVISIONS OF LAW PROHIBITING APPLICANTS WHO FAIL TO PASS A CIVIL SERVICE EXAMINATION FROM TAKING THE SAME EXAMINATION WITHIN SIX MONTHS." and the enactment of which received my approval on April 1, 1969, 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:

Due to the extreme shortage of applicants in certain instances, the provision stating applicants who fail to receive a passing score in an examination may not compete again in the written portion of the same examination within six months following the original date of taking the examination has been found to be unnecessarily restrictive.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, April 2, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at nine o'clock and forty-four minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter one hundred and seventeen of the acts of nineteen hundred and sixty-nine.

JOHN F X DAVOREN,
Secretary of the Commonwealth.

Chap. 118. AN ACT EXTENDING THE TIME WITHIN WHICH CERTAIN VIETNAM VETERANS MAY BE ELIGIBLE TO TAKE CIVIL SERVICE EXAMINATIONS.

Be it enacted, etc., as follows:

Section 1 of chapter 399 of the acts of 1967 is hereby amended by striking out, in line 5, the word "ninety" and inserting in place thereof the words: — one hundred and twenty. *Approved April 1, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, April 1, 1969.

The Honorable JOHN F X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY. — I, Francis W. Sargent, 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 118 of the Acts of 1969, entitled "An Act EXTENDING THE TIME WITHIN WHICH CERTAIN VIETNAM VETERANS MAY BE ELIGIBLE TO TAKE CIVIL SERVICE EXAMINATIONS." and the enactment of which received my approval on April 1, 1969, should take effect forthwith.

Under the present law, Vietnam veterans may take an examination which they missed while in the military service if a request is made within 90 days of discharge.

It has been brought to my attention that 90 days is not sufficient time and this Act would allow 120 days in which time Vietnam veterans could request a make-up examination. Further, it would make the Massachusetts law consistent with the Federal law.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, April 2, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting 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 one hundred and eighteen of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 119. AN ACT RELATIVE TO ESTABLISHING, CANCELLING OR CHANGING PARTY ENROLMENT.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 50 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended

by chapter 16 of the acts of 1966, and inserting in place thereof the following paragraph: —

Except as otherwise provided by section thirty-eight of chapter fifty-three, all certificates of nomination, nomination papers, and other papers pertaining to primaries and elections, required by law to be filed on or before a specified day, shall be filed no later than five o'clock in the afternoon on said day.

SECTION 2. Section 38 of chapter 53 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 238 of the acts of 1967, and inserting in place thereof the following sentence: — No voter enrolled under this section or section thirty-seven shall be allowed to receive the ballot of any political party except that with which he is so enrolled; but, except as otherwise provided by said section thirty-seven, a voter may, except within a period beginning at ten o'clock in the evening of the thirty-first day prior to a primary and ending with the day of such primary, establish, change or cancel his enrolment by forwarding to the board of registrars of voters a certificate signed by such voter in the presence of a notary public or justice of the peace, requesting to have his enrolment established with a party, changed to another party or cancelled, or by appearing in person before a member of said board and requesting in writing that his enrolment be so established, changed or cancelled.

Approved April 1, 1969

Chap. 120. AN ACT INCREASING THE AMOUNT THE CITY OF FALL RIVER MAY BORROW 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 of chapter 672 of the acts of 1965 is hereby amended by striking out, in lines 3 and 4, the words "three million five hundred thousand" and inserting in place thereof the words: — five million.

Approved April 1, 1969

Chap. 121. AN ACT AUTHORIZING THE CITY OF FALL RIVER TO BORROW MONEY OUTSIDE ITS DEBT LIMIT TO CONSTRUCT A NEW CITY HALL

Be it enacted, etc., as follows:

SECTION 1. The city of Fall River may within a period of three years after the effective date of this act incur indebtedness at one time or from time to time in an amount not to exceed, in the aggregate, eight million dollars, to construct, originally equip and furnish a new City Hall Building, other related municipal buildings and facilities incidental and related thereto, which may include space for welfare purposes to be leased to the commonwealth, a ventilation building and decking for pedestrian malls and vehicular parking, including the cost of surveys, engineering fees, architects' fees, legal fees, plans and supervision incidental to said project. Said buildings and facilities shall be constructed in whole or in part upon certain easements for the use of airspace above certain depressed portions of Interstate 195, as granted to

said city by the commonwealth, acting by and through its department of public works, in an instrument dated June tenth, nineteen hundred and sixty-four and approved by the governor and council on September third, nineteen hundred and sixty-four. Said city may issue bonds or notes therefor which shall bear on their face the words, Fall River City Hall Loan, Act of 1969. 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 outside the statutory limit, and shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of any 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 April 1, 1969.*

Chap. 122. AN ACT FURTHER DEFINING THE WORD "FARMER" AS USED IN THE LAW RELATIVE TO THE REGISTRATION OF MOTOR VEHICLES SO AS TO INCLUDE A PERSON WHO RAISES HORSES

Be it enacted, etc., as follows.

Section 1 of chapter 90 of the General Laws is hereby amended by striking out the definition "Farmer", as most recently amended by chapter 23 of the acts of 1966, and inserting in place thereof the following definition: —

"Farmer", any person, individual or partnership engaged principally or substantially in the occupation of farming or of raising horses, poultry or hogs on land owned or controlled by him.

Approved April 1, 1969.

Chap. 123. AN ACT RELATIVE TO PENSIONS FOR WIDOWS OF FIRE FIGHTERS OR POLICE OFFICERS WHO ARE KILLED IN THE PERFORMANCE OF DUTY

Be it enacted, etc , as follows:

Section 100 of chapter 32 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 268 of the acts of 1964, and inserting in place thereof the following sentence: — Notwithstanding any provision of this chapter or any other law, if a fire fighter while in the performance of his duties and as the result of an accident while responding to or returning from an alarm of fire or while at the scene of a fire is killed or sustains injuries which result in his death, or if a police officer while in the performance of his duties and as the result of an assault on his person is killed or sustains injuries which result in his death, there shall be paid to the widow of such fire fighter or such police officer an annual amount of pension which shall be equal to the amount of salary which would have been paid to such fire fighter or such police officer had he continued in service in the position held by him at the time of his death, provided, however, that upon the date at which such fire fighter or police officer would have reached the maximum retirement age for his group such pension shall be reduced to an amount equal to the amount that such fire fighter or police officer would have received had he lived and been retired at his maximum retirement age. *Approved April 1, 1969*

Chap. 124. AN ACT ESTABLISHING CERTAIN MINIMUM STANDARDS IN THE WRITTEN EXAMINATION OF MEMBERS OF THE UNIFORMED BRANCH OF STATE POLICE AS A CONDITION OF ELIGIBILITY FOR PROMOTION.

Be it enacted, etc., as follows:

Section 9 O of chapter 22 of the General Laws is hereby amended by inserting after the second paragraph the following paragraph: —

No member who is a candidate for promotion to the grade of a non-commissioned or commissioned officer shall be eligible for promotion unless he has attained a mark of at least seventy in the written examination. *Approved April 1, 1969.*

Chap. 125. AN ACT AUTHORIZING THE STATE MUTUAL LIFE ASSURANCE COMPANY OF AMERICA TO ACQUIRE CAPITAL STOCK OF THE HANOVER INSURANCE COMPANY OF NEW YORK.

Be it enacted, etc , as follows:

The State Mutual Life Assurance Company of America may, with the approval of the commissioner of insurance, and subject to the provisions of section one hundred and ninety-three D of chapter one hundred and seventy-five of the General Laws, in addition to any investments authorized by law, and notwithstanding any limitation of any general or special law, invest up to an amount, at the time of such investment, equal to an additional three per cent of its admitted assets in the capital stock of the Hanover Insurance Company of New York Two thirds of the total amount authorized to be invested under this act shall be limited to an amount equal to the total value of new issue of such capital stock. *Approved April 3, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, April 3, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR SECRETARY: — I, Francis W. Sargent, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 125 of the Acts of 1969, entitled "AN ACT AUTHORIZING THE STATE MUTUAL LIFE ASSURANCE COMPANY OF AMERICA TO ACQUIRE CAPITAL STOCK OF THE HANOVER INSURANCE COMPANY OF NEW YORK." and the enactment of which received my approval on April 3, 1969, 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

Since the State Mutual Life Assurance Company of America plans to relocate the fundamental operation of the Hanover Insurance Company of New York, this could mean as many as 1000 jobs to the Commonwealth. This boost to the economy of Massachusetts should not be delayed.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, April 3, 1969.

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

JOHN F X. DAVOREN,
Secretary of the Commonwealth.

Chap. 126. AN ACT INCREASING THE AMOUNT OF REAL AND PERSONAL ESTATE WHICH MAY BE HELD BY THE FRAMINGHAM UNION HOSPITAL, INC.

Be it enacted, etc., as follows:

The Framingham Union Hospital, Inc., a corporation duly organized under the provisions of chapter one hundred and eighty of the General Laws, is hereby authorized to hold real and personal estate to an amount not exceeding twenty-five million dollars, notwithstanding any provision of special or general law to the contrary.

Approved April 3, 1969.

Chap. 127. AN ACT AUTHORIZING CHILDREN'S CANCER RESEARCH FOUNDATION, INC. TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

Chapter 99 of the acts of 1960 is hereby amended by striking out, in line 6, the word "ten" and inserting in place thereof the word: — thirty.

Approved April 3, 1969.

Chap. 128. AN ACT PROVIDING THAT A SCHOOL COMMITTEE MAY EMPLOY LEGAL COUNSEL FOR COLLECTIVE BARGAINING PURPOSES.

Be it enacted, etc , as follows:

SECTION 1. Chapter 71 of the General Laws is hereby amended by inserting after section 37D the following section: —

Section 37E. The school committee of a city or town may employ legal counsel in connection with collective bargaining with employee organizations for school employees, and may expend money therefor from the funds appropriated by said city or town for school purposes provided, however, that no such money shall be expended in excess of five thousand dollars without the prior approval of the mayor, the city manager in a city having Plan D or Plan E form of government, or the board of selectmen. Said legal counsel shall not be subject to the provisions of section nine A of chapter thirty or the provisions of chapter thirty-one.

SECTION 2. The first paragraph of section 178I of chapter 149 of the General Laws is hereby amended by striking out the two sentences, as

inserted by chapter 633 of the acts of 1968, and inserting in place thereof the following sentence: — 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. *Approved April 3, 1969.*

Chap. 129. AN ACT PROVIDING THAT ANY CHARITABLE ORGANIZATION IN WHICH THERE MAY BE A DISTRIBUTION OF PROFITS, INCOME OR ASSETS TO THE STOCKHOLDERS, TRUSTEES OR MEMBERS OF SUCH ORGANIZATION UPON ITS DISSOLUTION SHALL NOT BE EXEMPTED FROM LOCAL TAXATION OF ITS REAL OR PERSONAL PROPERTY.

Be it enacted, etc., as follows:

Clause Third of section 5 of chapter 59 of the General Laws, as most recently amended by section 1 of chapter 500 of the acts of 1957, is hereby further amended by striking out subsection (*a*) and inserting in place thereof the following subsection —

(*a*) If any of the income or profits of the business of the charitable organization is divided among the stockholders, the trustees or the members, or is used or appropriated for other than literary, benevolent, charitable, scientific or temperance purposes or if upon dissolution of such organization a distribution of the profits, income or assets may be made to any stockholder, trustee or member, its property shall not be exempt; and *Approved April 3, 1969.*

Chap. 130. AN ACT RELATIVE TO INVESTMENTS OF SAVINGS BANKS.

Be it enacted, etc , as follows:

The first paragraph of section 51 of chapter 168 of the General Laws is hereby amended by striking out the first sentence, as amended by section 3 of chapter 288 of the acts of 1966, and inserting in place thereof the following sentence — Annually, not later than July first, the commissioner shall prepare a list of all stocks, bonds, notes and other interest bearing obligations which are then legal investments under any provision of sections forty-two to forty-eight, inclusive, paragraphs 3, 4 and 6 of section forty-nine and section fifty, provided that any or all privately placed or held issues may in the discretion of the commissioner be omitted *Approved April 3, 1969*

Chap. 131. AN ACT DESIGNATING A CERTAIN PORTION OF STATE HIGHWAY IN THE TOWN OF PLYMOUTH AS THE PLIMOTH PLANTATION HIGHWAY.

Be it enacted, etc., as follows:

That portion of the state highway at exit 40 on route 3 which connects routes 3 and 3A in the town of Plymouth shall be known and designated as "The Plimoth Plantation Highway". The department of public works is hereby authorized and directed to install suitable markers bearing said designation along said highway.

Approved April 3, 1969.

Chap. 132. AN ACT REGULATING THE NUMBER OF MEETINGS OF THE METROPOLITAN AREA PLANNING COUNCIL.

Be it enacted, etc., as follows:

Section 110 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 second paragraph and inserting in place thereof the following paragraph. —

The council shall meet three times a year at the call of the president and at such other times as the council may determine.

Approved April 3, 1969.

Chap. 133. AN ACT DEFINING CERTAIN ACTS OF CHARITABLE HOMES FOR THE AGED AND OF THEIR EMPLOYEES AS UNFAIR LABOR PRACTICES AND PROVIDING FOR THE ARBITRATION OF CERTAIN GRIEVANCES AND DISPUTES BETWEEN SUCH HOMES AND SUCH EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1 Chapter 150A of the General Laws is hereby amended by striking out section 4C, as amended by section 5 of chapter 513 of the acts of 1968, and inserting in place thereof the following section: —

Section 4C. It shall be an unfair labor practice: —

(1) For any health care facility or any charitable home for the aged to institute, declare or cause, or to attempt to institute, declare or cause, any lockout of any of its nurse or nonprofessional employees; or

(2) For any nurse or nonprofessional employee of a health care facility or of any charitable home for the aged, or for a representative of any such employee, or for any other person, to engage in, induce or encourage any strike, work stoppage, slowdown or withholding of customary goods or services by such employees or other persons at such health care facility or home.

SECTION 2 Said chapter 150A is hereby further amended by striking out section 9A, as amended by section 6 of said chapter 513, and inserting in place thereof the following section. —

Section 9A (*a*) In the event of the existence of a grievance or a dispute between a health care facility or a charitable home for the aged and an organization designated or selected as the exclusive representative of any nurse or nonprofessional employee of such facility or of such home for the purposes of collective bargaining in accordance with section five, and if such grievance or dispute has not been settled by collective bargaining after reasonable effort so to do by either party, and if there is no collective bargaining agreement in force between the parties, or such an agreement is in force but it contains no provision to submit the current grievance or dispute, as the case may be, to arbitration, the procedures provided by chapter one hundred and fifty C shall be available, on application of an aggrieved party, to determine the controversy as though the parties had negotiated a collective bargaining agreement containing a provision as described in section one of said chapter one hundred and fifty C to submit to arbitration and such agreement were then in force, provided, however, that the procedures provided by said chapter one hundred and fifty C shall not be available to

assist or require arbitration of any grievance or dispute involving a health care facility owned and operated by the commonwealth or a political subdivision thereof; and provided, further, that in the case of a grievance or a dispute involving any health care facility not owned and operated by the commonwealth or a political subdivision thereof or involving a charitable home for the aged it shall not be a ground for refusing to grant an order for arbitration under paragraph (*a*) of section two of said chapter one hundred and fifty C, or for granting an application for stay of an arbitration proceeding under paragraph (*b*) of said section, or for vacating an award under clause (5) of paragraph (*a*) of section eleven of said chapter one hundred and fifty C, that there is no agreement to arbitrate.

(*b*) As used in this section the word "grievance" shall mean any controversy or claim arising out of or relating to the interpretation, application or breach of the provisions of an existing collective bargaining agreement between a health care facility or charitable home for the aged and any of its nurse or nonprofessional employees or their representatives; the word "dispute" shall mean all other controversies, claims or disputes between a health care facility or charitable home for the aged and any of its nurse or nonprofessional employees, or their representatives, concerning rates of pay, hours or other terms or conditions of employment in such facility or home, including, but not limited to, controversies, claims or disputes arising in the course of negotiation, fixing, maintaining, changing or arranging any such terms or conditions

Approved April 3, 1969.

Chap. 134. AN ACT AUTHORIZING THE BOARD OF TRUSTEES OF THE ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE TO CONSTRUCT AND ORIGINALLY EQUIP AN ADDITION TO MAUDE HALL AT SAID INSTITUTE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate educational facilities for instruction in health occupational areas, the board of trustees of the Essex agricultural and technical institute is hereby authorized to construct and originally equip an addition to the building known as Maude hall and make such alterations, including additions and changes to existing utilities and mechanical services, in said building as will effectively and efficiently unite and blend together the new and old facilities and to install and establish the roadways, walkways, landscaping, identification and the utility services necessary for its full completion.

SECTION 2. For the purpose aforesaid, the treasurer of Essex county, with the approval of the county commissioners thereof, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, three hundred seventy-five thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Essex Agricultural and Technical Institute Building Loan, Act of 1969 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 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 full effect upon its acceptance, during the current year, by the county commissioners of the county of Essex, but not otherwise. *Approved April 3, 1969.*

Chap. 135. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BRISTOL COUNTY TO PAY A SUM OF MONEY TO REGAL FLOOR COVERING, INC.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the county commissioners of Bristol county are hereby authorized to pay, subject to appropriation, and after such appropriation the treasurer of said county shall pay, to Regal Floor Covering, Inc. an unpaid bill in the sum of two thousand three hundred and fifty dollars for the installation of linoleum at the Bristol superior court courthouse in the city of Taunton during the year nineteen hundred and sixty-seven.

Approved April 3, 1969.

Chap. 136. AN ACT MAKING CERTAIN CHANGES IN THE LAW RELATING TO THE ALLOTMENT OF CERTAIN APPROPRIATIONS.

Be it enacted, etc., as follows:

Section 9B of chapter 29 of the General Laws is hereby amended by striking out the third and fourth sentences, as amended by section 46 of chapter 757 of the acts of 1962, and inserting in place thereof the following three sentences — The governor or the commissioner of administration when designated in writing by the governor shall allot to each such office, department and undertaking the amount which it may expend for each such period out of the sums made available to it by appropriation or otherwise. If so designated said commissioner shall designate such member or members of his office as may be approved by the governor to exercise the foregoing powers in the absence of said commissioner The officer in charge of each such office, department or undertaking shall submit to the budget director, in such form and at such times as he shall prescribe, such information as may be required by the governor or the commissioner of administration for making periodic supplementary allotments. *Approved April 3, 1969.*

Chap. 137. AN ACT AUTHORIZING THE TOWN OF ACTON TO APPROPRIATE MONEY ANNUALLY IN ANTICIPATION OF THE CELEBRATION OF THE TWO HUNDREDTH ANNIVERSARY OF THE PARTICIPATION OF CITIZENS OF ACTON IN THE BATTLE OF CONCORD

Be it enacted, etc., as follows.

SECTION 1 The town of Acton may appropriate money annually, from and including the year nineteen hundred and sixty-nine to and including the year nineteen hundred and seventy-five, for the celebra-

tion 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, may, from time to time, upon the authorization of its board of selectmen, be expended for the purposes of this act by said town. 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 7, 1969.

Chap. 138. AN ACT PROVIDING FOR A SPECIAL CAPITAL OUTLAY PROGRAM TO SUPPLEMENT PREVIOUSLY AUTHORIZED PROJECTS.

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 to supplement previously authorized projects and to finance new projects, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for the construction of certain previously authorized projects, the sums set forth in section two of this act, for the several purposes, and subject to the conditions contained therein, are hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

Executive Office for Administration and Finance.

Bureau of Building Construction.

Item		
8070–01	To cover unexpected contingencies in the cost of projects authorized by this act, other than the acquisition of land, to be allocated by the commissioner of administration with the approval of the governor, provided, that the allocation to any project shall not exceed a percentage of the total amount appropriated for the project in this or any other act, said percentage to be not more than five per cent plus the percentage increase in the cost of building construction as determined for the period involved by the commissioner of administration from available building cost indexes; and, provided further, that copies of said allocations shall be filed immediately with the house and senate committees on ways and means . .	$2,662,000

Other Boards and Commissions serving under Governor and Council.

Massachusetts Aeronautics Commission.

8070–02	For the reimbursement to cities and towns for the state's share of airport construction, as provided in sections thirty-nine F and fifty-one K of chapter ninety of the General Laws, to be available for matching federal funds for the fiscal year nineteen hundred and sixty-nine and succeeding years; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws; to be in addition to the amount appropriated in item 8069–09 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight	$164,160

Soldiers' Home in Holyoke.

Item

8069–14 Item 8069–14 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by adding the following: — , to be in addition to the amount appropriated in item 8165–38 of section two of chapter three hundred and ninety-eight of the acts of nineteen hundred and sixty-four.

Department of Correction.

Correctional Institution at Norfolk.

8070–03 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 8068–63 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven **$748,172**

Department of Mental Health.

Region One.

Belchertown State School.

8068–41 Item 8068–41 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven is hereby amended by striking out the wording and inserting in place thereof the following: — For the renovation and improvement of the sanitary facilities in buildings D and M and for certain structural renovations to building D.

Department of Education.

Board of Trustees of State Colleges.

Fitchburg State College.

8169–02 Item 8169–02 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the wording and inserting in place thereof the following: — For a feasibility study and for the preparation of plans and descriptive specifications for a special education center, as authorized by section thirty H of chapter seven of the General Laws, to be in addition to the amount appropriated in item 8066–78 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-five.

State College at Westfield.

8070–04 For the construction of a science building, including the cost of furnishings and equipment, total project cost not to exceed five million four hundred thousand dollars, to be in addition to the amount appropriated in item 8069–50 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight; provided, that application shall be made for federal funds, and such funds, when received, shall be credited to the Federal Capital Improvement Fund **$156,000**

Massachusetts Maritime Academy.

8070–05 For the preparation of plans and the construction of a power plant, and for improvements and additions to the utility distribution systems, to be in addition to the amount appropriated in item 8068–19 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven **$712,500**

Lowell Technological Institute.

Item

8069–55 } From the unexpended balance remaining in item 8069–55 of section two
8066–30 } of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight, the sum of two hundred thousand dollars is hereby made available for the purposes of item 8066–30 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-five.

8169–05 Item 8169–05 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by inserting after the words "renovation of", in line one, the words — the former library building,

Southeastern Massachusetts Technological Institute.

8070–06 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, to be in addition to the amount appropriated in item 8066–34 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-five, 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 six hundred and fifty thousand dollars **$834,975**

University of Massachusetts

8070–07 For the construction of a classroom, laboratory and office building for the college of arts and sciences, including the cost of furnishings, equipment, site development and the replacement of tennis courts, to be in addition to the amount appropriated in item 8069–65 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight **$582,800**

8070–08 For the construction of certain additional library facilities, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8068–27 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven, as amended by chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight, 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 two million dollars **2,000,000**

8067–98 Item 8067–98 of section two of chapter two hundred and seventy-six of the acts of nineteen hundred and sixty-seven is hereby further amended by striking out, in lines fifteen and seventeen, the words "twenty-two million five hundred" and inserting in place thereof, in each instance, the words — eighteen million seven hundred and sixty

8070–10 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, for the preparation of plans for medical science facilities, a teaching hospital and housing facilities, for the development of the site and for the construction of medical science facilities, including the cost of furnishings and equipment and necessary utility services, and, provided further, that except for the preparation of plans, expenditures for the construction of buildings shall be contingent upon the prior approval by the proper federal authorities and assurance by such authorities that the federal allocation will be not less than eighteen million seven hundred and sixty thousand dollars for the establishment of said medical school; to be in addition to the amount authorized in item 8067–98 of section two of said chapter two hundred and seventy-six **19,600,000**

Massachusetts Board of Regional Community Colleges.

Northern Essex Community College.

Item		
8070-09	For the construction of a regional community college, including classrooms, library, student union and gymnasium, and including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8067-33 of section two of chapter five hundred and ninety of the acts of nineteen hundred and sixty-six; 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 said college will be not less than two million five hundred and thirty-one thousand one hundred and fifty dollars	**$3,311,973**

SECTION 3. The government center commission, authorized by chapter six hundred and thirty-five of the acts of nineteen hundred and sixty, is hereby authorized to proceed with the awarding of a contract for landscaping and for the construction of a garage and plaza with certain utility services therein required for the operation of the employment security building and the mental health center and state laboratories building.

SECTION 4. 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. 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 5. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purposes 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-five. Notwithstanding any provisions of this act, such notes shall be general obligations of the commonwealth.

SECTION 6. Chapter six hundred and fifty of the acts of nineteen hundred and sixty-six is hereby amended by striking out, in line three of the proviso added by section two B of chapter one hundred and thirty-two of the acts of nineteen hundred and sixty-eight, the words "not exceeding" and inserting in place thereof the words: — not less than.

SECTION 7. Section one of chapter seven hundred and eighty-two of the acts of nineteen hundred and sixty-two is hereby amended by inserting after the word "grade", in line nine, the words: — , for pedestrian overpasses in the vicinity of Neponset Circle in the city of Boston, for the construction of an additional culvert at the intersection of Furnace Brook Parkway and Newport Avenue in the city of Quincy.

Approved April 8, 1969.

Chap. 139. AN ACT ESTABLISHING THE OFFICE OF VICE-PRESIDENT OF THE METROPOLITAN AREA PLANNING COUNCIL AND INCREASING THE MEMBERSHIP OF THE EXECUTIVE COMMITTEE OF SAID COUNCIL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for increasing the number of officers of the metropolitan area planning council and the membership of its executive committee, 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 110 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 "president", in line 2, the words. — a vice-president,.

SECTION 2. Section 113 of said chapter 6 of the General Laws, is hereby amended by striking out the first paragraph, as so appearing, and inserting in place thereof the following paragraph —

There shall be an executive committee consisting of twenty-four members, the chairman of which shall be the president of the council, the vice-chairman of which shall be the vice-president of the council, the secretary of which shall be the secretary of the council and the treasurer of which shall be the treasurer of the council. Of the remaining twenty members, five shall be elected from the representatives of cities; provided, that at least one such member elected is a resident of the city of Boston; five shall be elected from the representatives of towns; five shall be elected from the persons appointed by the governor; and five shall be elected from the ex officiis members. Each member of the committee shall serve for a term of one year or until his successor has been duly qualified.

Approved April 8, 1969.

Chap. 140. AN ACT AUTHORIZING THE TOWN OF MANCHESTER TO CONSTRUCT A PUBLIC BUILDING ON THE MANCHESTER TOWN COMMON.

Be it enacted, etc., as follows:

SECTION 1. The selectmen of the town of Manchester may take by eminent domain on behalf of the town the right to use a portion of the

town common in the town for town office and police station 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 said chapter seventy-nine or in the order of intention to take under section two of said chapter eighty A. The town may construct and maintain a town office and police station 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 of the General Laws. 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 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. 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 for the purposes of the public trust 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 property held for such purpose. Either the superior court or the probate court in and for the county of Essex 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.

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 town office and police station for the purpose of appropriating or borrowing money therefor.

SECTION 6. Any proceedings heretofore taken by any town meeting of the town of Manchester authorizing the planning or construction of the town office and police 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 7. This act shall take effect upon its passage.

Approved April 8, 1969.

Chap. 141. AN ACT AUTHORIZING THE CONSOLIDATION OF BOY SCOUTS OF AMERICA, BERKSHIRE COUNCIL, INC. AND HAMPSHIRE-FRANKLIN COUNCIL, INCORPORATED, BOY SCOUTS OF AMERICA.

Be it enacted, etc., as follows:

SECTION 1. Boy Scouts of America, Berkshire Council, Inc and Hampshire-Franklin Council, Incorporated, Boy Scouts of America, corporations established under the laws of the commonwealth, are hereby authorized to consolidate into one corporation under the name of Great Trails Council, Inc , Boy Scouts of America, hereinafter called the consolidated corporation, which shall in all respects be a continuation of each of said existing corporations and shall have all the powers, purposes, privileges and exemptions of and be subject to all the duties, liabilities and restrictions of each of said existing corporations, and all powers, privileges, exemptions, duties, liabilities and restrictions now or hereafter applicable by law to corporations established under the laws of the commonwealth for the purposes for which said existing corporations were established

SECTION 2. Upon such consolidation, all property, real and personal, and all rights and interests, legal or equitable, of said existing corporations and all devises, bequests, conveyances and gifts heretofore or hereafter made to or for the benefit of said 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, or but for this act would be held, by said existing corporations or either of them, and the treasurer of each of said existing corporations is hereby authorized to execute and deliver all papers and documents necessary or proper for the purpose of confirming in the consolidated corporation the record or beneficial title to the property, rights and interests of said existing corporations.

SECTION 3. Upon such consolidation, the members of said existing corporations immediately prior to such consolidation shall, subject to any resignations therein, be the members of the consolidated corporation until such time as the consolidated corporation may, by amendment to its constitution or by-laws or in any other proper manner, alter its membership, and the members of the executive board and the officers of the existing Boy Scouts of America, Berkshire Council, Inc , in office immediately prior to such consolidation, subject to any resignations therein, shall, until their successors are chosen and qualified, be the members of the governing board and officers of the consolidated corporation which shall, except as herein provided with respect to initial membership, be governed by the constitution and by-laws of said Hampshire-Franklin Council, Incorporated, Boy Scouts of America, as the same now are or may hereafter be amended.

SECTION 4. Upon acceptance of this act within one year after its passage (a) by vote of a majority of the members of the executive board of Boy Scouts of America, Berkshire Council, Inc , at a meeting of said executive board duly called for the purpose, acting under authority of a vote of a majority of the members of Boy Scouts of America, Berkshire Council, Inc , present and voting at a meeting of such members duly called for the purpose of considering and voting upon the matter of consolidating said existing corporations and matters incidental thereto,

and (b) by vote of a majority of the members of the executive board of Hampshire-Franklin Council, Incorporated, Boy Scouts of America, at a meeting of said executive board duly called for the purpose, acting under authority of a vote of a majority of the members of Hampshire-Franklin Council, Incorporated, Boy Scouts of America, present and voting at a meeting of such members duly called for the purpose of considering and voting upon the matter of consolidating said existing corporations and matters incidental thereto, certified copies of the respective votes of acceptance by said executive boards, signed by the respective secretaries of said existing corporations under the penalties of perjury, may, within thirty days after the last of the meetings of the executive boards at which this act is accepted, be filed for record in the registry of deeds for the counties of Hampshire and Franklin and for the Berkshire northern district, middle district and southern district and with the state secretary, and upon such filing the consolidation of said existing corporations hereby authorized shall become effective and complete. *Approved April 8, 1969.*

Chap. 142. AN ACT RELATIVE TO THE NAMES OF CHURCHES, RELIGIOUS SOCIETIES AND OTHER BODIES ORGANIZED FOR RELIGIOUS PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of the first paragraph of section 9 of chapter 155 of the General Laws, as appearing in section 1 of chapter 484 of the acts of 1964, is hereby amended by striking out, in line 1, the word "the".

SECTION 2. Said section 9 of said chapter 155 is hereby further amended by adding the following paragraph: —

Notwithstanding the foregoing provisions of this section, a church, religious society or other body organized for religious purposes, when incorporating or when changing its corporate name, may assume a name which does not indicate that it is a corporation.

Approved April 8, 1969.

Chap. 143. AN ACT AUTHORIZING THE INCLUSION OF THE SPOUSE AND CERTAIN DEPENDENT CHILDREN OF THE INSURED IN CERTAIN INSURANCE POLICIES PROVIDING MEDICAL EXPENSE BENEFITS.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 111F the following section: —

Section 111G. A policy of insurance issued under subdivision (*b*) of clause sixth of section forty-seven, insuring a person against loss in excess of the amount of any underlying liability insurance may also include his spouse and unmarried dependent children under twenty-three years of age in respect to medical expense which is greater than a stated deductible amount. As used in this section "a stated deductible amount" shall be the greater of (1) the minimum deductibles shown in the declarations in the policy or (2) the amount of benefits provided for eligible expenses under other medical expense coverage.

Approved April 8, 1969.

Chap. 144. AN ACT AUTHORIZING THE LICENSING OF PARTNERSHIPS AS INSURANCE ADVISERS.

Be it enacted, etc., as follows:

Section 177B of chapter 175 of the General Laws is hereby amended by inserting after the first paragraph the following paragraph: —

The license described in this section may be issued to a partnership as long as each party to be included in the partnership by name is found by the commissioner to be in all respects qualified for a license as an adviser under this section, and provided further that the provisions of section one hundred and seventy-three shall, so far as they are not inconsistent with this section, apply to every such partnership license.

Approved April 8, 1969.

Chap. 145. AN ACT AUTHORIZING THE DISTRICT ATTORNEY FOR THE NORFOLK DISTRICT TO EMPLOY ADDITIONAL LEGAL ASSISTANTS

Be it enacted, etc., as follows:

Chapter 12 of the General Laws is hereby amended by striking out section 20, as amended by section 1 of chapter 694 of the acts of 1957, and inserting in place thereof the following section: —

Section 20. The district attorney for the Suffolk district, the district attorney for the northern district and the district attorney for the Norfolk district may each employ additional legal assistants, with the approval of the chief justice of the superior court. The length of time of such employment, which shall in no instance exceed three months, and the amount of compensation, which shall in no instance exceed two thousand dollars, shall be determined by the district attorney, with the approval of said chief justice. Such compensation shall be paid by the treasurer of Suffolk county, Middlesex county or Norfolk county, as the case may be, upon presentation of bills approved by the district attorney, and by said chief justice and in Suffolk county by the auditor thereof. In matters connected with the work for which he is so employed, an attorney shall have all the powers and authority of an assistant district attorney.

Approved April 8, 1969.

Chap. 146. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE POSITIONS OF DIRECTOR AND DEPUTY DIRECTOR OF BUILDING CONSTRUCTION

Be it enacted, etc., as follows:

Section 4C of chapter 7 of the General Laws, inserted by section 4 of chapter 757 of the acts of 1962, is hereby amended by striking out, in line 11, the words "five A" and inserting in place thereof the word. — six

Approved April 8, 1969.

Chap. 147. AN ACT RELATIVE TO THE TRANSFER OF MOTOR VEHICLES UNDER COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE POLICIES.

Be it enacted, etc., as follows:

Section 113A of chapter 175 of the General Laws is hereby amended by striking out the paragraph inserted by section 2 of chapter 568 of the acts of 1961 and inserting in place thereof the following paragraph: —

Notwithstanding the foregoing provisions, a policy covering a registered motor vehicle or trailer which is being transferred as provided in section two of chapter ninety shall continue in force and cover a newly acquired motor vehicle or trailer for a period beginning from the date of transfer of the registered motor vehicle or trailer until five o'clock postmeridian of the second registry business day following the date of transfer within the period for which the transferred motor vehicle or trailer was registered; provided, that the number plates issued upon registration of the transferred motor vehicle or trailer are attached to the newly acquired vehicle *Approved April 8, 1969*

Chap. 148. AN ACT FURTHER REGULATING THE PREPARATION OF JURY LISTS AND MAKING WOMEN, WITH CERTAIN EXCEPTIONS, LIABLE TO SERVE AS JURORS IN CERTAIN CASES.

Be it enacted, etc , as follows·

SECTION 1. Chapter 234 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 347 of the acts of 1949, and inserting in place thereof the following section: —

Section 1. A person of either sex qualified to vote for representatives to the general court, whether a registered voter or not, shall be liable to serve as a juror, except that the following persons shall be exempt:

The governor; lieutenant governor; members of the council; state secretary; members and officers of the senate and house of representatives during a session of the general court; judges and justices of a court; county commissioners; clerks of courts and assistant clerks and all regularly appointed officers of the courts of the United States and of the commonwealth; registers of probate and insolvency; registers of deeds; sheriffs and their deputies; constables; marshals of the United States and their deputies, and all other officers of the United States; attorneys at law; settled ministers of the gospel, officers of colleges; preceptors and teachers of incorporated academies; registered practicing physicians and surgeons; persons over seventy years of age; persons under twenty-two years of age; superintendents, officers and assistants employed in or about a state hospital, insane hospital, jail, house of correction, state industrial school or state prison; teachers in public schools; enginemen and members of the fire department of Boston, and of other cities and towns in which such exemption has been made by vote of the city council or the inhabitants of the town; Christian Science practitioners and readers, respectively; trained nurses; assistants in hospitals; attendant nurses; mothers of children under sixteen years of age or women having custody of such children and women members of religious orders.

SECTION 2. The second sentence of the first paragraph of section 4 of chapter 234 of the General Laws, as appearing in section 3 of said chapter 347, is hereby amended by striking out, in lines 6 to 9, inclusive, the words ", except that the board shall not place the name of any woman on said list if, in such personal appearance and examination or in such questionnaire, she claims, in writing, exemption from jury service" *Approved April 8, 1969.*

Chap. 149. AN ACT AUTHORIZING THE SPRINGFIELD LIBRARY AND MUSEUMS ASSOCIATION, FORMERLY THE CITY LIBRARY ASSOCIATION OF SPRINGFIELD, TO HOLD ADDITIONAL PROPERTY.

Be it enacted, etc., as follows:

The Springfield Library and Museums Association, formerly The City Library Association of Springfield, is hereby authorized to hold real estate and personal estate for the purposes named in its act of incorporation, and for the purposes authorized by chapter three hundred and thirty-one of the acts of nineteen hundred and forty-eight, to an amount not exceeding twenty million dollars, exclusive of books in its library and collections of natural history and works of art in its library and museum buildings. *Approved April 8, 1969.*

Chap. 150. AN ACT RELATIVE TO THE PRINTING AND DISTRIBUTION OF LEGISLATIVE JOURNALS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to reduce the number of printed copies of the bound Senate and House journals and thus eliminate waste in printing and effectuate a savings in printing costs, 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 5 of the General Laws is hereby amended by striking out section 10, as most recently amended by chapter 401 of the acts of 1968, and inserting in place thereof the following section: —

Section 10. Not more than four hundred copies of the journals of the senate and of the house of representatives shall be printed annually under the direction of the respective clerks thereof; and, unless the general court shall otherwise order, two thousand copies of the lists of members and committees shall be printed annually under the joint direction of said clerks.

Copies of said journals shall, under the direction of said clerks, be distributed as follows. — one copy to each member of the general court, who requests the same in writing; one copy to each member of the executive department, who requests the same in writing; one copy to the clerk and assistant clerk of each branch of the general court and to each reporter who is entitled to the privileges of the reporters' gallery in either branch; and ten copies to the state library for use therein and for exchange. The state secretary shall send one copy of said journals to each member of the general court who requests the same as provided

in this section. The state librarian shall send one copy of said journals to each free public library in the commonwealth which requests the same in writing.

Copies of the lists of members and committees shall, under the direction of said clerks, be distributed as follows: — one copy to each member of the general court, to each member of the executive department, to the clerk and assistant clerk of each branch of the general court and to each reporter who is entitled to the privileges of the reporters' gallery in either branch and ten copies to the state library for use therein and for exchange.

The remaining copies of the foregoing publications shall be distributed at the discretion of the clerks of the two branches, preference being given to the members of the general court and to state officers.

Two thousand copies of the governor's address to the general court shall be printed, of which fifteen hundred shall be for the general court and five hundred for the governor. *Approved April 10, 1969.*

Chap. 151. AN ACT DESIGNATING AN ADDITIONAL PORTION OF INTERSTATE HIGHWAY ROUTE I-95 AS THE BLUE STAR MEMORIAL HIGHWAY.

Be it enacted, etc., as follows:

Chapter 672 of the acts of 1968 is hereby amended by inserting after section 1 the following two sections: —

Section 1A That portion of interstate highway route I–95 beginning at the New Hampshire state line and thence running southerly to the junction of interstate highway route I–495 in the town of Salisbury shall also be known and designated as the Blue Star Memorial Highway, in tribute to the men and women who have served in the Armed Forces of the United States of America The department of public works shall erect and maintain along said highway suitable markers bearing said designation in compliance with the standards of the department and as authorized by the federal bureau of public roads, and is hereby authorized to receive contributions of materials satisfactory to the department solely for said designation.

Section 1B Chapter 575 of the acts of 1965 is hereby amended by striking out, in lines 1 and 2, the words "New Hampshire state line" and inserting in place thereof the words: — junction of interstate highway route I–495 in the town of Salisbury. *Approved April 10, 1969.*

Chap. 152. AN ACT AUTHORIZING THE ISSUANCE OF LICENSES TO CONDUCT MOTORCYCLE RACING ON SUNDAYS.

Be it enacted, etc., as follows:

Section 4 of chapter 136 of the General Laws is hereby amended by striking out paragraph (1), as most recently amended by chapter 64 of the acts of 1968, and inserting in place thereof the following paragraph: —

(1) The mayor of a city or the selectmen of a town, upon written application describing the proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion, except as provided

in section one hundred and five of chapter one hundred and forty-nine, may grant, upon such reasonable terms and conditions as they may prescribe, a license to hold on Sunday dancing or any game, sport, fair, exposition, play, entertainment or public diversion for which a charge in the form of payment or collection of money or other valuable consideration is made for the privilege of being present thereat or engaging therein, except horse racing, dog racing, boxing, wrestling and hunting with firearms, provided, however, that no such license shall be issued for dancing for which a charge in the form of the payment or collection of money or other valuable consideration is made for the privilege of engaging therein; and provided further, however, that no license issued under this paragraph shall be granted to permit such activities before one o'clock in the afternoon; and provided further, that such application, except an application to conduct an athletic game or sport, shall be approved by the commissioner of public safety and shall be accompanied by a fee of two dollars, or in the case of an application for the approval of an annual license by a fee of fifty dollars.

Approved April 10, 1969.

Chap. 153. AN ACT AUTHORIZING WELLESLEY COLLEGE TO HOLD REAL AND PERSONAL ESTATE IN ANY AMOUNT

Be it enacted, etc., as follows:

Wellesley College is hereby authorized to hold real and personal estate in the manner and for the purposes set forth in its charter in any amount, subject otherwise to the provisions of section one of chapter forty-five of the acts of nineteen hundred and twenty-eight.

Approved April 10, 1969.

Chap. 154. AN ACT INCREASING THE AMOUNT OF REAL AND PERSONAL ESTATE WHICH MAY BE HELD BY WESTERN NEW ENGLAND COLLEGE.

Be it enacted, etc., as follows:

Western New England College, a corporation organized under the provisions of chapter one hundred and eighty of the General Laws, is hereby authorized to hold real and personal estate to an amount not exceeding fifteen million dollars, in the manner and for the purposes set forth in its charter, notwithstanding any provision of special or general law to the contrary. *Approved April 10, 1969.*

Chap. 155. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO ACQUIRE CERTAIN LAND BY EMINENT DOMAIN OR OTHERWISE FOR THE PURPOSE OF CERTAIN SCHOOL ACTIVITIES CONDUCTED BY THE NORFOLK COUNTY AGRICULTURAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 178 of the acts of 1968 is hereby amended by inserting after the word "plan", in line 54, the words: — ; provided, however, that so much of the described premises as was con-

veyed to Robert E. Joyal and Jacquelin H. Joyal, husband and wife, by deed dated July 6, 1959 and recorded in the Norfolk registry of deeds, and so much of the premises containing 320 square feet, more or less, as was taken for the relocation and widening of Fisher street by the county of Norfolk by an order of taking dated September 17, 1963, and recorded in the Norfolk registry of deeds, October 8, 1963, shall not be purchased or taken by eminent domain under the provisions of this section.

SECTION 1A. Said section 1 of said chapter 178 is hereby further amended by adding the following paragraph: —

For said purposes said county commissioners are hereby also authorized to take by eminent domain under the provisions of chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, a certain parcel of land situated on the easterly side of North street and the northeasterly side of Gould street in Walpole as shown on plan of land entitled "Plan of Land in Walpole, Mass., March 5, 1969, Scale: 1 inch = 80 feet, Charles C. Cain, County Engineer" bounded and described according to said plan as follows:

Westerly by North Street by nine courses measuring a total of 1504.05 feet, according to said plan;

Northerly by land of Russell J. and Marie L. Schroeder and land of John E., John H , and George T. Buttimer by four courses 835.46 feet, according to said plan;

Easterly by land of James F., Frederick H., Warren R. and Samuel R. Gilmore by two courses 436.34 feet, according to said plan;

Northerly again by land of said James F., Frederick H., Warren R. and Samuel R. Gilmore 375.25 feet according to said plan;

Easterly, Southeasterly and Southerly by land of said James F., Frederick H., Warren R. and Samuel R. Gilmore by twelve courses 1072 26 feet according to said plan;

Easterly again by land of said James F., Frederick H., Warren R. and Samuel R. Gilmore 86.19 feet, according to said plan;

Southerly by land of the County of Norfolk 87.23 feet according to said plan;

Easterly again by land of said County of Norfolk 285.29 feet according to said plan;

Southerly again by land of said County of Norfolk by two courses 67.56 feet according to said plan;

Easterly again by land of said County of Norfolk by two courses 202.39 feet according to said plan;

Southerly again by land of said County of Norfolk by two courses 228.25 feet according to said plan;

Southwesterly by Gould Street 477.15 feet according to said plan;

Westerly by the intersection of Gould and North Streets with a curve having a radius of 99.76 feet a distance of 108.42 feet according to said plan;

Southerly by said intersection of Gould and North Streets 5.00 feet according to said plan and containing 37.889 acres according to said plan.

SECTION 2 Section 2 of said chapter 178 is hereby amended by striking out, in line 2, the words "seventy-five" and inserting in place thereof the words. — one hundred and seventy-five.

Approved April 10, 1969.

Chap. 156. AN ACT PROVIDING FOR THE ASSIGNMENT OF INTERESTS UNDER GROUP LIFE INSURANCE

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 134B the following section —

Section 134C. Subject to the terms of the policy relating to assignment of incidents of ownership thereunder, a person whose life is insured under a policy of group life insurance may assign any or all incidents of ownership granted him under such policy or under any provision of this chapter, including but not limited to any right to designate a beneficiary, to have an individual policy issued to him and to pay premiums.

SECTION 2. Any assignment by the insured, made either before or after the effective date of section one hundred and thirty-four C of chapter one hundred and seventy-five of the General Laws, inserted by section one of this act, shall be valid for the purpose of vesting in the assignee, in accordance with any provisions included therein as to the time at which it is to be effective, all of such incidents of ownership so assigned, but without prejudice to the insurer on account of any payment it may make or individual policy it may issue without notice of the assignment.

SECTION 3. Section one hundred and thirty-four C of chapter one hundred and seventy-five of the General Laws, inserted by section one of this act, shall be construed as being declaratory of the law in effect prior to the effective date hereof and not as modifying, altering or amending said law. *Approved April 10, 1969.*

Chap. 157. AN ACT FURTHER REGULATING THE WEARING OF HUNTING CLOTHES DURING THE OPEN DEER SEASON

Be it enacted, etc , as follows:

Chapter 131 of the General Laws is hereby amended by striking out section 71, as appearing in section 1 of chapter 802 of the acts of 1967, and inserting in place thereof the following section: —

Section 71. A person shall not, during the open season when deer may be hunted lawfully with a shotgun, hunt or enter the woodlands of the commonwealth for the purpose of hunting unless he wears in a conspicuous manner on his chest and back, or on his head, chest and back, a minimum of four hundred square inches of clothing or material of a hunter orange color which meets such requirements as the director may by rules and regulations establish. This section shall not apply to any person engaged in waterfowl hunting from within a blind or from a boat. *Approved April 10, 1969.*

Chap. 158. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-NINE 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 items in the general appropriation act and for certain new activities and projects, the

sums set forth in section two of this act are hereby appropriated from the General Fund unless specifically designated otherwise in the item, subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight for the fiscal year ending June thirtieth, nineteen hundred and sixty-nine, or for such period as may be specified, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

Legislature.

Senate.

Item

0112-0000 For the office of senate clerk, prior appropriation continued, including not more than six permanent positions . . . **$4,800**

House of Representatives.

0122-0000 For the office of the clerk of the house of representatives, prior appropriation continued, including not more than eight permanent positions **$4,500**

0127-0000 For clerical and other expenses of the members of the house of representatives, including not more than one permanent position **30,000**

Sergeant-at-Arms.

0136-0000 For certain improvements and renovations including furnishings and equipment, prior appropriation continued . . **$45,000**

Other Expenses.

0161-3000 For the compilation, indexing, annotating, printing and distribution of veterans laws, as provided by a joint order, and 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, and for printing a descriptive pamphlet of the murals, house of representatives, including not more than two permanent positions **$25,000**

Executive.

Governor.

0411-9004 For the preparation and publication of the official papers of a former governor **$16,000**

Executive Office for Administration and Finance.

Comptroller's Division.

0452-1000 For the administration of the division, including not more than one hundred and seventy-seven permanent positions . **$27,000**

Highway Fund . . .	30.0%
General Fund . .	70.0%

Group Insurance Commission

0454-1000 For administration of the group insurance program, including not more than forty permanent positions **$200,632**

0454-2000 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, agencies

Item

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 contracts for group life and health insurance; and provided further, that the contract shall provide benefits, when supplemented by benefits authorized by federal legislation, that will be comparable to those at present in effect, prior appropriation continued $2,290,850

0454-3000 For the group insurance premium for certain retired employees and their dependents, provided, that amounts received from cities, towns or districts are to be in addition to this item and to be available for expenditure without further appropriation . . 592,895

Other Boards and Commissions serving under the Governor and Council.

Commissioner of Veterans' Services.

0463-6400 For reimbursing cities and towns for money paid for veterns' benefits $3,600,000

Local Aid Fund . . . 100 0%

0463-6500 For reimbursing cities and towns for financial aid granted to certain needy dependents of persons in the service of the armed forces 76,000

Local Aid Fund . . . 100.0%

Treasurer and Receiver-General.

0611-4000 For administration of the payment of a bonus to veterans of the Vietnam conflict $14,000

Auditor of the Commonwealth.

0710-0000 Item 0710-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the word "seventy-two" and inserting in place thereof the word — ninety-two . . $60,449

Highway Fund . . . 30 0%

General Fund . . . 70 0%

Department of the Attorney General.

0810-0000 For the office of the attorney general, including not more than fifty-two permanent positions $2,600

Department of Natural Resources.

Division of Forests and Parks.

1011-2000 For the administration and maintenance of swimming pools and skating rinks, provided, that the provisions of chapter thirty-one of the General Laws shall not apply to this item . . $75,000

State Recreational Areas Fund 100.0%

Department of Public Welfare.

1900-1000 For the office of the commissioner, including not more than four thousand seven hundred and two permanent positions . $347,000

Item

1901–1000 Item 1901–1000 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight is hereby amended by adding at the end thereof the following: —, including prior-year charges **$1,802,500**

1901–2000 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-eight **390,000**

Local Aid Fund . . . 100 0%

1902–4000 For reimbursement to cities and towns for a medical assistance program provided under Public Law 89–97, Title XIX and in accordance with the provisions of chapter eight hundred and seventy-four of the acts of nineteen hundred and sixty-five, including certain (*a*) families with dependent children, as provided by chapter one hundred and eighteen of the General Laws, (*b*) totally and permanently disabled persons, as provided by chapter one hundred and eighteen D of the General Laws, (*c*) aged persons, and (*d*) individuals with insufficient resources to meet the cost of necessary medical services, as provided by chapter one hundred and eighteen A of the General Laws, prior appropriation continued **11,100,000**

Local Aid Fund . . 100 0%

1902–5000 For a direct medical assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the Local Aid Fund **66,500,000**

Local Aid Fund . . 100 0%

1903–1000 For the payment of suitable aid to certain dependent children, prior appropriation continued **803,000**

Local Aid Fund . . 100 0%

1903–2000 For a program of direct aid to families with dependent children, provided, that all federal funds received for the purpose of this item shall be credited to the Local Aid Fund . . **9,950,000**

Local Aid Fund . . . 100 0%

1905–2000 For a direct old age assistance program, provided, that all federal funds received for the purpose of this item shall be credited to the Local Aid Fund **1,825,000**

Local Aid Fund . . . 100 0%

1906–1000 For reimbursement to cities and towns for general relief and for purposes of items 3019–02, 3019–03, 3019–04 and 3019–05 prior to their inclusion herein, prior appropriation continued **680,000**

Local Aid Fund . . . 100 0%

1906–2000 For a program of direct general relief . . . **1,000,000**

Local Aid Fund . . 100 0%

1907–1000 For the reimbursement to cities and towns for total and permanent disability assistance, as provided by chapter one hundred and eighteen D of the General Laws, prior appropriation continued **174,000**

Local Aid Fund . . . 100 0%

1907–2000 For a direct totally and permanently disabled persons program; provided, that all federal funds received for the purpose of this item shall be credited to the Local Aid Fund . . **2,960,000**

Local Aid Fund . . 100 0%

Department of Public Health.

For the maintenance of and for certain improvements at the following institution under the control of the department of public health:

2032–0000 Item 2032–0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the words "eight hundred and twenty-five" and inserting in place thereof the words: — eight hundred and twenty-nine **$6,143**

Department of Public Safety.

Board of Schoolhouse Structural Standards.

Item

2150–0000 For the expenses of the board, as authorized by chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-five, as amended **$5,000**

Metropolitan District Commission.

Metropolitan Water System.

2425–9010 For the construction of an additional water main from the Middlesex Fells reservoir through the cities and towns of Melrose, Saugus, Lynn and Swampscott to the town of Marblehead and a certain water main in and through Lynn to the Swampscott town boundary, to be in addition to the amount appropriated in section two of chapter six hundred and eight of the acts of nineteen hundred and forty-eight, as amended by item 9230–01 of section two of chapter one hundred and thirty-two of the acts of nineteen hundred and sixty-eight **$75,000**

MDC Water District Fund . 100.0%

2426–9005 For a study of the feasibility of providing an additional supply of water to the city of Chicopee by constructing a pumping station or by any other means . **25,000**

MDC Water District Fund . 100 0%

Department of Community Affairs.

Bureau of Housing and Redevelopment Assistance

2522–9101 For reimbursement of cities and towns for the commonwealth's share of federally-aided urban renewal projects, as authorized by the provisions of section twenty-six FFF of chapter one hundred and twenty-one of the General Laws, to be in addition to the amount appropriated in item 1563–9001 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight **$500,000**

Local Aid Fund . . . 100 0%

Department of Mental Health.

5011–0000 For administration, except as otherwise provided, for 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, and for the transportation and medical examination of patients and certain mentally retarded persons; to be in addition to any federal funds available for the purposes of this item, and including not more than three hundred and thirty-two permanent positions **$93,000**

Department of Public Works.

Waterways Activities.

Division of Waterways.

6032–2002 } Item 2202–11 of section two of chapter seven hundred and nine of the
2202–11 } acts of nineteen hundred and sixty-six, as amended by section two of chapter three hundred and ninety-three of the acts of nineteen hundred and sixty-seven, as further amended by section two A of chapter four hundred and forty-three of the acts of nineteen hundred and sixty-eight, is hereby deleted and appropriations contained therein shall revert to the General Fund.

Registry of Motor Vehicles.

Item

6111–0000 Item 6111–0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out, in line six, the word "ninety-two" and inserting in place thereof the word: — ninety-three

Local Aid Fund . . .	1 2%
Highway Fund . .	98 8%

6111–0017 Item 6111–0017, as appearing in section two of chapter one hundred and thirty-two of the acts of nineteen hundred and sixty-eight as item 2970–08, is hereby amended by adding at the end the following: — ; appropriation expires June thirtieth, nineteen hundred and seventy . **$570,000**

Highway Fund	100 0%

Board of Higher Education.

Board of Trustees of State Colleges.

For the administration, maintenance of and for certain improvements at the following state college with the approval of the board of trustees.

7115–0000 State college at Westfield, including not more than one hundred and eighty-nine permanent positions . . . **$5,600**

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

Approved April 11, 1969.

Chap. 159. AN ACT REPEALING THE LAW REQUIRING AN INSPECTOR OF ANIMALS IN CERTAIN CITIES TO BE A REGISTERED VETERINARIAN.

Be it enacted, etc., as follows:

The first paragraph of section 15 of chapter 129 of the General Laws, as appearing in section 1 of chapter 579 of the acts of 1963, is hereby amended by striking out the last sentence.

Approved April 11, 1969.

Chap. 160. AN ACT ELIMINATING THE LIMITATION ON THE AMOUNT OF MONEY THE TRUSTEES OF CUSHING ACADEMY MAY BORROW.

Be it enacted, etc., as follows:

Chapter 249 of the acts of 1946 is hereby amended by striking out, in lines 5 and 6, the words "to an amount not in excess of three hundred thousand dollars". *Approved April 11, 1969.*

Chap. 161. AN ACT AUTHORIZING WENTWORTH INSTITUTE TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

Section 1 of chapter 221 of the acts of 1904, as amended by chapter 49 of the acts of 1923, is hereby further amended by striking out, in line 4, the word "ten" and inserting in place thereof the word: — twenty-five, — so as to read as follows: —

Section 1. The Wentworth Institute 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 in value, including the amount which it is already authorized by law to hold.

Approved April 11, 1969.

Chap. 162. AN ACT PROVIDING THAT TWO YEARS' RESIDENCE BE REQUIRED BEFORE FILING A LIBEL FOR DIVORCE IF THE CAUSE OCCURRED WITHOUT THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 208 of the General Laws is hereby amended by striking out section 5, as amended by chapter 344 of the acts of 1964, and inserting in place thereof the following section: —

Section 5. If the libellant has lived in this commonwealth for two years last preceding the filing of the libel if the cause occurred without the commonwealth, or if the libellant is a resident of the commonwealth at the time of the filing of the libel and the cause occurred within the commonwealth, a divorce may be decreed for any cause allowed by law, unless it appears that the libellant has removed into this commonwealth for the purpose of obtaining a divorce *Approved April 11, 1969.*

Chap. 163. AN ACT INCREASING THE PERIOD DURING WHICH A LICENSE MAY BE SUSPENDED FOR THE UNAUTHORIZED USE OF A MOTOR VEHICLE.

Be it enacted, etc., as follows:

Paragraph (*c*) of subdivision (2) of section 24 of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 191 of the acts of 1966, and inserting in place thereof the following sentence. — The registrar, after having revoked the license or right to operate of any person under the preceding paragraph of this section, in his discretion may issue a new license or reinstate the right to operate to him, if the prosecution of such person in the superior court has terminated in favor of the defendant, or, after an investigation or upon hearing, may issue a new license or reinstate the right to operate to a person convicted in any court of the violation of any provision of paragraph (*a*) of subdivision (2) of this section; provided, that no new license or right to operate shall be issued by the registrar to any person convicted of going away without stopping and making known his name, residence and the register number of his motor vehicle after having, while operating such vehicle upon any way or in any place to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, knowingly collided with or otherwise caused injury to any person, or to any person adjudged a delinquent child by reason thereof under the provisions of section fifty-eight B of chapter one hundred and nineteen, until one year after the date of his original conviction or adjudication if for a first offense or until two years after the date of any subsequent conviction or adjudication, or to any person convicted of using a motor vehicle knowing that such use is unauthorized,

until two years after the date of his original conviction or adjudication if for a first offense or until three years after the date of any subsequent conviction or adjudication, or to any person convicted of violating any other provision of paragraph (*a*) of subdivision (2) of this section until sixty days after the date of his original conviction if for a first offense, or one year after the date of any subsequent conviction within a period of three years. *Approved April 11, 1969*

Chap. 164. AN ACT AUTHORIZING THE CITY OF REVERE TO REVOKE ITS ACCEPTANCE OF THE LAW RELATIVE TO PENSIONS FOR POLICEMEN AND FIREFIGHTERS AND THEIR WIDOWS UNDER THE NONCONTRIBUTORY RETIREMENT LAW.

Be it enacted, etc., as follows:

The city of Revere is hereby authorized to revoke its acceptance of section eighty-five J of chapter thirty-two of the General Laws. If said city revokes said acceptance the provisions of said section eighty-five J shall not apply therein. Nothing herein contained shall prevent said city from again accepting the provisions of said section eighty-five J after such revocation. *Approved April 11, 1969.*

Chap. 165. AN ACT AUTHORIZING THE CITY OF LOWELL TO DEVELOP AND TO SELL OR LEASE CERTAIN CITY-OWNED LAND FOR USE AS INDUSTRIAL PARKS AND RATIFYING CERTAIN PROCEEDINGS OF THE CITY COUNCIL HERETOFORE TAKEN.

Be it enacted, etc., as follows:

SECTION 1. The city of Lowell, hereinafter called the city, is hereby authorized to develop for industrial purposes the following described parcels of land: —

Parcel 1. A certain parcel of land owned by the city of Lowell containing thirty-nine acres of land and located on the northerly side of route 3 and shown on a plan of land entitled "Lowell Industrial Park, Proposed Site Improvements at route 3", and marked as "Exhibit A", in a preliminary report for Industrial Parks, Lowell, Massachusetts, submitted to the Lowell city manager on February twenty-one, nineteen hundred and sixty-six by Hayden, Harding & Buchanan, Inc

Parcel 2. A certain parcel of land owned by said city and located on the easterly side of Berkeley avenue and the northerly side of railroad tracks of the Boston and Maine railroad at its intersection with said Berkeley avenue and being part of the thirty-six acre tract as shown on a plan entitled "Lowell Industrial Park Site Improvements at Phoenix Avenue", and marked as "Exhibit C", in a preliminary report for Industrial Parks, Lowell, Massachusetts, submitted to the Lowell city manager on February twenty-one, nineteen hundred and sixty-six by Hayden, Harding & Buchanan, Inc

Parcel 3. A certain parcel of land owned by said city and located on the northerly side of Industrial avenue and the Lowell-Chelmsford town line and easterly of the Lowell connection as shown on a plan entitled "Lowell Industrial Park, Proposed Site Improvements at Reiss Avenue and Industrial Avenue", and marked as "Exhibit B",

in a preliminary report for Industrial Parks, Lowell, Massachusetts, submitted to the Lowell city manager on February twenty-one, nineteen hundred and sixty-six by Hayden, Harding & Buchanan, Inc

As used in this act the word "develop" shall include the construction of streets, parking areas and sidewalks, the installation of sewerage and water facilities and other utilities and the clearance and preparation of sites for use for industrial purposes; but it shall not include the construction of buildings for such purposes.

SECTION 2. Subject to the approval of the city council, the city manager may lease for such periods and on such terms and conditions as may be appropriate, or sell at public auction or private sale land so developed.

SECTION 3. The order of the city council of the city passed January seventh, nineteen hundred and sixty-nine, authorizing the borrowing of one million seven hundred thousand dollars for the development of three industrial parks under chapter seventy-four of the acts of nineteen hundred and forty-five, as amended, is hereby ratified and confirmed in all respects.

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

Approved April 16, 1969.

Chap. 166. AN ACT PROVIDING THAT EXAMINATIONS FOR REGISTRATION AS AN ELECTROLOGIST BE HELD AT LEAST TWICE IN EACH YEAR.

Be it enacted, etc., as follows:

Section 87GGG of chapter 112 of the General Laws, as amended by section 1 of chapter 518 of the acts of 1964, is hereby further amended by adding the following paragraph: —

The board shall conduct examinations of applicants desiring to engage in the practice of electrolysis at least twice in each calendar year.

Approved April 16, 1969.

Chap. 167. AN ACT PROVIDING FOR THE MERGER, CONSOLIDATION, AMALGAMATION AND UNION OF THE SECOND CHURCH AND THE FIRST CHURCH IN BOSTON AND THE SOCIETY OF THE FIRST CHURCH IN BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The Second Church, a corporation incorporated by chapter sixty-six of the acts of eighteen hundred and twenty-three, is hereby authorized to merge into and consolidate, amalgamate and unite with The First Church in Boston, a corporation incorporated by chapter one hundred and twenty-two of the acts of eighteen hundred and twenty-eight, and the Society of the First Church in Boston, an unincorporated religious society organized in nineteen hundred and twenty-one, or any incorporated religious society formed under chapter sixty-seven of the General Laws as the successor thereto, all in the manner provided herein.

The First Church in Boston and, to the extent that the members of the Second Church shall become members of the Society of the First

Church in Boston, or its successor, as authorized hereby, said Society of the First Church in Boston, or its successor, shall in all respects be the continuance of and the lawful successors to the Second Church, and, as the survivors of the merger and union authorized hereby, shall have all of their respective powers, privileges, immunities and exemptions and those of the Second Church. The name of The First Church in Boston shall thereupon be changed to the First and Second Church in Boston, hereinafter referred to as the "surviving corporation", and the name of the Society of the First Church in Boston, or its successor, hereinafter referred to as the "surviving society", shall thereupon be as set forth in its by-laws or any certificate filed with the secretary of the commonwealth pursuant to the incorporation thereof under said chapter sixty-seven and said Society, or its successor.

SECTION 2. When such merger and union shall become effective, all property, real, personal and mixed, and all rights and interests, legal and equitable, in trust or otherwise, of each of the Second Church and The First Church in Boston, including all trusts, devises, bequests, gifts and transfers heretofore and hereafter made for each of them, 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 or would have been held had such merger and union not been effected; and without limiting the foregoing, each of the officers of the Second Church and The First Church in Boston 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 and union authorized by this act and to confirm in the surviving corporation the record title to the property, rights and interests of each of the Second Church and The First Church in Boston. When such merger and union shall have become effective, all property, real, personal and mixed, and all rights and interests, legal and equitable, in trust or otherwise, of the Society of the First Church in Boston, or its successor, including all trusts, devises, bequests, gifts and transfers heretofore and hereafter made for it, shall vest in or for the benefit of the surviving society, without further act or deed, and shall be held and administered by the surviving society upon and subject to same terms, conditions, limitations and trusts as they are now held or would have been held had such merger and union not been effected.

SECTION 3. When such merger and union shall become effective, the surviving corporation shall assume and be liable for all the valid debts, liabilities and obligations of the Second Church and The First Church in Boston.

SECTION 4 When such merger and union shall become effective, the members of the Second Church immediately preceding the effectiveness thereof and the members of the Society of the First Church in Boston, or its successor, immediately preceding the effectiveness thereof, shall be the members of the surviving society and thereafter shall continue as such subject to and for such time as may be determined pursuant to the by-laws of the surviving society and the proprietors and members and officers and trustees of The First Church in Boston and the trustees and officers and members of the standing committee of the Society of the First Church in Boston, or its successor,

immediately preceding the effectiveness of such merger and union, shall, respectively, continue to be such officers and members and proprietors and trustees of the surviving corporation or the surviving society, as the case may be, subject to and for such time as may be determined pursuant to the respective by-laws and regulations of the surviving corporation and the surviving society.

SECTION 5. The proceedings and votes of the Second Church, The First Church in Boston and the Society of the First Church in Boston, or its successor, relating to the merger and union thereof, as authorized by this act, and the acts and doings thereunder, are hereby ratified and confirmed, notwithstanding any informalities, errors or omissions

SECTION 6. The merger and union shall not become effective unless and until there has been filed with the secretary of the commonwealth and recorded in the office of the registrar of deeds for Suffolk county and the office of the registrar of deeds for Norfolk county, within two years after the passage of this act, a certificate signed by each of the clerks of the Second Church and The First Church in Boston and the Society of the First Church in Boston, or its successor, to the effect that the Second Church, The First Church in Boston and the Society of the First Church in Boston, or its successor, have accepted this act at meetings duly called for the purposes by vote of two thirds of its proprietors or members present and voting.

SECTION 7 The surviving corporation may hold real and personal estate not exceeding ten million dollars.

SECTION 8. If the application of any provision of this act to any property or funds held by any of the Second Church and The First Church in Boston and the Society of the First Church in Boston, or its successor, shall be held invalid, the application of such provision to property and funds other than those as to which it is held invalid shall not be affected thereby

Approved April 16, 1969.

Chap. 168. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO CERTAIN CREDIT INSURANCE CHARGES UNDER THE SMALL LOANS LAW.

Be it enacted, etc , as follows:

Section 114A of chapter 140 of the General Laws is hereby amended by striking out the last sentence, added by chapter 646 of the acts of 1963, and inserting in place thereof the following sentence: — The provisions of section one hundred A shall apply to loans made hereunder.

Approved April 16, 1969.

Chap. 169. AN ACT INCREASING THE LIMIT ON PERSONAL LOANS WHICH A SAVINGS BANK MAY MAKE.

Be it enacted, etc , as follows:

Section 37 of chapter 168 of the General Laws, as most recently amended by section 1 of chapter 810 of the acts of 1965, is hereby further 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, 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 forty-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. *Approved April 16, 1969*

Chap. 170. AN ACT REQUIRING THAT CERTAIN MOTOR VEHICLES OWNED AND OPERATED BY THE COMMONWEALTH AND ITS POLITICAL SUBDIVISIONS SHALL BE EQUIPPED WITH SUITABLE SPLASH GUARDS.

Be it enacted, etc., as follows:

The first paragraph of section 7 of chapter 90 of the General Laws is hereby amended by striking out the sentence added by chapter 570 of the acts of 1954 and inserting in place thereof the following sentence: — Every motor vehicle or trailer, excepting passenger motor vehicles, operated in or upon any way shall be equipped with suitable guards which will effectively reduce the spray or splash to the rear of mud, water or slush caused by the rear wheels thereof.

Approved April 16, 1969.

Chap. 171. AN ACT AUTHORIZING POLICE OFFICERS TO FORM OR JOIN LABOR ORGANIZATIONS.

Be it enacted, etc., as follows:

Section 178D of chapter 149 of the General Laws is hereby amended by striking out the third sentence, as appearing in chapter 460 of the acts of 1958, and inserting in place thereof the following sentence: — This section shall not be applicable to police officers in the uniformed branch of the division of state police. *Approved April 16, 1969.*

Chap. 172. AN ACT TO AUTHORIZE READING COMMUNITY YOUNG MENS CHRISTIAN ASSOCIATION, INC. TO MERGE WITH GREATER BOSTON YOUNG MEN'S CHRISTIAN ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. Reading Community Young Mens Christian Association, Inc, a corporation established under the laws of the commonwealth, is hereby authorized to merge with Greater Boston Young Men's Christian Association, a corporation established by chapter seventy-three of the acts of eighteen hundred and fifty-two.

SECTION 2. Upon the effective date of said merger, Reading Community Young Mens Christian Association, Inc. shall no longer continue as a separate corporation and Greater Boston Young Men's Christian Association under its existing corporate powers may carry on the activities heretofore carried on by said Reading Community Young Mens Christian Association, Inc. as part of the activities of said Greater Boston Young Men's Christian Association.

SECTION 3 Upon such merger becoming effective, all property of Reading Community Young Mens Christian Association, Inc., 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 Greater Boston Young Men's Christian Association without further act or deed. Greater Boston Young Men's Christian Association shall have the same powers, rights and privileges with respect to the property of Reading Community Young Mens Christian Association, Inc and with respect to such bequests, devises, gifts and transfers as would have been possessed by Greater 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 Greater Boston Young Men's Christian Association otherwise shall have, with respest to such property, bequests, devises, gifts and transfers, the same powers, rights and privileges as would have been possessed by Reading Community Young Mens Christian Association, Inc. had such merger not been effected.

SECTION 4. Greater Boston Young Men's Christian Association shall be deemed to have assumed and shall be liable for all the liabilities and obligations of Reading Community Young Mens Christian Association, Inc.

SECTION 5. The merger shall not be completed: —

(a) unless at a meeting called for the purpose Reading Community Young Mens Christian Association, Inc. shall, by a majority vote of its membership entitled to vote and present and voting, have accepted this act; and

(b) unless, after acceptance as aforesaid by Reading Community Young Mens Christian Association, Inc., the general board of directors of Greater 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 Reading Community Young Mens Christian Association, Inc. and by the General Secretary, or some other officer thereunto duly authorized, of Greater 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 said meetings at which this act is accepted.

SECTION 7. Any question arising as to the powers, rights, privileges and responsibilities of Greater Boston Young Men's Christian Association with respect to the property of Reading Community Young Mens Christian Association, Inc., including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made to, and for the benefit of, Reading Community Young Mens Christian Association, Inc., 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 April 16, 1969.*

Chap. 173. AN ACT RELATIVE TO EXPENDITURES FOR THE CARE, MAINTENANCE AND REPAIR OF THE HAMPSHIRE COUNTY HOSPITAL.

Be it enacted, etc., as follows:

The county commissioners of Hampshire county are hereby authorized to expend for the year nineteen hundred and sixty-nine the sums set forth in this act for the care, maintenance and repair of the county hospital 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 county commissioners and with the county treasurer a certification of the amounts set forth in the approved schedules for such hospital 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 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

Transfers within an appropriation between classes and between subclasses within a main group may be made by 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 and a graduate nurse who becomes a registered nurse may be paid an increased salary rate on account of such promotion, subject to approval by the county personnel board, and a person may receive an increased cash salary in lieu of maintenance formerly received, with like approval

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 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.

HAMPSHIRE COUNTY.

Item		
1.	For personal services	$300,220 29
2.	For contractual services	11,475 00
3.	For supplies and materials	61,860 00
4.	For current charges and obligations	37,084 70
5.	For equipment	2,904 00
6.	For structures and improvements	10,860 00
8.	For debt and interest	3,000 00
11.	For reserve fund	7,500 00
12	For group insurance	5,300 00
	For total expenditures	$440,203 99

Approved April 16, 1969.

Chap. 174. AN ACT FURTHER REGULATING THE FILING OF LIENS BY THE DIVISION OF EMPLOYMENT SECURITY.

Be it enacted, etc., as follows:

Paragraph (6) of subsection (*e*) of section 15 of chapter 151A of the General Laws, as appearing in chapter 533 of the acts of 1968, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — After such certificate is duly filed and recorded with such court, the amount of the assessment shall be a lien upon the entire interest of the employer, legal or equitable, in any property, real or personal, tangible or intangible, situated within the jurisdiction of such court; provided, however, that, with respect to real estate of the employer, a copy of said certificate is recorded in the records of the county, or of the district, if such county is divided into districts, where such real estate is located; and provided, further, with respect to personal property of the employer said certificate is recorded with the clerk of the city or town where such personal property is situated. *Approved April 16, 1969.*

Chap. 175. AN ACT RELATIVE TO THE SHIFT DIFFERENTIALS FOR EMPLOYEES IN THE NURSING SERVICES IN COUNTY HOSPITALS.

Be it enacted, etc., as follows:

Persons employed in county hospitals who work the second or third shift in the positions of graduate nurse, head nurse, hospital supervisor, assistant superintendent of nurses and superintendent of nurses shall receive a differential of seven hundred eighty dollars annually; in the position of licensed practical nurse, a differential of three hundred ninety dollars annually; and in the positions of charge attendant, attendant and porter in the nursing service, a differential of two hundred sixty dollars annually. *Approved April 16, 1969.*

Chap. 176. AN ACT AUTHORIZING THE CLERK OF THE FIRST DISTRICT COURT OF BARNSTABLE TO ADJUST HIS BOOKS ON ACCOUNT OF MONEY STOLEN FROM HIS OFFICE.

Be it enacted, etc., as follows:

The clerk of the first district court of Barnstable is hereby authorized to adjust his accounts by deducting from his cash book receipts of money due the county of Barnstable the sum of three hundred and eighty-four dollars and thirty-four cents, which sum was the amount stolen in a burglary during the night of September twenty-third, nineteen hundred and sixty-seven. *Approved April 16, 1969.*

Chap. 177. AN ACT INCREASING THE FEE FOR AN ELEVATOR OPERATOR'S LICENSE AND FOR EACH RENEWAL THEREOF.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide for an increase in the fee for the issuance of an elevator operator's license and each renewal thereof commencing with the forthcoming new fiscal year of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc , as follows:

SECTION 1. Section 71G of chapter 143 of the General Laws is hereby amended by striking out the third sentence, as appearing in section 4 of chapter 616 of the acts of 1963, and inserting in place thereof the following sentence: — The fee for said license shall be one dollar and fifty cents, and for each renewal thereof one dollar.

SECTION 2. This act shall take effect on July first, nineteen hundred and sixty-nine, and shall apply to licenses and renewals thereof issued under the provisions of section seventy-one G of chapter one hundred and forty-three of the General Laws on and after said date.

Approved April 17, 1969.

Chap. 178. AN ACT RELATIVE TO THE QUALIFICATIONS OF ELECTED DIRECTORS OF A CO-OPERATIVE BANK.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 8 of chapter 170 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 371 of the acts of 1950, and inserting in place thereof the following sentence: — The shareholders shall elect the directors, each of whom shall be a citizen of the United States, a resident of the commonwealth and under the age of seventy-two at the time of election.

SECTION 2. Notwithstanding the provisions of section eight of chapter one hundred and seventy of the General Laws, as amended by section one of this act, any director holding office and who has reached the age of seventy-two on the effective date of this act may be reelected for one additional term, but in no event shall he serve after age seventy-five.

Approved April 17, 1969.

Chap. 179. AN ACT CLARIFYING THE TYPE OF REGISTRATION TO BE ISSUED TO CERTAIN PHYSICIANS.

Be it enacted, etc., as follows:

Chapter 234 of the acts of 1968 is hereby amended by striking out, in line 2, the words "temporary license to practice" and inserting in place thereof the words: — limited registration for the practice of

Approved April 17, 1969.

Chap. 180. AN ACT AUTHORIZING THE TOWN OF WILLIAMSTOWN TO PAY CERTAIN SUMS OF MONEY TO CERTAIN EMPLOYEES AND RETIRED EMPLOYEES OF SAID TOWN AS COMPENSATION FOR UNUSED VACATION TIME

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, and in order to discharge a moral obligation of the town of Williamstown, said town may pay to the following named employees and retired employees of said town the sums set forth after their respective names as compensation for unused vacation time — Maynard J Austin, four hundred eighty dollars and seventy-six cents, Earl George, four hundred ninety-two dollars and thirty cents; J. Elwood Lamphear, four hundred sixty-three dollars and forty-two cents; Charles Notsley, three hundred twelve dollars and sixty-eight cents; Agnes Roy, one hundred twenty-four dollars and forty cents; and Evelyn Card, eighty-six dollars and forty cents.

SECTION 2. This act shall take effect upon its acceptance by the town of Williamstown. *Approved April 17, 1969.*

Chap. 181. AN ACT PROVIDING THAT THE DISTRICT COURT OF LEE AND THE DISTRICT COURT OF SOUTHERN BERKSHIRE EXERCISE CONCURRENT JURISDICTION IN THE TOWN OF STOCKBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 218 of the General Laws is hereby amended by striking out the third paragraph under the caption "*Berkshire*", as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph: —

The district court of southern Berkshire, held at Great Barrington; Sheffield, Great Barrington, Egremont, Alford, Mount Washington, Monterey, New Marlborough, Stockbridge, West Stockbridge and Sandisfield; the district court of Lee exercising concurrent jurisdiction in Sandisfield and Stockbridge

SECTION 2. Said section 1 of said chapter 218 is hereby further amended by striking out the fifth paragraph under the caption "*Berkshire*", as so appearing, and inserting in place thereof the following paragraph: —

The district court of Lee, held at Lee; Lee, Stockbridge, Tyringham, Otis, Sandisfield, Lenox and Becket; the district court of southern Berkshire exercising concurrent jurisdiction in Sandisfield and Stockbridge, and the district court of central Berkshire exercising concurrent jurisdiction in Lenox and Becket *Approved April 17, 1969*

Chap. 182. AN ACT FURTHER REGULATING THE CARRYING OF CRANES OR BOOMS ON MOTOR VEHICLES.

Be it enacted, etc., as follows:

The first paragraph of section 19 of chapter 90 of the General Laws is hereby amended by striking out the fifth sentence, as amended by chapter 31 of the acts of 1968, and inserting in place thereof the following sentence: — Any motor vehicle, trailer or other vehicle which carries a crane, or boom whether or not permanently or temporarily attached to said vehicle or trailer shall, if such crane or boom extends more than four feet beyond the bed or body of such vehicle or trailer, display at the extreme rear end of such crane or boom a red light or red flag or cloth in the manner provided in section seven; provided, however, that if such crane or boom extends more than fifteen feet beyond the bed or body of such vehicle or trailer, such vehicle or trailer shall not be operated or drawn on any way unless another vehicle follows immediately behind the projecting extremity of such crane or boom for the purpose of protecting other vehicles approaching from the rear.

Approved April 17, 1969.

Chap. 183. AN ACT RELATIVE TO NOTICES OF SUSPENSION OF THE REGISTRATION OF MOTOR VEHICLES FOR FAILURE TO PAY EXCISE TAXES THEREON.

Be it enacted, etc., as follows:

Section 2A of chapter 60A of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 339 of the acts of 1953, and inserting in place thereof the following sentence: — If at the time any such notice is received it appears from the records of the registrar that one or more motor vehicles or trailers are then registered in the name of the person to whom the excise is assessed, the registrar shall forthwith give him written notice by mail directed to his last known address that the certificates of registration of all such motor vehicles or trailers will be suspended without further notice at the expiration of thirty days from the date of mailing such notice, which expiration date shall be specifically indicated by the registrar in said notice, unless within said thirty days there is filed with the registrar, together with a filing fee of one dollar, evidence satisfactory to him that the excise, and all interest thereon and costs relative thereto, have been paid or legally abated. *Approved April 17, 1969.*

Chap. 184. AN ACT ALLOWING FOR REDUCTION IN SENTENCE AND PAROLE ELIGIBILITY FOR BLOOD DONATIONS AND PRISON CAMP TIME.

Be it enacted, etc., as follows:

Section 133 of chapter 127 of the General Laws is hereby amended by striking out, in lines 29 to 33, inclusive, as appearing in section 1 of chapter 764 of the acts of 1965, the words "; 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" and inserting in place thereof the following sentence: — Notwithstanding clauses (*a*), (*b*) and (*c*) of this section, deductions shall be allowed for blood donations as provided in section one hundred and twenty-nine A, and deductions shall be allowed for time confined in a prison camp as provided in section one hundred and twenty-nine C, said deductions to reduce the term of imprisonment by computing said additional deductions and subtracting the same from the minimum term of sentence for release on parole as authorized by this section, or for reducing the term of imprisonment by deduction from the maximum term for which he may be held under his sentence or sentences.

Approved April 17, 1969

Chap. 185. AN ACT AUTHORIZING THE CONSOLIDATION OF THE FIRST BAPTIST CHURCH OF HYDE PARK, MASS. AND THE EVANGELICAL BAPTIST CHURCH.

Be it enacted, etc., as follows:

SECTION 1. The First Baptist Church of Hyde Park, Mass. and the Evangelical Baptist Church, 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 The Baptist Church in Hyde Park, 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 Baptist Church of Hyde Park, Mass. and the Evangelical Baptist Church, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made for the benefit of either of them, shall be 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 Baptist Church of Hyde Park, Mass. and the Evangelical Baptist Church 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 Baptist Church of Hyde Park, Mass. and the Evangelical Baptist Church.

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 composed of persons designated by said existing corporations for the purpose of adopting by-laws for the consolidated corporation and of electing officers, a board of directors and such 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 directors 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, devises, gifts and transfers of any kind heretofore and hereafter made to or for the benefit of either of them, and also any other questions arising as to the legal effect of this act or any of the provisions, thereof, may, notwithstanding any general or special law to the contrary, be initially and finally determined by the supreme judicial court upon the application of any person interested or of the attorney general. *Approved April 17, 1969.*

Chap. 186. AN ACT TO AUTHORIZE THE BETH ISRAEL HOSPITAL ASSOCIATION TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc , as follows:

Chapter 205 of the acts of 1949, as amended by chapter 210 of the acts of 1961, is hereby further amended by striking out, in line 4, the word "thirty-five" and inserting in place thereof the word: — seventy-five, — so as to read as follows. — The Beth Israel Hospital Association, a corporation organized under general law, is hereby authorized to hold real and personal estate in the manner and for the purposes set forth in its charter to an amount not exceeding seventy-five million dollars.

Approved April 17, 1969.

Chap. 187. AN ACT AUTHORIZING THE CONSOLIDATION OF MASSACHUSETTS BAPTIST CONVENTION AND BOSTON BAPTIST BETHEL CITY MISSION SOCIETY.

Be it enacted, etc., as follows:

SECTION 1. The Massachusetts Baptist Convention and the Boston Baptist Bethel City Mission Society, 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 The American Baptist Churches of 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 Massachusetts Baptist Convention and the Boston Baptist Bethel City Mission Society, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made for the benefit of either of them, shall be 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 Massachusetts Baptist Convention and the Boston Baptist Bethel City Mission Society 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 Massachusetts Baptist Convention and the Boston Baptist Bethel City Mission Society.

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 composed of persons designated by said existing corporations, for the purpose of adopting by-laws for the consolidated corporation and of electing officers, a board of directors and such 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 directors 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, devises, gifts and transfers of any kind heretofore and hereafter made to or for the benefit of either of them, and also any other questions arising as to the legal effect of this act or any of the provisions thereof, may, notwithstanding any general or special law to the contrary, be initially and finally determined by the supreme judicial court upon the application of any person interested or of the attorney general. *Approved April 17, 1969.*

Chap. 188. AN ACT INCREASING THE AMOUNT OF MONEY THE NEW BEDFORD POLICE ASSOCIATION MAY PAY 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 from the police department of the city of New Bedford of any member in good standing, to pay such member such sum, not exceeding fifteen hundred 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 such member.

SECTION 2. Section one of chapter five hundred and sixteen of the acts of nineteen hundred and sixty-five is hereby repealed.

Approved April 17, 1969.

Chap. 189. AN ACT AUTHORIZING CITIES AND TOWNS TO GRANT TO CERTAIN DENTAL ASSISTANTS NOT IN THE CONTRIBUTORY RETIREMENT SYSTEM A PENSION EQUAL TO SEVENTY-TWO PER CENT OF THEIR ANNUAL RATE OF COMPENSATION PAYABLE AT THE TIME OF RETIREMENT.

Be it enacted, etc., as follows:

Chapter 32 of the General Laws is hereby amended by inserting after section 44B the following section: —

Section 44C. 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, any other city by vote of the city council subject to the provisions of its charter, and a town by a majority vote at an annual town meeting, may direct the appropriate city or town retirement board to retire at his own request any dental assistant whose employment began before July first, nineteen hundred and thirty-seven, and 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 has become physically or mentally incapacitated for service or labor, or who has completed a service of not less than fifteen years and is physically or mentally incapacitated for service or labor by reasons of injury received in the performance of his duties for such city or town; and if so retired his pension shall be equal to seventy-two per cent of the annual rate of compensation payable to such employee on the date of his retirement and shall be payable out of the appropriation for the support of public schools, or the payment of dental assistants.

Approved April 17, 1969.

Chap. 190. AN ACT PROVIDING FOR NOTIFICATION TO FIRE DEPARTMENTS OF THE USE OF CANINE GUARDS IN CERTAIN ESTABLISHMENTS.

Be it enacted, etc., as follows:

Chapter 148 of the General Laws is hereby amended by inserting after section 28A the following section: —

Section 28B. The board shall by rule require, and the head of the fire department shall make such orders or rules not inconsistent therewith, that any person having control of a mercantile, commercial or industrial establishment wherein canine guards are maintained shall notify the head of the fire department of the district, city or town within which such establishment is located of the name, address and telephone number of the person who supplies or controls such canines.

Approved April 17, 1969.

Chap. 191. AN ACT RELATIVE TO EXPENDITURES FOR THE CARE, MAINTENANCE AND REPAIR OF THE PLYMOUTH COUNTY HOSPITAL.

Be it enacted, etc., as follows:

The county commissioners of Plymouth county are hereby authorized to expend for the year nineteen hundred and sixty-nine the sums set forth in this act for the care, maintenance and repair of the county hospital within their county, 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 county commissioners and with the county treasurer a certification of the amounts set forth in the approved

schedules for such hospital. 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 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

Transfers within an appropriation between classes and between subclasses within a main group may be made by 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 and a graduate nurse who becomes a registered nurse may be paid an increased salary rate on account of such promotion, subject to approval by the county personnel board, and a person may receive an increased cash salary in lieu of maintenance formerly received, with like approval.

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 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.

PLYMOUTH COUNTY.

Item		
1.	For personal services	$801,893 00
2.	For contractual services	38,000 00
3.	For supplies and materials	169,000 00
4.	For current charges and obligations	76,641 23
5.	For equipment	17,142 29
8.	For debt and interest	22,000 00
11.	For reserve fund	10,000 00
12.	For group insurance	18,000 00
	For total expenditures	$1,152,676 52

Approved April 17, 1969.

Chap. 192. AN ACT REQUIRING TELEPHONE COMPANIES TO ASSIGN A UNIFORM EMERGENCY NUMBER TO PUBLIC SAFETY AGENCIES IN CITIES AND TOWNS CONTRACTING FOR UNIVERSAL EMERGENCY TELEPHONE SERVICE.

Be it enacted, etc., as follows:

Chapter 166 of the General Laws is hereby amended by inserting after section 14 the following section: —

Section 14A. Every telephone company doing business within the commonwealth, upon the receipt of an order for universal emergency telephone service from an official authorized to contract for such service for a municipality, shall make available, under rates, rules and regulations filed with the department of public utilities pursuant to chapter one hundred and fifty-nine and as soon as is reasonable, the universal emergency telephone number "911" for use by the public in seeking assistance from fire, police and other related safety agencies through a single report center manned by the municipality.

Approved April 17, 1969.

Chap. 193. AN ACT ESTABLISHING ELIGIBILITY FOR CERTAIN MEMBERS OF THE UNIFORMED BRANCH OF THE DIVISION OF STATE POLICE IN THE DEPARTMENT OF PUBLIC SAFETY TO TAKE PROMOTIONAL EXAMINATIONS.

Be it enacted, etc., as follows:

The first paragraph of section 9 O of chapter 22 of the General Laws, as appearing in section 2 of chapter 785 of the acts of 1965, is hereby amended by striking out clause (1) and inserting in place thereof the following clause: —

(1) a competitive promotional examination open to all candidates who have completed not less than one year of service in the next subordinate grade, or who have completed a total of ten years of service as a member of the uniformed branch prior to the final date of filing the application.

Approved April 17, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 28, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 193 of the Acts of 1969, entitled "AN ACT ESTABLISHING ELIGIBILITY FOR CERTAIN MEMBERS OF THE UNIFORMED BRANCH OF THE DIVISION OF STATE POLICE IN THE DEPARTMENT OF PUBLIC SAFETY TO TAKE PROMOTIONAL EXAMINATIONS." and the enactment of which received my approval on April 17, 1969, 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:

Competitive promotional examinations will be coming up very shortly and postponement of the operation of this act would unfairly

penalize candidates who would be eligible for the next scheduled examination.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 29, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at three o'clock and twenty-six minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter one hundred and ninety-three of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 194. AN ACT PROVIDING FOR THE DISCHARGE OF A PRISONER ON THE PRECEDING DAY IF SUCH TERM ENDS ON A LEGAL HOLIDAY.

Be it enacted, etc., as follows:

Chapter 127 of the General Laws is hereby amended by striking out section 150, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 150. A prisoner whose term expires on Sunday or on a legal holiday shall be discharged on the preceding day.

Approved April 17, 1969.

Chap. 195. AN ACT AUTHORIZING THE DIRECTOR OF ACCOUNTS TO PRESCRIBE UNIFORM ACCOUNTING METHODS AND CLASSIFICATION OF ACCOUNTS OF COUNTY OFFICERS.

Be it enacted, etc., as follows:

Section 44 of chapter 35 of the General Laws is hereby amended by adding the following sentence: — The director shall require the installation of such accounting systems as will, in his judgment, be most effective in securing uniformity of classification in the accounts of each county treasurer. *Approved April 17, 1969.*

Chap. 196. AN ACT RELATIVE TO EXAMINATIONS FOR PROMOTION TO A HIGHER GRADE IN CERTAIN POLICE AND FIRE FORCES, INCLUDING THE CAPITOL POLICE FORCE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the holding of competitive promotional examinations without delay, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

Chapter 31 of the General Laws is hereby amended by striking out section 20, as most recently amended by chapter 40 of the acts of 1964, and inserting in place thereof the following section: —

Section 20. Appointments and promotions in such police and fire forces of cities and towns as are within the official service, in the detective force of the state department of public safety, in the capitol police force and in the police force of the metropolitan district commission shall be made only by competitive examination, except as otherwise provided in this chapter. No person shall be eligible to take an examination for appointment as a detective in the division of state police who on the date of such examination is over forty-five years of age. No promotional examination shall be held for fewer than four examinees unless the examination is open to all the lower grades under provisions of this section. Eligibility for entrance to a promotional examination for any grade of service shall be limited to permanent employees in the next lower grade, but if the number of persons in such lower grade applying, or if the number of applicants presenting themselves for examination, is not sufficient to hold an examination, the examination shall be thrown open to the next lower grades in succession until at least the necessary number of persons have applied and have presented themselves for examination; provided, that such persons shall not be eligible to take any such examination for the first grade above the lowest grade in police and fire departments in cities and towns with a population in excess of fifty thousand, in the detective force of the state department of public safety, in the capitol police force and in the police force of the metropolitan district commission unless they have been employed after certification in the lower grade for at least three years and for all other grades unless they have been employed after certification in the lower grade or grades admitted to the examination for at least one year. In cities and towns with a population of fifty thousand or under, such persons shall not be eligible to take any such examination unless they have been employed after certification in the lower grade or grades admitted to the examination for at least one year.

Promotions to fill positions in police or fire departments to all grades of service shall be made on a full-time basis and no promotions on a so-called permanent intermittent basis shall be made. No examination shall be required for promotion of call men within the call fire forces of any city or town which are within the official service.

No eligible list shall be used for appointment or promotion to any office or position under this section unless such office or position is included in the examination announcement as one which will be filled from the eligible list established as the result of the examination.

Approved April 22, 1969.

Chap. 197. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES BY CERTAIN CLUBS AND VETERANS' ORGANIZATIONS IN THE TOWN OF BEDFORD.

Be it enacted, etc., as follows:

SECTION 1. A majority of the votes in answer to the question which was placed on the official ballot used for the election of town officers at the annual town meeting held in the year nineteen hundred and sixty-nine in the town of Bedford, to wit: "Shall licenses be granted in the town of Bedford for the sale therein of all alcoholic beverages by clubs and war veterans' organizations?" — having been in the

affirmative, said town shall be taken to have authorized, for the balance of calendar year nineteen hundred and sixty-nine and for calendar year nineteen hundred and seventy, the sale in said town of all alcoholic beverages to be drunk on the premises of clubs and veterans' organizations as defined and limited in section twelve of chapter one hundred and thirty-eight of the General Laws, notwithstanding any provisions of said section twelve to the contrary. Said licenses shall be subject, however, to all other provisions of said chapter one hundred and thirty-eight.

SECTION 2. The state secretary shall cause to be placed on the official ballot used in the town of Bedford at each biennial state election the following subdivision to the question which he is required under the provisions of section eleven of chapter one hundred and thirty-eight of the General Laws to place on the official ballot in all cities and towns at such elections, to wit:

E. Shall licenses be granted in the town of Bedford for the sale therein of all alcoholic beverages by clubs and war veterans' organizations?

YES.	
NO.	

If a majority of the votes cast in such town in answer to subdivision A is in the affirmative, such town shall, irrespective of the result of the votes in answer to subdivisions B, C, D and E, be taken to have authorized, for the two calendar years next succeeding, the retail sale in such town of all alcoholic beverages to be drunk on and off the premises where sold, in accordance with the provisions of this chapter.

If a majority of the votes cast in said town in answer to subdivision E is in the affirmative, said town shall, irrespective of the results of the votes in answer to subdivisions A, B, C and D, be taken to have authorized, for the two calendar years next succeeding, the sale in said town of all alcoholic beverages to be drunk on the premises of clubs and veterans' organizations as defined and limited in section twelve of said chapter one hundred and thirty-eight, notwithstanding any provisions of said section twelve to the contrary. Said licenses shall be subject, however, to all other provisions of said chapter one hundred and thirty-eight.

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

Approved April 22, 1969.

Chap. 198. AN ACT AUTHORIZING THE CITY OF TAUNTON TO REACH THE RENTS AND OTHER INCOME OF CERTAIN TAX DELINQUENT REAL ESTATE IN SAID CITY.

Be it enacted, etc., as follows:

Whenever the collector of taxes of the city of Taunton shall have taken land therein pursuant to section fifty-three of chapter sixty of the General Laws, he may, in the name and behalf of said city, take immediate possession of such land, and, until the tax title so acquired is redeemed, collect the rent and other income from such land, which rent and income, after the payment therefrom of all necessary expenses in the care, repair and management of such land, shall be applied on account of the taxes, assessments, rates, charges, interest and costs due said city on said land, with any balance remaining being paid to the person otherwise entitled thereto. Upon petition of any person having a right to redeem such tax title, the superior court sitting in equity

within and for the county of Bristol, if it adjudges justice and the circumstances so warrant, may, upon such terms as it shall deem equitable, enjoin a taking of possession under this section or command the surrender of a possession taken.

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

Approved April 22, 1969.

Chap. 199. AN ACT INCREASING THE AMOUNT OF MONEY WHICH A CITY OR TOWN MAY APPROPRIATE FOR A REGIONAL REFUSE DISPOSAL PLANNING BOARD.

Be it enacted, etc., as follows:

Section 44B of chapter 40 of the General Laws, as amended by chapter 149 of the acts of 1967, is hereby further amended by striking out, in line 10, the word "three" and inserting in place thereof the word: — ten.

Approved April 22, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 5, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 199 of the Acts of 1969, entitled "AN ACT INCREASING THE AMOUNT OF MONEY WHICH A CITY OR TOWN MAY APPROPRIATE FOR A REGIONAL REFUSE DISPOSAL PLANNING BOARD." and the enactment of which received my approval on April 22, 1969, 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:

Special town meetings are scheduled for the month of May and because of the pressing need for disposal facilities in several of the communities funds would be made available immediately to communities involved in planning such disposal districts.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 6, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting 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 one hundred and ninety-nine of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 200. AN ACT PROVIDING THAT THE ARRANGEMENT OF NAMES AND QUESTIONS ON CERTAIN VOTING MACHINES MAY BE THE SAME AS ON THE OFFICIAL PAPER BALLOT.

Be it enacted, etc., as follows:

The first sentence of the second paragraph of section 33 of chapter 54 of the General Laws, as appearing in section 1 of chapter 238 of the acts of 1935, is hereby amended by inserting after the word "on", in line 10, the words: —; provided, however, that on any such voting machine which provides adequate mechanical safeguards, the names of candidates and the questions to be submitted to the voters may be arranged in the same manner as on the official paper ballot.

Approved April 22, 1969.

Chap. 201. AN ACT AUTHORIZING THE EMPLOYMENT OF CERTAIN FEMALES AT FIVE O'CLOCK IN THE MORNING IN BAKERIES.

Be it enacted, etc., as follows:

The first paragraph of section 59 of chapter 149 of the General Laws is hereby amended by inserting after the word "employed", in line 4, as appearing in chapter 448 of the acts of 1965, the words: — in a bakery commencing at five o'clock in the morning; and provided, further, that such a female may be employed.

Approved April 22, 1969.

Chap. 202. AN ACT INCREASING THE PENALTY FOR A SECOND CONVICTION OF THE CRIME OF UNAUTHORIZED USE OF A MOTOR VEHICLE.

Be it enacted, etc., as follows:

The first sentence of paragraph (*a*) of subdivision (2) of section 24 of chapter 90 of the General Laws is hereby amended by inserting after the word "shall", in line 22, as appearing in chapter 316 of the acts of 1966, the words: — for the first offense, — and by inserting after the word "both", in line 24, the words: — , and for a subsequent offense by imprisonment in the state prison for not more than five years or in a house of correction for not more than two and one half years, or by a fine of not more than one thousand dollars, or by both such fine and imprisonment.

Approved April 22, 1969.

Chap. 203. AN ACT FURTHER REGULATING THE OPENING OF POLLS AT STATE ELECTIONS IN TOWNS WITH A POPULATION OF LESS THAN FIVE HUNDRED.

Be it enacted, etc., as follows:

The last paragraph of section 64 of chapter 54 of the General Laws, as appearing in section 2 of chapter 247 of the acts of 1967, is hereby

amended by inserting after the word "evening", in line 4, the words: — , except that in towns with a population of less than five hundred the polls may be opened as late as four o'clock in the afternoon and shall not be closed before eight o'clock in the evening.

Approved April 22, 1969.

Chap. 204. AN ACT FURTHER REGULATING THE PREPARATION OF LISTS OF FEDERAL SERVICE PERSONNEL WHO ARE QUALIFIED TO VOTE AT STATE, CITY AND TOWN ELECTIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 54 of the General Laws is hereby amended by striking out section 103L, as appearing in section 1 of chapter 511 of the acts of 1962, and inserting in place thereof the following section: —

Section 103L. The registrars shall seasonably, before every special or biennial state election and every special or regular city or town election, prepare lists containing the names and addresses of all persons, if any, determined by them, in accordance with section one hundred and three J, to be qualified for voting at any such election. Copies of said lists shall be posted by the registrars in their principal office. The registrars shall give written notice to the state secretary, or to the city or town clerk, as the case may be, of the number of residents of the city or town, and of each ward and precinct therein, whose names are included in such lists, and shall furnish said secretary with mailing lists of such residents before each biennial state election.

SECTION 2. Said chapter 54 is hereby further amended by striking out section 103M, as most recently amended by section 9 of chapter 123 of the acts of 1966, and inserting in place thereof the following section: —

Section 103M. Before every election the registrars shall prepare for each ward, voting precinct or town copies of the lists prepared as required by section one hundred and three L, if any, and shall seasonably transmit such copies to the city or town clerk and to the election officers in every such ward, voting precinct or town.

SECTION 3. Said chapter 54 is hereby further amended by striking out section 103N, as appearing in section 1 of chapter 511 of the acts of 1962, and inserting in place thereof the following section: —

Section 103N. The provisions of section forty-six of chapter fifty-one, so far as pertinent, shall apply to all applications to be qualified for voting under section one hundred and three J made on behalf of persons who have all the qualifications for voting, except that of age, and who will on or before the day of the next special or biennial state election or the next special or regular annual or biennial city or town election, as the case may be, attain the age of twenty-one years.

Approved April 22, 1969.

Chap. 205. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAWS RELATIVE TO THE ANNUAL LISTINGS OF RESIDENTS IN CITIES AND TOWNS AND THE REGISTRATION OF PERSONS ELIGIBLE TO VOTE.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 51 of the General Laws is hereby amended by striking out, in line 2, as appearing in section 2 of chapter 67 of the acts of 1955, the words "the assessors or other".

SECTION 2. Section 37 of said chapter 51 is hereby amended by striking out the third sentence, as appearing in section 25 of chapter 453 of the acts of 1943, and inserting in place thereof the following sentence: — The registrars shall enter in the annual register every name contained in the lists prepared by them under section four which they can identify as that of a person whose name was borne on the voting list of the city or town at the last preceding election or town meeting, giving the residence of each such person on January first of the current year.

SECTION 3. Section thirty-nine of said chapter fifty-one is hereby repealed.

SECTION 4. Section forty-three of said chapter fifty-one is hereby repealed.

SECTION 5. Section 103 O of chapter 54 of the General Laws, as appearing in section 1 of chapter 511 of the acts of 1962, is hereby amended by striking out paragraph (*f*) and inserting in place thereof the following paragraph: —

(*f*) Suitable forms of certificates of listing and notices to registrars of voters of other cities and towns. *Approved April 22, 1969.*

Chap. 206. AN ACT FURTHER DEFINING THE WORD "TRACTOR" IN THE LAW RELATIVE TO THE OPERATION OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 1 of chapter 90 of the General Laws is hereby amended by striking out the definition of "Tractor", as amended by section 1 of chapter 121 of the acts of 1961, and inserting in place thereof the following definition: —

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

Approved April 22, 1969.

Chap. 207. AN ACT RELATING TO THE VACCINATION OF DOGS AGAINST RABIES.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by inserting after section 145A the following section: —

Section 145B. Whoever is the owner or keeper of a dog six months of age or older shall cause such dog to be vaccinated against rabies by a licensed veterinarian using a vaccine approved by the department of public health.

Unvaccinated dogs acquired or brought into the commonwealth shall be vaccinated within thirty days after acquisition or entry into the commonwealth or upon reaching the age of six months, whichever comes later.

Vaccinated dogs shall be revaccinated periodically in accordance with rules and regulations adopted and promulgated by the department of public health.

Whoever violates the provisions of this section shall be punished by a fine of not more than fifty dollars. *Approved April 22, 1969.*

Chap. 208. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO BORROW MONEY FOR CONSTRUCTING AND EQUIPPING A COURT HOUSE IN THE CITY OF QUINCY FOR THE DISTRICT COURT OF EAST NORFOLK.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Norfolk county are hereby authorized to construct and originally equip a court house to provide suitable and adequate facilities for the district court of East Norfolk, which shall be located in the city of Quincy. Said commissioners may expend for the purposes of this act, including landscaping, such sums as may be necessary, not exceeding, in the aggregate, two million 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, two million dollars and may issue bonds or notes of the county thereof, which shall bear on their face the words, Norfolk County Court House Loan, Act of 1969. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than fifteen years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell 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. Section 1 of chapter 570 of the acts of 1968 is hereby amended by striking out, in line 13, the words "nine hundred thousand" and inserting in place thereof the words: — two million.

Approved April 22, 1969.

Chap. 209. AN ACT RELATIVE TO THE INTRODUCTION OF ASSESSED VALUE AS EVIDENCE OF FAIR MARKET VALUE IN EMINENT DOMAIN CASES.

Be it enacted, etc., as follows:

Section 35 of chapter 79 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "evidence", in line 10, the following: — ; and provided further, that no such valuation shall be so introduced as such evidence unless within the five years preceding said three years next preceding such taking or injury there has been a comprehensive revaluation of the real estate in the town.

Approved April 23, 1969.

Chap. 210. AN ACT AUTHORIZING THE HAMPDEN-WILBRAHAM REGIONAL SCHOOL DISTRICT TO PAY A CERTAIN UNPAID BILL AND VALIDATING THE PRIOR PAYMENT OF CERTAIN OTHER BILLS.

Be it enacted, etc., as follows:

SECTION 1. The Hampden-Wilbraham regional school district is hereby authorized to appropriate money for the payment of, and after

such appropriation the treasurer of said district is hereby authorized to pay, such of the unpaid bills incurred by said district and totalling ten thousand seven hundred fifty-two dollars and thirty-two 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 district during the year nineteen hundred and sixty-seven. Said bills are legally unenforceable against said district by reason of their being incurred in excess of available appropriations.

SECTION 2. The acts and proceedings taken by the Hampden-Wilbraham regional school district in paying the bills as set forth in section one are hereby confirmed and validated as though said section one were in effect at the time such action was taken.

SECTION 3. The Hampden-Wilbraham regional school district is hereby further authorized to appropriate money for the payment of, and after such appropriation the treasurer of said district is hereby authorized to pay, an unpaid bill in the amount of one hundred and twenty-seven dollars and eight cents to Cenco Instruments Corporation for materials furnished to said district in the year nineteen hundred and sixty-seven. Said bill is legally unenforceable against said district by reason of it being incurred in excess of available appropriations.

SECTION 4. The bill referred to in section three shall not be paid by the treasurer of said district under authority of this act unless and until a certificate has been signed and filed with said treasurer, stating under the penalties of perjury that the material for which said bill has been submitted was ordered by an official or an employee of said district, and that such material was delivered to and actually received by said district.

SECTION 5. Any person who knowingly files a certificate required by section four, which is false and who thereby receives payment for material which was not received by said district, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both. *Approved April 23, 1969.*

Chap. 211. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO ISSUE NOTES IN ANTICIPATION OF URBAN RENEWAL BONDS FOR A PERIOD NOT EXCEEDING TWO YEARS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section seventeen of chapter forty-four of the General Laws, the officers of the town of Watertown heretofore or hereafter authorized to issue bonds pursuant to section twenty-six CC of chapter one hundred and twenty-one of the General Laws may make a temporary loan for a period of not more than two years in anticipation of the money to be derived from the sale of such bonds, and may issue notes therefor; but the time within which the bonds shall become due and payable shall not be extended by reason of the making of such temporary loan. Temporary notes issued for a period of less than two years may be renewed or paid from time to time by the issue of other notes, provided that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt shall not exceed two years.

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

Approved April 25, 1969.

Chap. 212. AN ACT AUTHORIZING THE LICENSE COMMISSION OF THE CITY OF CAMBRIDGE TO ESTABLISH CERTAIN LICENSE FEES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the fees to be charged by the city of Cambridge for the issuance of the following licenses shall be such as may be established from time to time by the license commission of said city: auctioneers, common victualers and lodging houses.

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

Approved April 25, 1969.

Chap. 213. AN ACT RELATIVE TO THE TRANSPORT OF CERTAIN GOODS ON LEGAL HOLIDAYS.

Be it enacted, etc., as follows:

The first paragraph of section 14 of chapter 136 of the General Laws, as amended by chapter 293 of the acts of 1964, is hereby further amended by inserting after the first sentence the following sentence: — The transport of goods in commerce, or for a consideration, through two or more cities or towns by a motor truck or trailer, may be allowed on any legal holiday to which the provisions of sections five to eleven, inclusive, apply, if the commissioner of public safety is satisfied that such transport could not be performed on any other day without serious suffering, loss, damage or public inconvenience, and has issued a permit for such transport, after notice to the chief of police or the head or other officer in charge of the police department of any city or town through which a permit to transport such goods has been requested, or to the board of selectmen of any such town having no established police department.

Approved April 25, 1969.

Chap. 214. AN ACT PLACING THE OFFICE OF CUSTODIAN OF TOWN HALL AND POLICE STATION IN THE TOWN OF MILFORD UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

The office of custodian of town hall and police station in the town of Milford shall, upon the effective date of this act, be subject to the civil service law and rules; provided, however, that the incumbent of said office on said effective date shall be subjected to a noncompetitive qualifying examination for said office by the division of civil service. If said incumbent passes said examination, he shall be certified for said office and shall be deemed to be permanently appointed thereto without serving any probationary period, and his tenure of office shall be unlimited, subject, however, to the provisions of said law. If he fails to pass said examination, he may continue to serve in said office, but shall not be subject to said civil service law and rules.

Approved April 25, 1969.

Chap. 215. AN ACT PLACING THE OFFICE OF SUPERINTENDENT OF MILFORD MEDICAL HOME IN THE TOWN OF MILFORD UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

The office of superintendent of the Milford Medical Home in the town of Milford shall, upon the effective date of this act, be subject

to the civil service law and rules. The incumbent of said office on said effective date shall be subjected to a noncompetitive qualifying examination for said office by the division of civil service. If said incumbent passes said examination, he shall be certified for said office and shall be deemed to be permanently appointed thereto without serving any probationary period, and his tenure of office shall be unlimited, subject, however, to the provisions of said civil service law. If said incumbent fails to pass said examination, he may continue to serve in said office, but shall not be subject to said civil service law and rules. *Approved April 25, 1969.*

Chap. 216. AN ACT RELATIVE TO THE HIRING AND EMPLOYMENT PRACTICES OF CERTAIN RELIGIOUS OR DENOMINATIONAL ORGANIZATIONS.

Be it enacted, etc., as follows:

Section 1 of chapter 151B of the General Laws is hereby amended by striking out subsection 5, as most recently amended by chapter 627 of the acts of 1962, and inserting in place thereof the following subsection:—

5. The term "employer" does not include a club exclusively social, or a fraternal association or corporation, if such club, association or corporation is not organized for private profit, nor does it include any employer with fewer than six persons in his employ, but shall include the commonwealth and all political subdivisions, boards, departments and commissions thereof. Nothing herein shall be construed to bar any religious or denominational institution or organization, or any organization operated for charitable or educational purposes, which is operated, supervised or controlled by or in connection with a religious organization, and which limits membership, enrollment, admission, or participation to members of that religion, from giving preference in hiring or employment to members of the same religion. *Approved April 25, 1969.*

Chap. 217. AN ACT RELATIVE TO THE SENIORITY DATE OF CIVIL SERVICE EMPLOYEES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 15D of chapter 31 of the General Laws is hereby amended by adding, at the end of paragraph 2, the following sentence: — No appointment or promotion from a division of a department of the commonwealth to another division of the same department shall affect the seniority date of any such employee so appointed or promoted, provided, that any such employee so appointed shall serve a probationary period of six months in the new division. *Approved April 25, 1969.*

Chap. 218. AN ACT RELATIVE TO INVESTMENT BY SAVINGS BANKS IN CERTAIN SECURITIES.

Be it enacted, etc., as follows:

SECTION 1. Clause (*a*) of paragraph 3 of section 47 of chapter 168 of the General Laws, as amended by section 2 of chapter 268 of the acts of 1965, is hereby further amended by striking out, in lines 9 to 13, inclusive, the words "in such stocks, in such fire insurance stocks, in shares of beneficial interest of the Savings Bank Investment Fund referred to in paragraph 1 of section forty-nine and in preferred stocks

referred to in paragraph 1A of section forty-nine shall exceed seventy-six and two thirds per cent of the total of such guaranty fund and surplus" and by inserting in place thereof the words: — in stocks and in shares of beneficial interest of the Savings Bank Investment Fund shall exceed the total of such guaranty fund and surplus.

SECTION 2. Clause (*b*) of paragraph 7 of section 48 of said chapter 168, as amended by section 3 of said chapter 268, is hereby further amended by striking out, in lines 6 to 11, inclusive, the words "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 1A of section forty-nine, already owned, shall exceed seventy-six and two thirds per cent of the total of such guaranty fund and surplus" and by inserting in place thereof the words: — if the cost thereof added to the amount already invested in stocks and in shares of beneficial interest of the Savings Bank Investment Fund shall exceed the total of such guaranty fund and surplus.

SECTION 3. Paragraph 1 of section 49 of said chapter 168, as amended by section 4 of said chapter 268, is hereby further amended by striking out, in line 4, the word "twenty-five" and inserting in place thereof the word: — fifty, — and by striking out, in lines 8 to 10, inclusive, the words ", 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" and inserting in place thereof the words: — and in stocks shall exceed the total of such guaranty fund and surplus.

SECTION 4. Said section 49 of said chapter 168 is hereby amended by striking out paragraph 1A, added by section 5 of said chapter 268, and inserting in place thereof the following paragraph: —

1A. *Preferred and Common Stocks.* — Preferred and common stocks of any company described in section forty-five or section forty-six, an obligation of which can qualify for investment under said sections; provided, that in each of the five years immediately preceding the date of investment such company shall have earned and paid dividends on each class of outstanding stock and the after tax net operating income, as hereinafter defined, of such company shall have been not less than twice the sum of the amount necessary to pay the interest for the same periods, excluding interest charged to fixed assets during construction thereof, if any, on all of its outstanding indebtedness and of the amount required to pay dividends on all of its preferred stock, if any. 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 preferred or common stocks (*a*) if the cost thereof added to the cost of such preferred or common stocks, as the case may be, 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 stocks and in shares of beneficial interest of said Savings Bank Investment Fund shall exceed the total of such guaranty fund and surplus; and provided that no such corpora-

tion shall invest more than one half of one per cent of its deposits in the stock of any one such company.

SECTION 5. Section 50 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. *Classes of Securities.* — The securities eligible for approval for investment under this section may include (*a*) interest bearing obligations of any state, county, city, town or district or any subdivision or instrumentality thereof, and of any toll bridge, toll road, turnpike or other authority established under the laws of the United States or any state, county, town or district, including obligations of any of the foregoing payable from specified revenues, (*b*) interest bearing obligations of any corporation organized under the laws of the United States or any state and of any association, as defined in section twenty-four, having its principal place of business in the commonwealth, and (*c*) preferred and common stock of any corporation described in the foregoing clause (*b*), an obligation of which is qualified for investment thereunder.

SECTION 6. Paragraph 2 of said section 50 of said chapter 168, as so appearing, is hereby amended by inserting after the word "obligations", in line 7 and in line 13, the words: — or stocks.

SECTION 7. Paragraph 3 of said section 50 of said chapter 168, as so appearing, is hereby amended by striking out, in lines 4 and 5, the words "of bonds and notes eligible for investment".

SECTION 8. Said section 50 of said chapter 168 is hereby further amended by striking out paragraph 7, as so appearing, and inserting in place thereof the following paragraph: —

7. *Investment Limitations.* — Not more than ten per cent of the deposits of any such corporation shall be invested in interest bearing obligations authorized for investment under this section. Not more than two per cent of its deposits shall be invested in stocks so authorized. Not more than one half of one per cent of its deposits shall be so invested in the securities of any one obligor, but the foregoing limitations shall not apply to obligations of telephone companies, of companies engaged primarily in the distribution and sale of electricity or gas, or both, or of railroad companies other than terminal companies.

Approved April 25, 1969.

Chap. 219. AN ACT PROVIDING THAT CERTAIN AMBULANCE ATTENDANTS OF FIRE DEPARTMENTS BE CLASSIFIED IN GROUP 2 UNDER THE RETIREMENT LAWS.

Be it enacted, etc., as follows:

The definition of *Group 2* in paragraph (*g*) of subdivision (2) of section 3 of chapter 32 of the General Laws is hereby further amended by inserting after the word "repairmen", in line 2, as appearing in section 1 of chapter 110 of the acts of 1969, the words: — , ambulance attendants of a municipal fire department who are required to respond to fires and perform duties assigned to them.

Approved April 25, 1969.

Chap. 220. AN ACT RELATIVE TO CO-OPERATIVE BANKS MAKING COLLATERAL LOANS.

Be it enacted, etc., as follows:

Section 26 of chapter 170 of the General Laws is hereby amended by adding the following two subsections: —

9. In loans secured by marketable bonds, notes or shares of corporations, or of associations as hereinafter defined, at no more than eighty per cent of the market value thereof if readily marketable, and at no more than sixty per cent of the market value thereof if marketable within a reasonable time. In this subsection, the word "association" means an association the business of which is conducted or transacted by trustees under a written instrument or declaration of trust. The obligation of any one person to any such corporation under this subsection shall not exceed twenty-five thousand 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 two per cent of its deposits. A corporation having assets of less than five million dollars may make loans secured by said marketable bonds, notes or shares of corporations or associations at no more than sixty per cent of the market value thereof if marketable within a reasonable time, only with the prior written approval of the commissioner.

10. In loans secured by life insurance policies issued by life insurance companies authorized to do business in this commonwealth, or issued by Massachusetts savings banks, properly assigned to the corporation, to an amount not exceeding ninety-five per cent of the cash surrender value of such policies. The obligation of any one person to any such corporation under this subsection shall not exceed twenty-five thousand 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 two per cent of its deposits. *Approved April 25, 1969.*

Chap. 221. AN ACT REPEALING THE REQUIREMENTS OF A BOND FOR A LICENSE TO ENGAGE IN THE BUSINESS OF MAKING SMALL LOANS.

Be it enacted, etc., as follows:

Section one hundred and five of chapter one hundred and forty of the General Laws is hereby repealed. *Approved April 25, 1969.*

Chap. 222. AN ACT DESIGNATING THE CHEMICAL TETRAHYDROCANNABINOL AS A NARCOTIC DRUG UNDER THE NARCOTIC DRUGS LAWS.

Be it enacted, etc., as follows:

SECTION 1. The definition of "Narcotic drug" in section 197 of chapter 94 of the General Laws is hereby amended by inserting after the word "same", in line 6, as appearing in section 1 of chapter 660 of the acts of 1957, the following: — ; THC.

SECTION 2. Said section 197 of said chapter 94 is hereby further amended by inserting after the definition of "D.M.T.", inserted by section 2 of chapter 71 of the acts of 1966, the following definition: —

"THC", any substance identified chemically as tetrahydrocannabinol by whatever name designated. *Approved April 25, 1969.*

Chap. 223. AN ACT REGULATING THE SALE OF FOALS UNDER FIVE MONTHS OF AGE.

Be it enacted, etc., as follows:

Chapter 272 of the General Laws is hereby amended by inserting after section 78 the following section: —

Section 78A. No person shall sell, offer for sale or otherwise dispose of any foal under five months of age other than for the purpose of immediate slaughter or humane killing unless such foal is accompanied by its dam. Violation 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. *Approved April 25, 1969.*

Chap. 224. AN ACT AUTHORIZING LAHEY CLINIC FOUNDATION, INC. TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

Lahey Clinic Foundation, Inc., a charitable, medical, educational and scientific organization, organized under the General Laws, is hereby authorized to take and receive by gift, grant, bequest, devise or otherwise, and to hold, any property, real or personal, up to the limit of fifty million dollars, to have and to hold the same upon the terms and for the purposes specified in the agreement of association and the articles of organization, as from time to time heretofore or hereafter amended, of said corporation; and also upon such terms and for such purposes and trusts as may be expressed in any deed or instrument of conveyance or gift made to said corporation, provided the same shall not be inconsistent with the terms and purposes of the aforesaid agreement of association and articles of organization, as from time to time heretofore or hereafter amended. *Approved April 25, 1969.*

Chap. 225. AN ACT AUTHORIZING THE WINCHESTER POLICE RELIEF ASSOCIATION, INC. TO PAY CERTAIN SUMS OF MONEY TO MEMBERS UPON THEIR RETIREMENT.

Be it enacted, etc., as follows:

The Winchester Police Relief Association, Inc., a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the retirement of any member in good standing, to pay to such member such sum, not exceeding one thousand dollars, as may be determined by vote of said corporation. Any such payment shall reduce to the extent of such payment any death benefit which would have been paid upon the death of such member. Application for such payment directed to the board of directors of said corporation shall be in writing and shall be made at least one day before the effective date of such retirement. *Approved April 25, 1969.*

Chap. 226. AN ACT PROVIDING THAT CERTAIN MEMBERS OF THE ANDOVER FIREMEN'S RELIEF ASSOCIATION MAY, UPON PENSION OR RETIREMENT FROM THE ANDOVER FIRE DEPARTMENT, BE PAID CERTAIN SUMS OF MONEY BY SAID ASSOCIATION IN LIEU OF DEATH BENEFITS.

Be it enacted, etc., as follows:

Any member of the Andover Firemen's Relief Association, a corporation duly established by law, shall, if he so elects by writing filed with the secretary of said association within sixty days after he is pensioned or retired from the fire department of the town of Andover, receive from said association a sum equal to and in lieu of the death benefit provided by the by-laws of said association, and he shall thereupon cease to be a member of said association or entitled to receive any benefits therefrom.

A member of said association shall, if he so elects, by a writing filed with the secretary of said association within sixty days after he is pensioned or retired after twenty years of service from the fire department of the town of Andover, receive a sum equal to one half of the death benefit and maintain the death benefit for the other half. If a member so elects to receive a sum equal to one half of the death benefit, he shall pay one half the membership dues thereafter.

If any member of said association who was pensioned or retired from such fire department prior to the effective date of this act does not make such election within sixty days after said effective date, he shall remain a member of said association and entitled to its death benefits and, subject to the provisions of its by-laws, entitled to any other of its benefits.

Approved April 25, 1969.

Chap. 227. AN ACT RESTRICTING THE SUSPENSION OF LICENSES TO OPERATE MOTOR VEHICLES AND REGISTRATIONS THEREOF OF CERTAIN MUNICIPAL EMPLOYEES FOR UNSATISFIED PROPERTY DAMAGE JUDGMENTS.

Be it enacted, etc., as follows:

The first paragraph of section 22A of chapter 90 of the General Laws is hereby amended by adding the following sentence: — The registrar shall not impose such suspension if he is satisfied that indemnity against such judgment will be furnished the judgment debtor by a city or town under section one hundred A of chapter forty-one.

Approved April 25, 1969.

Chap. 228. AN ACT AUTHORIZING THE CITY OF CHELSEA TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Chelsea is hereby authorized to appropriate a sum of money not exceeding eleven thousand nine hundred and fifty-eight dollars and ninety-three cents for the payment of, and after such appropriation the treasurer of said city is hereby authorized

to pay, certain unpaid bills incurred by said city in the year nineteen hundred and sixty-seven, as shown on a list on file in the office of the director of accounts in the department of corporations and taxation, which are unenforceable against said city by reason of its failure to comply with the provisions of its charter.

SECTION 2. No bill shall be approved for payment or paid under authority of this act unless and until certificates have been signed and filed with the auditor of said city, as hereinafter provided, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or employee of said city and that such goods and materials were delivered and actually received by said city or that such services were rendered to said city, or both.

Every such certificate that goods, materials or services were so ordered shall be signed and filed by the official or employee of said city who ordered the same or by any official or employee of said city; every such certificate of delivery to said city of goods or materials shall be signed and filed by the vendor thereof, and if such vendor is a corporation shall be signed and filed by the treasurer thereof; every such certificate that goods or materials were received by such city shall be signed and filed by an official or employee of said city; and every such certificate of services rendered to said city shall be signed and filed by the person who rendered such services.

In every instance where the original purchase order or contract was in writing, each certificate filed hereunder shall be accompanied by the original purchase order or contract, or by a certified copy thereof if the original is not available.

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

Approved April 29, 1969.

Chap. 229. AN ACT EXTENDING OPTIONAL LIFE INSURANCE TO AGE SEVENTY FOR RETIRED STATE EMPLOYEES WITH NO PREMIUM CONTRIBUTION BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 10A of chapter 32A of the General Laws, as inserted by section 5 of chapter 389 of the acts of 1960, is hereby amended by striking out the fifth paragraph and inserting in place thereof the following paragraph: —

Upon retirement of an employee eligible for pension allowances under any general or special law, his additional insurance under this section shall terminate upon attainment of the age of seventy, and he shall be afforded the privilege of converting such additional insurance in accordance with the rules and regulations of the commission. A person who has retired and whose insurance under this section has been terminated may be reinstated for the amount of insurance in force at the time of retirement provided the retiree has not attained the age of seventy and provided further that he submits proof of his physical condition satisfactory to the commission. *Approved April 29, 1969.*

Chap. 230. AN ACT AUTHORIZING THE CITY OF QUINCY TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Quincy 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 fire department of said city in the year nineteen hundred and sixty-seven and totalling one thousand two hundred ninety-four dollars and seventy-two 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, said bills being legally unenforceable against said city by reason of their being incurred in excess of available appropriations; provided, that the money so appropriated to pay such bills shall be raised by taxation or made available from unappropriated surplus funds of the city.

SECTION 2. No bill shall be approved by the auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which said bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered to and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to said city shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars.

Approved April 29, 1969.

Chap. 231. AN ACT AUTHORIZING THE TOWN OF ARLINGTON TO SELL AND CONVEY CERTAIN PARK LAND TO GEORGE AND PAUL BILAFER OF SAID TOWN.

Be it enacted, etc., as follows:

The town of Arlington is hereby authorized to sell and convey a certain parcel of park land in said town to George and Paul Bilafer of said town, upon such terms and conditions as the selectmen of said town deem advisable, and bounded and described as follows: —

Southerly, by Massachusetts Avenue, 80 feet;

Northwesterly by land now or formerly of George & Paul Bilafer, as shown on a plan hereinafter mentioned, 34.70 feet;

Northeasterly by land of the Boston & Maine R.R., as shown on said plan, 80 feet;

Southwesterly by land now or formerly of the Town of Arlington, as shown on said plan, 27 feet, more or less.

Said parcel is shown as a lot of land containing 2400 + sq. ft., on a plan entitled, "Plan of Land in Arlington, Mass.," dated Jan. 18, 1968, by Miller & Nylander, Civil Engineers and Surveyors.

Approved April 29, 1969.

Chap. 232. AN ACT AUTHORIZING THE COLRAIN FIRE DISTRICT NUMBER ONE TO SUPPLY WATER TO PREMISES OUTSIDE ITS GEOGRAPHICAL LIMITS.

Be it enacted, etc., as follows:

The Colrain Fire District Number One is hereby authorized to supply water to premises outside its geographical limits provided that no extension of its mains is required therefor.

Approved April 29, 1969.

Chap. 233. AN ACT GRANTING CERTAIN EMPLOYEES OF SCHOOL COMMITTEES AND BOARDS OF TRUSTEES FOR VOCATIONAL EDUCATION THE SAME RIGHTS AND PROTECTION GRANTED PROFESSIONAL EMPLOYEES OF SCHOOL COMMITTEES.

Be it enacted, etc., as follows:

Chapter 74 of the General Laws is hereby amended by striking out section 22E, inserted by chapter 206 of the acts of 1950, and inserting in place thereof the following section: —

Section 22E. Any school committee or board of trustees for vocational education may elect a teacher who has served in its schools for not less than one school year to serve at its discretion under the same conditions and subject to the same limitations as is provided in sections forty-one, forty-two, forty-two A, forty-two D, forty-three, forty-three A and forty-three B of chapter seventy-one, which sections shall also apply to teachers for educational programs under this chapter. The provisions of chapter thirty-two B, section one hundred C of chapter forty-one, sections thirty-seven B, thirty-eight I, forty, forty-one A and forty-eight of chapter seventy-one, and of sections seventeen B, seventeen C and seventeen D of chapter one hundred and eighty shall also apply to school personnel granted certificates in accordance with section thirty-eight G of chapter seventy-one and employed for vocational educational programs.

Approved April 29, 1969.

Chap. 234. AN ACT AUTHORIZING SOMERVILLE HOSPITAL TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, Somerville Hospital is hereby authorized to hold real and personal estate to an amount not exceeding fifteen million, two hundred thousand dollars.

Approved April 29, 1969.

Chap. 235. AN ACT RELATIVE TO RETIREMENT BENEFITS OF FORMER SAVINGS BANK EMPLOYEES AND OTHERS.

Be it enacted, etc., as follows:

Section 74 of chapter 168 of the General Laws, as most recently amended by chapter 155 of the acts of 1963, is hereby amended by adding the following paragraph: —

Notwithstanding any other provision of this section to the contrary, any retirement benefit payable to a former employee of a bank, or to a

person entitled thereto by virtue of service performed by a former employee, may, by vote of the board of trustees of such bank, be supplemented in any calendar year by a percentage of the first seven thousand dollars of such benefit which shall not be greater than the percentage, if any, by which the current cost of living index figure, as hereinafter defined, for such year exceeds the cost of living base figure, as hereinafter defined, of such employee provided that all retirement benefits payable to all former employees in such year by virtue of service to such bank are supplemented by the same percentage of such portion of benefit. The "current cost of living index figure" for any calendar year shall be the national monthly consumer price index figure issued by the bureau of labor statistics of the United States department of labor for the month of November next preceding the first day of such year. The "cost of living base figure" of any employee shall be the average of the national monthly consumer price index figures issued by said bureau (equitably adjusted to reflect any revisions) for the calendar year in which a retirement benefit first became payable. *Approved April 29, 1969.*

Chap. 236. AN ACT LIMITING CERTAIN COLLATERAL LOANS BY CREDIT UNIONS.

Be it enacted, etc., as follows:

Paragraph 6 of subdivision A of section 24 of chapter 171 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 203 of the acts of 1966, and inserting in place thereof the following sentence: — Notwithstanding the limitations set forth in paragraph 4 of this section, a credit union having assets of one hundred thousand dollars or more may make loans evidenced by the note of the borrower and secured by a pledge or security interest in satisfactory collateral valued at not more than eighty per cent of its market value, in amounts not exceeding thirty-five hundred dollars or one per cent of its assets, whichever is greater; provided, however, that a loan based on one per cent of assets shall not exceed twelve thousand dollars. *Approved April 29, 1969.*

Chap. 237. AN ACT INCREASING THE AMOUNT OF MONEY THAT MAY BE BORROWED BY THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY 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. Section 2 of chapter 783 of the acts of 1965, as amended by chapter 683 of the acts of 1966, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — 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, four hundred and eighty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the

words, Middlesex County Court House Loan, First District Court of Southern Middlesex, Act of 1965.

SECTION 2. Section three of said chapter seven hundred and eighty-three is hereby repealed. *Approved April 29, 1969.*

Chap. 238. AN ACT RELATIVE TO THE PURCHASE BY COMMON OR CONTRACT CARRIERS OF CERTAIN COMMODITIES FOR IMMEDIATE RESALE.

Be it enacted, etc., as follows:

Chapter 159B of the General Laws is hereby amended by inserting after section 6C the following section: —

Section 6D. Common or contract carriers shall not purchase from shippers for the purpose of immediate resale after transportation any commodity which is listed in the authority granted such carrier unless the transportation charge included in or deducted from such resale produces revenues identical to the rates published in its tariff on file with the department. *Approved April 29, 1969.*

Chap. 239. AN ACT RELATIVE TO THE PREPARATION AND DISTRIBUTION OF THE BOOK OF BIOGRAPHICAL SKETCHES AND PORTRAITS OF STATE OFFICERS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide additional copies of the book of biographical sketches and portraits of state officers for use of the General Court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The first paragraph of section 18 of chapter 5 of the General Laws is hereby amended by striking out, in line 6, as appearing in chapter 466 of the acts of 1946, the word "five" and inserting in place thereof the word: — six. *Approved May 5, 1969.*

Chap. 240. AN ACT VALIDATING THE ACTION OF THE TOWN OF DARTMOUTH IN GRANTING RETROACTIVE PAY RAISES TO CERTAIN MEMBERS OF ITS POLICE DEPARTMENT AT A SPECIAL TOWN MEETING HELD IN THE CURRENT YEAR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the town of Dartmouth, at a special town meeting called for the purpose, may grant a pay raise to the members of its police department, except the chief and deputy chief of police, which may be retroactive to April ninth, nineteen hundred and sixty-eight, and may appropriate money for the payment thereof which shall be charged to the tax levy for the year nineteen hundred and sixty-nine.

SECTION 2. Any action taken by the town of Dartmouth, at the special town meeting held on April first, nineteen hundred and sixty-

nine, shall be as valid and effective as though section one of this act had been in full force and effect at the time of the posting of the warrant for said meeting.

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

Approved May 5, 1969.

Chap. 241. AN ACT AUTHORIZING THE CITY OF QUINCY TO GRANT AN ANNUITY TO ANNIE L. DORLEY, A FORMER EMPLOYEE OF SAID CITY.

Be it enacted, etc., as follows:

Notwithstanding any contrary provisions of section ninety-five of chapter thirty-two of the General Laws, the city of Quincy may grant to Annie L. Dorley, who was employed by the city of Quincy as a police matron, on a part-time basis from January, nineteen hundred and thirty-six to July, nineteen hundred and sixty-eight, an annuity of twelve hundred dollars, said annuity to be paid in monthly installments.

Approved May 5, 1969.

Chap. 242. AN ACT AUTHORIZING A TENANT TO PETITION THE DISTRICT COURT FOR ENFORCEMENT OF THE STATE SANITARY CODE WHERE THERE HAS BEEN A REQUEST FOR INSPECTION OF THE PREMISES AND THERE HAS BEEN NO INSPECTION.

Be it enacted, etc., as follows:

Section 127C of chapter 111 of the General Laws is hereby amended by adding the following paragraph: —

An affected tenant may also file a petition in such district court without stating that such premises have been found by an appropriate inspection agency to be in violation of any such standards, provided that he states (*a*) facts sufficient to demonstrate a likely violation of the state sanitary code which may endanger or materially impair the health or well-being of any tenant in the building or premises occupied by such tenant, (*b*) that the conditions in question were not substantially caused by such tenant or any person acting under his control and (*c*) that a request for inspection of such premises was made to the appropriate inspecting agency at least twenty-four hours prior to the filing of the petition and that there has been no inspection.

Approved May 5, 1969.

Chap. 243. AN ACT REDUCING THE AGE AT WHICH A PERSON MAY APPLY FOR A LICENSE TO PRACTICE ELECTROLYSIS.

Be it enacted, etc., as follows:

The third sentence of section 87GGG of chapter 112 of the General Laws, as appearing in section 1 of chapter 518 of the acts of 1964, is hereby amended by striking out, in line 3, the word "twenty-one" and inserting in place thereof the word: — nineteen.

Approved May 5, 1969.

Chap. 244. AN ACT PROVIDING THAT CERTAIN PROVISIONS IN LEASES OF RESIDENTIAL PROPERTIES SHALL BE VOID, AND PROHIBITING LESSORS FROM MAKING CERTAIN REQUIREMENTS OF LESSEES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 186 of the General Laws is hereby amended by inserting after section 15A the following section: —

Section 15B. No lease relating to residential real property shall contain a provision that a lessor may, except to inspect the premises, to make repairs thereto or to show the same to a prospective tenant or purchaser, enter the premises before the termination date of such lease. A lessor may, however, enter such premises in accordance with a court order or if the premises appear to have been abandoned by the lessee. No lessor shall require a security deposit equivalent to more than two months rent, nor a charge of more than the purchase and installation cost for a key or lock, nor any interest or penalty for failure to pay rent until at least thirty days after such rent shall have been due.

Any provision of a lease in violation of the provision of this section shall be deemed to be against public policy and void.

SECTION 2. The provisions of section fifteen B of chapter one hundred and eighty-six of the General Laws, inserted by section one of this act, shall not apply to leases executed before the effective date of this act, nor to renewals of such leases under renewal options contained therein. *Approved May 5, 1969.*

Chap. 245. AN ACT RELATIVE TO AUTHORITY OF CORPORATE OFFICERS WITH RESPECT TO REAL ESTATE.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 155 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence: — Any recordable instrument purporting to affect an interest in real estate, executed in the name of a corporation by two of its officers, of whom one is the president or a vice-president and the other is the treasurer or an assistant treasurer, shall be binding on the corporation in favor of a purchaser or other person relying in good faith on such instrument notwithstanding inconsistent provisions of the articles of organization, certificate of incorporation, charter, special act of incorporation, constitution, by-laws, resolutions or votes of the corporation.

SECTION 2. Chapter 156B of the General Laws is hereby amended by adding the following section: —

Section 115. Any recordable instrument purporting to affect an interest in real estate, executed in the name of a corporation by two of its officers, of whom one is the president or a vice-president and the other is the treasurer or an assistant treasurer, shall be binding on the corporation in favor of a purchaser or other person relying in good faith on such instrument notwithstanding inconsistent provisions of the articles of organization, certificate of incorporation, charter, special act of incorporation, constitution, by-laws, resolutions or votes of the corporation.

SECTION 3. This act shall take effect on January first, nineteen hundred and seventy. *Approved May 5, 1969.*

Chap. 246. AN ACT AUTHORIZING THE TOWN OF MATTAPOISETT TO REVOKE ITS ACCEPTANCE OF THE LAW ESTABLISHING A FIRE DEPARTMENT IN SAID TOWN.

Be it enacted, etc., as follows:

The town of Mattapoisett is hereby authorized to revoke its acceptance of sections forty-two, forty-three and forty-four of chapter forty-eight of the General Laws. *Approved May 5, 1969.*

Chap. 247. AN ACT INCREASING THE AMOUNT THE TOWN OF FALMOUTH IS AUTHORIZED TO APPROPRIATE FOR THE PURPOSE OF ADVERTISING THE ADVANTAGES OF THE TOWN.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 149 of the acts of 1911, as most recently amended by section 1 of chapter 7 of the acts of 1961, is hereby further amended by striking out, in line 2, the words "five thousand five hundred" and inserting in place thereof the words: — ten thousand, — so as to read as follows: —

Section 1. The town of Falmouth is hereby authorized to appropriate annually a sum of money not exceeding ten thousand dollars, for the purpose of promoting the interests of the town by advertising its attractions, advantages and other matters tending to advance the interests of the town.

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

Approved May 6, 1969.

Chap. 248. AN ACT PROVIDING THAT NO FEE MAY BE CHARGED FOR THE SUBSTITUTION OF INSURANCE POLICIES ON PROPERTY SECURING A LOAN OF MONEY.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 193E of chapter 175 of the General Laws, as appearing in chapter 520 of the acts of 1950, is hereby amended by adding the following sentence: — No such person, firm or corporation so engaged shall require any fee or the payment of any money for the substitution by the purchaser or borrower or his successors of a new insurance policy on the property upon termination of the existing policy, when such insurance policy is provided through an insurance company or insurance agent or broker licensed to transact business in the commonwealth.

SECTION 2. The second paragraph of said section 193E of said chapter 175, as so appearing, is hereby amended by striking out, in line 4, the word "act" and inserting in place thereof the word: — section.

Approved May 6, 1969.

Chap. 249. AN ACT PERMITTING THE ADOPTION OF CHILDREN NUNC PRO TUNC UNDER CERTAIN CIRCUMSTANCES.

Be it enacted, etc., as follows:

Chapter 210 of the General Laws is hereby amended by inserting after section 6A the following section: —

Section 6B. In the event that either of the petitioning adopting parents to a petition for adoption, which has been filed with the probate court, should die prior to the entry of a decree of adoption, the probate court may enter a decree within three months following the date of death nunc pro tunc to the date of the filing of the adoption petition. Said decree shall have all of the effect of a decree of adoption as to both petitioners and the person adopted as provided for in section seven.

Approved May 6, 1969.

Chap. 250. AN ACT AUTHORIZING THE TOWN OF ARLINGTON TO SELL AND CONVEY CERTAIN PARK LAND IN SAID TOWN TO SPARTAN ASSOCIATES, INC.

Be it enacted, etc., as follows:

The town of Arlington is hereby authorized to sell and convey a certain parcel of park land in said town to Spartan Associates, Inc., upon such terms and conditions as the selectmen of said town deem advisable, and bounded and described as follows: —

Southwesterly by Chestnut Street, 0.50 feet;
Northwesterly by Lot 7, 8 and Lot B, as shown on Assessors' Block Plan #49, Section B, 178.15 feet;
Northeasterly by land of the Town of Arlington, 8.24 feet; and
Southeasterly by Chestnut Terrace, 180.29 feet.
Containing 749 square feet, more or less.

Approved May 6, 1969.

Chap. 251. AN ACT AUTHORIZING THE CITY OF QUINCY TO ESTABLISH THE QUINCY SERVICE CORPS FOR THE EMPLOYMENT OF CERTAIN ELDERLY CITIZENS.

Be it enacted, etc., as follows:

The city of Quincy is hereby authorized to establish the Quincy service corps, which shall be under the supervision and control of the council on aging of said city. Any citizen of said city who is sixty years of age or over may enroll in and be temporarily employed in work authorized by said corps. Notwithstanding any general or special law to the contrary, said city may compensate any citizen so employed in an amount not exceeding, in the aggregate, fifteen hundred dollars in any one calendar year, and such employment shall be exempt from the provisions of chapter thirty-one and section nine A of chapter thirty of the General Laws.

Approved May 6, 1969.

Chap. 252. AN ACT CHANGING THE NAME OF THE MUNICIPAL POLICE TRAINING COUNCIL TO THE MASSACHUSETTS POLICE TRAINING COUNCIL.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 96B of chapter 41 of the General Laws, as appearing in chapter 504 of the acts of 1967, is hereby amended by striking out, in line 5, the word "municipal" and inserting in place thereof the word: — Massachusetts.

SECTION 2. The second paragraph of said section 96B of said chapter 41, added by chapter 742 of the acts of 1968, is hereby amended by striking out, in line 4, the word "municipal" and inserting in place thereof the word: — Massachusetts.

SECTION 3. Section 17 of chapter 6 of the General Laws is hereby amended by striking out, in line 15, as appearing in section 1 of chapter 535 of the acts of 1966, the word "municipal" and inserting in place thereof the word: — Massachusetts.

SECTION 4. Said chapter 6 is hereby further amended by striking out the caption "MUNICIPAL POLICE TRAINING COUNCIL", preceding section 116, and inserting in place thereof the following caption: — MASSACHUSETTS POLICE TRAINING COUNCIL.

SECTION 5. The first sentence of said section 116 of said chapter 6, as appearing in chapter 468 of the acts of 1967, is hereby amended by striking out, in line 2, the word "municipal" and inserting in place thereof the word: — Massachusetts. *Approved May 6, 1969.*

Chap. 253. AN ACT PROVIDING FOR THE SPEEDY TRIAL OF A MISDEMEANOR BY A JURY OF SIX IN THE DISTRICT COURT OF LOWELL.

Be it enacted, etc., as follows:

SECTION 1. A defendant in any district court of Middlesex county, except the first district court of northern Middlesex, the fourth district court of eastern Middlesex and the district court of Lowell, who is found guilty of a violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer or of any other misdemeanor, except libel, may appeal and claim a jury of six in the third district court of eastern Middlesex, and a defendant in said first district court of northern Middlesex, the fourth district court of eastern Middlesex, or the district court of Lowell, found guilty of such violation or such misdemeanor may appeal and claim a jury of six in the district court of Lowell. Such claim of appeal shall be in writing and shall constitute a waiver of any claim of appeal to a trial by a jury in the superior court or other disposition in said superior court.

Any defendant found guilty in any district court of Middlesex county of a violation of any of the offenses set forth in the first paragraph who has appealed to the superior court may, at any time before trial on such appeal, claim a trial by a jury of six in the third district court of eastern Middlesex or the district court of Lowell, as the case may be. Such claim shall be in writing and shall constitute a waiver of any right to a trial by a jury in the superior court or other disposition in said superior court. When a claim for a trial by a jury of six in the third district court of eastern Middlesex or in the district court of Lowell has been made under the provisions of this paragraph, the clerk of the superior court shall forthwith forward to the clerk of the appropriate district court all of the papers in the case which have been filed in the superior court.

The justice presiding at such session over a jury of six in said third district court of eastern Middlesex or in said district court of Lowell shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has taken part in any proceeding therein.

Trials by such juries of six in said third district court of eastern Middlesex shall be held in the courthouse of said court, or, if not practicable there, then in the courthouse of the superior court in the city of Cambridge, and trials by such juries of six in said district court of Lowell shall be held in the courthouse of said court, or, if not practicable there, in the courthouse of the superior court in the city of Lowell, and shall proceed in accordance with the provisions of law applicable to trials by jury in the superior court, except that the number of peremptory challenges shall be limited to two to each defendant. The commonwealth shall be entitled to as many such challenges as equal the whole number to which all of the defendants in the case are entitled. Jurors shall be drawn from the pool of jurors available for the jury sessions in either civil or criminal sessions in the superior court for Middlesex county except that in the district court of Lowell juries shall be drawn from such pool of jurors only when the superior court for Middlesex county is sitting in Lowell with juries.

The district attorney for the northern district shall appear for the commonwealth in all cases. The chief justice of the district courts shall arrange for the jury sessions of the third district court of eastern Middlesex and the district court of Lowell 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 said 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, but such waiver shall not revive any right to a trial by jury or other disposition in the superior court which had been waived under the provisions of the first or second paragraphs.

The justice presiding at such session over a jury of six shall, upon the request of the defendant, appoint a stenographer, who shall be sworn, and who shall take stenographic notes of all the testimony given at the trial, and shall provide the parties thereto with a transcript of his notes or any part thereof taken at the trial or hearing for which he shall be paid by the party requesting it at the rate fixed by the chief justice of the district courts; provided, however, that such rate shall not exceed the rate provided by section eighty-eight of chapter two hundred and twenty-one of the General Laws. Said chief justice may make regulations not inconsistent with law relative to the assignments, duties and service of stenographers appointed for any district court, and any other matter relative to such stenographers. The compensation and expenses of said stenographer shall be paid by the county.

SECTION 2. Chapter six hundred and twenty-eight of the acts of nineteen hundred and sixty-four, as most recently amended by section one of chapter six hundred and nine of the acts of nineteen hundred and sixty-six, is hereby repealed.

SECTION 3. This act shall take effect on October fifth, nineteen hundred and seventy. *Approved May 6, 1969.*

Chap. 254. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAWS RELATIVE TO EDUCATION.

Be it enacted, etc., as follows:

SECTION 1. Section 1F of chapter 15 of the General Laws is hereby amended by inserting after the fourth sentence the following sentence: — In the absence or disability of the commissioner, the deputy commissioner shall act as commissioner and shall exercise the powers and perform the duties of the commissioner.

SECTION 2. Section 9 of said chapter 15, as most recently amended by section 2 of chapter 429 of the acts of 1960, is hereby further amended by striking out, in line 1, the word "division" and inserting in place thereof the word: — bureau.

SECTION 3. Section five of chapter sixty-nine of the General Laws is hereby repealed.

SECTION 4. The second sentence of section 29D of said chapter 69, as appearing in chapter 556 of the acts of 1958, is hereby amended by striking out, in line 2, the word "division" and inserting in place thereof the word: — bureau.

SECTION 5. Section 4A of chapter 71 of the General Laws, as amended by section 16 of chapter 572 of the acts of 1965, is hereby further amended by striking out, in line 5, the word "one" and inserting in place thereof the word: — nine.

SECTION 6. Sections twelve and sixty of said chapter seventy-one are hereby repealed. *Approved May 6, 1969.*

Chap. 255. AN ACT PROVIDING FOR THE ANNUAL OBSERVANCE OF TRAFFIC SAFETY WEEK.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15O, inserted by chapter 65 of the acts of 1969, the following section: —

Section 15P. The governor shall annually issue a proclamation calling for the proper observance of Traffic Safety Week as a period for special attention to traffic safety. *Approved May 6, 1969.*

Chap. 256. AN ACT REMOVING THE LIMIT ON THE AMOUNT OF INSURANCE WHICH A TOWN MAY PROVIDE TO INDEMNIFY CERTAIN OF ITS OFFICERS AND EMPLOYEES.

Be it enacted, etc., as follows:

Clause 1 of section 5 of chapter 40 of the General Laws is hereby amended by striking out, in lines 15 to 18, inclusive, as appearing in chapter 173 of the acts of 1964, the words: — ", to an amount not exceeding fifty thousand dollars on account of injury to or death to one person, or not exceeding one hundred and fifty thousand dollars for any one accident, and not exceeding five thousand dollars on account of damage to property". *Approved May 6, 1969.*

Chap. 257. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR WILLIAM E. STYGLES, INCUMBENT OF THE OFFICES OF VETERANS' AGENT AND DIRECTOR OF VETERANS' SERVICES OF THE CITY OF WOBURN.

Be it enacted, etc., as follows:

SECTION 1. William E. Stygles, incumbent of the offices of veterans' agent and director of veterans' services of the city of Woburn, shall hold said offices during good behavior until he reaches age seventy, unless incapacitated by physical or mental disability from performing the duties thereof, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of the city of Woburn at the 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-nine, entitled 'An Act providing tenure of office until age seventy for William E. Stygles, incumbent of the offices of veterans' agent and director of veterans' services of the city of Woburn', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved May 6, 1969.

Chap. 258. AN ACT PROVIDING THAT A CITY OR TOWN CLERK SHALL CERTIFY THE DOMICILE OF A VETERAN FOR PURPOSES OF THE VIETNAM BONUS ACT.

Be it enacted, etc., as follows:

Section 6 of chapter 646 of the acts of 1968 is hereby amended by striking out, in line 3, the words "an assessor" and inserting in place thereof the words: — the clerk, — and by striking out, in line 8, the word "assessors" and inserting in place thereof the word: — clerks.

Approved May 6, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 6, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 258 of the Acts of 1969, entitled "AN ACT PROVIDING THAT A CITY OR TOWN CLERK SHALL CERTIFY THE DOMICILE OF A VETERAN FOR PURPOSES OF THE VIETNAM BONUS ACT." and the enactment of which received my approval on May 6, 1969, 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 original act for the Vietnam bonus gave the duty for certifying the domicile of a veteran to an assessor. This act would give this duty to the clerk of a municipality since he has the appropriate records indicating the domicile of a person or veteran.

Postponement of the operation of this act would defeat its purpose which is to expedite the awarding of claims under the Vietnam Bonus Act.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 6, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at two 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 two hundred and fifty-eight of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 259. AN ACT PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES IN ANY PORTION OF A BUILDING DESIGNATED AS A POLLING PLACE DURING VOTING HOURS OR WHILE BALLOTS ARE BEING COUNTED.

Be it enacted, etc., as follows:

Section 24 of chapter 54 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: — Alcoholic beverages shall not be sold in any portion of a building which is designated as a polling place, during voting hours or while ballots are being counted therein. *Approved May 6, 1969.*

Chap. 260. AN ACT AUTHORIZING A FIRE DEPARTMENT CHAPLAIN TO DISPLAY A FLASHING RED LIGHT ON HIS VEHICLE.

Be it enacted, etc., as follows:

Section 7 of chapter 90 of the General Laws is hereby amended by inserting after the sentence amended by section 1 of chapter 149 of the acts of 1966 the following sentence: — A fire department chaplain may display a flashing red light on his vehicle.

Approved May 6, 1969.

Chap. 261. AN ACT INCREASING THE FEES OF COURT STENOGRAPHERS FOR FURNISHING TRANSCRIPTS OF THEIR NOTES.

Be it enacted, etc., as follows:

Chapter 221 of the General Laws is hereby amended by striking out section 88, as most recently amended by chapter 56 of the acts of 1958, and inserting in place thereof the following section: —

Section 88. Upon request of the presiding justice or any party, the stenographer shall furnish a transcript of his notes, or any part thereof, taken at a trial or hearing, for which he shall be paid by the party requesting it at the rate of thirty-five cents a hundred words for one copy, and thirteen cents a hundred words for each additional copy if more than one copy is ordered at the same time; but if it is requested by the presiding justice or, in a criminal case, by the district attorney, payment therefor at the same rate shall be made by the county upon a voucher approved by him, and, in a criminal case, the expense of transcripts furnished to said justice and to the district attorney shall be taxed like other expenses. *Approved May 6, 1969.*

Chap. 262. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A NEW DAM OR TO RECONSTRUCT THE MONTEREY DAM AT LAKE GARFIELD IN THE TOWN OF MONTEREY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the reconstruction of the Monterey Dam on Lake Garfield in the town of Monterey, 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 division of waterways of the department of public works is hereby authorized and directed to make a survey and construct a new dam or to reconstruct the Monterey dam at Lake Garfield in the town of Monterey, and may, subject to appropriation, expend therefor such funds as may be necessary, provided the town of Monterey contributes ten per cent of the cost of such reconstruction.

Federal funds shall be requested and if said funds are available, they shall be deposited with the treasurer of the commonwealth.

Approved May 7, 1969.

Chap. 263. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION LITTLE LEAGUE BASEBALL DIAMOND AT MARINE PARK IN THE SOUTH BOSTON DISTRICT OF THE CITY OF BOSTON AS THE JOSEPH R. EVANS LITTLE LEAGUE BASEBALL DIAMOND.

Be it enacted, etc., as follows:

SECTION 1. The little league baseball diamond under the jurisdiction and control of the metropolitan district commission at Marine park on Farragut road and East Second street in the South Boston district of the city of Boston shall be known and designated as the Joseph R. Evans Little League Baseball Diamond. A suitable marker bearing said designation shall be erected thereat by said commission.

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

Approved May 8, 1969.

Chap. 264. AN ACT AUTHORIZING THE CITY OF WORCESTER TO USE CERTAIN PARK LAND FOR STREET PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Worcester is hereby authorized to use for street purposes certain land in said city, situated at the intersection of the southerly line of Franklin street, a public way, and the northeasterly line of Harrington way, a public way, as formerly laid out, being a portion of Harrington way playground, held by said city for park purposes, and further bounded and described as follows: —

Beginning at said intersection and thence by the said present northeasterly line of said Harrington Way and by said land of City of Worcester, Parks and Recreation Commission, South 25° 15′ 45″ East, a distance of two hundred eighty-two and eighty-four hundredths (282.84) feet to an angle in said Harrington Way; thence continuing by said Harrington Way and by said land of City of Worcester, Parks and Recreation Commission, South 25° 05′ 40″ East three hundred thirty-nine and sixteen hundredths (339.16) feet to a point at land now or formerly of the Worcester Natural History Society; thence by said land now or formerly of the Worcester Natural History Society, North 64° 54′ 20″ East, a distance of seventeen (17.00) feet to a point in the proposed northeasterly line of said Harrington Way; thence by the said proposed northeasterly line of Harrington Way, North 25° 05′ 40″ West, a distance of three hundred thirty-nine and eleven hundredths (339.11) feet to the beginning of a regular curve to the left having a radius of five thousand and fifty (5,050.00) feet; thence continuing by the said proposed northeasterly line of Harrington Way, by the arc of said curve, a distance of two hundred twenty-seven and sixteen hundredths (227.16) feet to the beginning of a regular curve to the right having a radius of thirty (30) feet; thence generally, northeasterly northerly and easterly by the arc of said curve and the proposed line of said Harrington Way, sixty-two and twenty hundredths (62.20) feet to a point in the aforementioned southerly line of Franklin Street; thence by the said southerly line of Franklin Street North 88° 52′ 35″ West, a distance of sixty-two and thirty-six hundredths (62.36) feet to the point of beginning, containing 10,509.9 square feet of land, more or less.

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

Approved May 8, 1969.

Chap. 265. AN ACT PLACING THE OFFICE OF COMMISSIONER OF VETERANS' AFFAIRS IN THE TOWN OF METHUEN UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The office of commissioner of veterans' affairs in the town of Methuen shall, upon the effective date of this act, become subject to the civil service law and rules.

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

Approved May 8, 1969.

Chap. 266. AN ACT RELATIVE TO DOMESTIC INSURANCE COMPANY INVESTMENTS IN LOANS SECURED BY CORPORATE LEASES.

Be it enacted, etc., as follows:

Section 63 of chapter 175 of the General Laws is hereby amended by striking out paragraph 14C, as most recently amended by section 1 of chapter 384 of the acts of 1968, and inserting in place thereof the following paragraph: —

14C. In bonds, notes or other evidences of indebtedness secured by assignment of a lease or leases, or the rentals payable under such leases, of real or personal property 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 any province thereof, or one or more associations or trusts as defined in section one of chapter one hundred and eighty-two; provided that (*a*) the fixed rentals assigned shall be sufficient to repay the indebtedness within the unexpired term of the lease, exclusive of the term which may be provided by an enforceable option of renewal; (*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 five fiscal years preceding the date of investment have not been less than three 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; (*c*) any county, city, town, school or water district or political subdivision located outside the commonwealth to qualify as a lessee under (1) above must satisfy requirements as to either population or debt limitation as provided in paragraphs (2) (b) and (2) (c), respectively, of this section; (*d*) a first lien on the interest of the lessor in the unencumbered property so leased shall be obtained as additional security for the indebtedness; and (*e*) no company shall invest in such indebtedness if the aggregate balance of all outstanding investments held under this paragraph would thereby exceed ten per cent of the assets of such company. As used in this paragraph "net earnings" and "fixed charges" shall have the meanings ascribed thereto in paragraph 14A; and "unencumbered" shall have the meaning ascribed thereto in paragraph 7.

Approved May 8, 1969.

Chap. 267. AN ACT EXEMPTING CERTAIN ACTIVITIES FROM THE LAW PROHIBITING ANY LABOR, BUSINESS OR WORK ON THE COMMON DAY OF REST.

Be it enacted, etc., as follows:

Section 6 of chapter 136 of the General Laws is hereby amended by striking out clause (40) and inserting in place thereof the following clause: —

(40) Any labor, business or work necessary to the performance of or incidental to any religious exercises, including funerals and burials, the execution of wills or codicils, the preparation of contracts, the execution of federal, state or municipal tax returns or reports, the preparations for trials by lawyers or any other activity not prohibited nor required to be licensed on Sunday. *Approved May 8, 1969.*

Chap. 268. AN ACT RELATIVE TO THE VISITATION HOURS IN CERTAIN CEMETERIES.

Be it enacted, etc., as follows:

Chapter 114 of the General Laws is hereby amended by inserting after section 42 the following section: —

Section 42A. No cemetery exempted from taxation under the provisions of section five of chapter fifty-nine shall be closed for visitations between the hours of eight o'clock antemeridian and sunset, except during the months of June, July, August and September when such cemeteries shall remain open until the hour of seven o'clock postmeridian; provided, however, that the provisions of this section shall not apply on Saturdays if the cemetery is owned or used exclusively by a religious denomination which observes the Sabbath on Saturday.

Approved May 8, 1969.

Chap. 269. AN ACT RELATIVE TO THE ATTENDANCE OF MEMBERS OF THE MASSACHUSETTS BOARD OF REGIONAL COMMUNITY COLLEGES AT ITS REGULAR MEETINGS.

Be it enacted, etc., as follows:

Section 27 of chapter 15 of the General Laws is hereby amended by adding the following two sentences: — If any member is absent from four regular meetings, excluding those which may be held in the months of July and August, in any calendar year, his office as a member of said board shall be deemed to be vacant. The chairman shall forthwith notify the governor that such vacancy exists.

Approved May 8, 1969.

Chap. 270. AN ACT AUTHORIZING THE CITY OF BOSTON TO PENSION PAUL F. CURLEY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good the police commissioner of the city of Boston, with the approval of the mayor of said city, shall forthwith retire, on an annual pension to be paid by said city in monthly installments, Paul F. Curley, a patrolman in the police department of said city, who is totally incapacitated as a result of injuries sustained by him when shot in the performance of his duty on October tenth, nineteen hundred and sixty-eight. Such pension shall be equal to the annual rate of regular compensation which would have been paid him had he continued in service in the grade held by him at the time of his retirement. Upon his death leaving Rita F. Curley, his

wife, surviving him, said city shall pay to her, so long as she remains unmarried, an annuity of three thousand dollars, increased by three hundred and twelve dollars for each child of said Paul F. Curley during such time as such child is under eighteen years of age or over said age and physically or mentally incapacitated from earning. If said Rita F. Curley remarries, said city shall pay, in lieu of the aforesaid annuity to her, an annuity of five hundred and twenty dollars to or for the benefit of each such child during the time aforesaid.

SECTION 2. Upon the retirement of said Paul F. Curley under this act the Boston retirement board shall forthwith pay to him all amounts standing to his credit in the annuity savings fund of the State-Boston retirement system.

SECTION 3. The provisions of section one hundred of chapter forty-one of the General Laws shall continue to apply to said Paul F. Curley relative to his indemnification by said city for any hospital, medical and related expenses which may be incurred by him after the date of his retirement as a result of the aforementioned incapacity.

SECTION 4. This act shall take effect upon its acceptance by the city of Boston. *Approved May 8, 1969.*

Chap. 271. AN ACT EXEMPTING VESSELS ENGAGED IN SUPERVISED INTERCOLLEGIATE SAILING PROGRAMS FROM THE REQUIREMENTS RELATIVE TO LIFE SAVING DEVICES.

Be it enacted, etc., as follows:

Section 5A of chapter 90B of the General Laws, inserted by chapter 22 of the acts of 1967, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — This section shall not apply to vessels used in competitive rowing, sculling or supervised intercollegiate sailing programs, rafts, surfboards, sail fish, so-called, or any similar type of vessel. *Approved May 8, 1969.*

Chap. 272. AN ACT AUTHORIZING ASSUMPTION COLLEGE TO HOLD ADDITIONAL REAL AND PERSONAL PROPERTY.

Be it enacted, etc., as follows:

Assumption College, a corporation duly organized and existing under the provisions of general law, is hereby authorized to hold, for the purposes for which it was incorporated, real and personal estate to an amount not exceeding fifty million dollars. *Approved May 8, 1969.*

Chap. 273. AN ACT AUTHORIZING THE MASSACHUSETTS COLLEGE OF PHARMACY TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

The Massachusetts College of Pharmacy, incorporated by chapter ninety-three of the acts of eighteen hundred and fifty-two, is hereby authorized to hold real and personal estate to an amount not exceeding ten million dollars, which estate shall be devoted to the purposes of said corporation. *Approved May 8, 1969.*

Chap. 274. AN ACT AUTHORIZING THE CITY OF HOLYOKE TO USE CERTAIN PARK LAND FOR THE CONSTRUCTION OF A NEW FIRE STATION.

Be it enacted, etc., as follows:

The city of Holyoke is hereby authorized to transfer a certain parcel of land from its parks and recreation department to its board of public works for the purpose of constructing a new fire station thereon, bounded and described as follows: —

Beginning at a point on the westerly side of Northampton street, said point being 121.48 feet southerly from the southerly side of Easthampton road; thence N 83° 20′ 30″ W a distance of 120.00 feet to a point; thence S 88° 01′ 27″ W a distance of 137.00 feet to a point; thence N 1° 58′ 33″ W a distance of 99.41 feet to a point on the aforesaid southerly side of Easthampton road; thence N 88° 01′ 27″ E along said side of Easthampton road a distance of 202.29 feet to a point; thence southeasterly along the arc of a 65.00 foot radius curve, a distance of 118.95 feet to a point on the westerly side of aforesaid Northampton street; thence S 12° 52′ 30″ W a distance of 37.00 feet to the point of beginning. Said parcel contains 24,443 square feet, more or less.

Approved May 8, 1969.

Chap. 275. AN ACT CLARIFYING THE RESPONSIBILITY OF THE RECEIVER TO THE SENDER OF UNSOLICITED GOODS BY MAIL.

Be it enacted, etc., as follows:

Chapter 93 of the General Laws is hereby amended by adding the following section: —

Section 43. Any person who receives unsolicited goods, wares or merchandise, offered for sale, but not actually ordered or requested by him orally or in writing, shall be entitled to consider such goods, wares or merchandise an unconditional gift, and he may use or dispose of the same as he sees fit without obligation on his part to the sender.

Approved May 8, 1969.

Chap. 276. AN ACT INCREASING THE AMOUNT OF WAGES WHICH SHALL BE EXEMPT FROM ATTACHMENT BY TRUSTEE PROCESS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 28 of chapter 246 of the General Laws, as appearing in section 1 of chapter 187 of the acts of 1959, is hereby amended by striking out, in line 3, the word "fifty" and inserting in place thereof the word: — eighty.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy and shall apply only to actions begun on and after said date.

Approved May 8, 1969.

Chap. 277. AN ACT PROVIDING THAT ALL SESSIONS OF THE SECOND DISTRICT COURT OF BARNSTABLE SHALL BE HELD IN THE TOWN OF ORLEANS.

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 *"Barnstable"*, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph: —

The second district court of Barnstable, held at Orleans; Provincetown, Truro, Wellfleet, Eastham, Orleans, Brewster, Chatham, Harwich and Dennis.

SECTION 2. Notwithstanding the provisions of the second paragraph, under the caption *"Barnstable"*, of section one of chapter two hundred and eighteen of the General Laws, as amended by section one of this act, sessions of the second district court of Barnstable may continue to be held at Provincetown and Harwich until the construction of the courthouse provided for in chapter six hundred and fifty-seven of the acts of nineteen hundred and sixty-seven is completed and until said courthouse is opened for the use of said second district court.

Approved May 8, 1969.

Chap. 278. AN ACT RELATIVE TO CERTAIN SAVINGS BANK LOANS SECURED BY REAL ESTATE MORTGAGES.

Be it enacted, etc., as follows:

SECTION 1. Section 35 of chapter 168 of the General Laws is hereby amended by striking out paragraphs 4, 5 and 6 and inserting in place thereof the following paragraph: —

4. *Eighty Per Cent of Value.* — A mortgage loan not exceeding eighty per cent of the value of the real estate, or, in the case of a mortgage loan on a leasehold interest created pursuant to chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two, as amended, seventy per cent of the value of such leasehold interest, payable not more than twenty-five, or, in the case of a loan on a dwelling designed to be occupied by not more than four families and occupied or to be occupied in whole or in part by the mortgagor, thirty, years from the date of the note. The terms of the note or mortgage shall require payments on the loan to be made in periodic installments, at least quarterly, in amounts aggregating annually not less than three per cent of the original amount of the loan, except that the minimum annual principal payment may be less than three per cent of the original amount of the loan if the terms of the note or mortgage shall require periodic payments, at least quarterly, in such amounts as will enable complete amortization over a period equal to the maximum term authorized by this paragraph, which periodic payments shall be equal in amount or shall be in accordance with a schedule under which the earlier of such payments shall be greater than the later and such periodic payments shall be applied first to interest and the balance to principal and the interest on the loan shall be computed on the unpaid balance monthly or at such other time as the periodic payment is required. The note or mortgage also shall require payment, at least quarterly, of a

proportionate part of the estimated real estate taxes and betterment assessments on the mortgaged real estate if the amount of the loan exceeds seventy per cent of the value of the real estate. No loan of this class shall be made or acquired for a sum in excess of one per cent of the deposits of such corporation or fifty thousand dollars, whichever is the greater; provided, that the aggregate balance of principal outstanding at any one time on mortgage loans of this class as are in excess of one half of one per cent of the deposits shall not exceed seven and one half per cent of the deposits of such corporation.

SECTION 2. Paragraph 6A of said section 35 of said chapter 168 is hereby amended by striking out the fifth sentence, as appearing in chapter 219 of the acts of 1964, and inserting in place thereof the following sentence: — No loan of this class shall be made or acquired for a sum in excess of twenty-five thousand dollars.

SECTION 3. Paragraph 7 of said section 35 of said chapter 168 is hereby amended by striking out the third sentence, as appearing in chapter 327 of the acts of 1961, and inserting in place thereof the following sentence: — Each mortgage loan of this class shall be payable not more than three years from the date of the note.

SECTION 4. Paragraph 8 of said section 35 of said chapter 168 is hereby amended by striking out the third sentence, as amended by chapter 256 of the acts of 1960, and inserting in place thereof the following sentence: — The amount of the participation of any such corporation in any such loan shall not exceed one per cent of its deposits, and the aggregate balance of principal of all such participations not insured by the federal housing administrator, outstanding at any one time, shall not exceed fifteen per cent of the total deposits of such corporation.

SECTION 5. Said section 35 of said chapter 168 is hereby amended by striking out paragraph 9, as appearing in section 1 of chapter 432 of the acts of 1955, and inserting in place thereof the following paragraph: —

9. *Construction Loans.* — Any such corporation may make construction mortgage loans with respect to any of the classes of mortgage loans authorized by this section by paragraph 6 of section thirty-eight or by any other provision of general or special law applicable to savings banks; provided, that any payments required on account of principal shall commence not later than two years from the date of the mortgage note.

SECTION 6. Paragraph 8 of section 36 of said chapter 168, as amended by chapter 265 of the acts of 1965, is hereby further amended by striking out, in line 26, the word "two" and inserting in place thereof the word: — three.

Approved May 8, 1969.

Chap. 279. AN ACT PROVIDING THAT INVESTMENTS OF A DOMESTIC INSURANCE COMPANY NEED NOT BE MADE IN THE CORPORATE NAME.

Be it enacted, etc., as follows:

The first paragraph of section sixty-four of chapter 175 of the General Laws, as amended by chapter 110 of the acts of 1953, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — All investments and deposits of the funds of any such company shall be made either in its corporate name or in the name of a nominee appointed for the purpose of facilitating security

trading, money management and certificate delivery; and no director or officer shall receive, in addition to his fixed salary or compensation from such company, any money or valuable thing, either directly or indirectly, for negotiating, procuring, recommending or aiding in any purchase, sale or loan made by such company in connection with its investments, nor shall he have any substantial interest, direct or indirect, in any such purchase, sale or loan, except that, if a policyholder, he shall be entitled to all the benefits accruing under the terms of his contract.

Approved May 8, 1969.

Chap. 280. AN ACT RELATIVE TO THE ALTERATION, FORGERY AND POSSESSION OF CERTAIN FISHING, HUNTING AND TRAPPING LICENSES.

Be it enacted, etc., as follows:

Chapter 131 of the General Laws is hereby amended by striking out section 33, as appearing in section 1 of chapter 802 of the acts of 1967, and inserting in place thereof the following section: —

Section 33. A person shall not alter, forge or counterfeit any license, permit, permit application or certificate issued under any provision of this chapter, nor possess or use any such altered, forged or counterfeited license, permit, permit application or certificate, nor procure or attempt to procure a license, permit, permit application or certificate by fraud or false statements of any kind, nor use or attempt to use any license, permit, permit application or certificate of another, nor loan or allow another person to use his license, permit, permit application or certificate.

Approved May 8, 1969.

Chap. 281. AN ACT AUTHORIZING THE TOWN OF FOXBOROUGH TO APPOINT CERTAIN APPLICANTS AS POLICE OFFICERS IN SAID TOWN WHO DO NOT MEET THE MINIMUM HEIGHT REQUIREMENT.

Be it enacted, etc., as follows:

Notwithstanding the provisions of law to the contrary regulating the minimum height of police officers, the director of civil service shall certify, in accordance with the civil service law and rules, and the town of Foxborough may appoint, as a police officer, any applicant who passed the written examination for police officers held August twenty-third, nineteen hundred and sixty-eight and who meets all other requirements other than the minimum height of five feet seven inches.

Approved May 8, 1969.

Chap. 282. AN ACT REQUIRING THAT OWNERS OF MOTOR VEHICLES SHALL REMOVE CERTAIN VISIBLE EVIDENCE FURNISHED BY THE REGISTRAR RELATIVE TO THE VALIDITY OF PLATES IN USE ON SAID VEHICLES.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by inserting after section 2A the following section: —

Section 2B. The owner of a motor vehicle who transfers the ownership thereof to another or who terminates the registration thereof shall thereupon remove from the vehicle any visible evidence furnished to him by the registrar under the provisions of section two relative to the validity of the plates in use on said vehicle. *Approved May 8, 1969.*

Chap. 283. AN ACT REGULATING THE SERVICE OF SUMMONSES ON CERTAIN PERSONS LISTED AS QUALIFIED FOR JURY SERVICE.

Be it enacted, etc., as follows:

The first paragraph of section 4 of chapter 234 of the General Laws is hereby amended by inserting after the third sentence, as appearing in section 3 of chapter 347 of the acts of 1949, the following sentence: — Each summons issued by the board shall be served by mailing an attested copy thereof by certified mail to the last known address of such person, or by an officer qualified to serve criminal process giving such a copy in hand to such person or leaving the same at his last and usual place of abode, such mailing or such service being made at least fourteen days before the day such person is required to appear.

Approved May 8, 1969.

Chap. 284. AN ACT AUTHORIZING THE WILKINSONVILLE WATER DISTRICT TO ACQUIRE CERTAIN PROPERTY RIGHTS, EASEMENTS AND FRANCHISES OF THE SUTTON WATER COMPANY.

Be it enacted, etc., as follows:

Section 2 of chapter 603 of the acts of 1967 is hereby amended by adding the following sentence: — Any provision in this section to the contrary notwithstanding, nothing in this act shall be deemed to prohibit the district from acquiring by purchase or otherwise the property rights, easements and franchises of Daniel S. Smith of the town of Sutton, his executors, administrators or assigns, doing business under the firm name and style of Sutton Water Company.

Approved May 9, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 14, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 284 of the Acts of 1969, entitled "AN ACT AUTHORIZING THE WILKINSONVILLE WATER DISTRICT TO ACQUIRE CERTAIN PROPERTY RIGHTS, EASEMENTS AND FRANCHISES OF THE SUTTON WATER COMPANY." and the enactment of which received my approval on May 9, 1969, should take effect forthwith.

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

A project to house the elderly is to be developed in the town of Sutton and the Wilkinsonville Water District will be servicing this project. Bonds will have to be issued by the District and the postponement of the operation of this act would cause needless delay in allowing this District to move forward in its planning.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 14, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying satement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at two o'clock and fifteen minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter two hundred and eighty-four of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 285. AN ACT CHANGING THE NAME OF THE HEBREW TEACHERS COLLEGE TO THE HEBREW COLLEGE.

Be it enacted, etc., as follows:

Section 1 of chapter 112 of the acts of 1927, as appearing in section 1 of chapter 39 of the acts of 1953, is hereby amended by striking out, in line 8, the word "Teachers". *Approved May 9, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 9, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 285 of the Acts of 1969, entitled "AN ACT CHANGING THE NAME OF THE HEBREW TEACHERS COLLEGE TO THE HEBREW COLLEGE." and the enactment of which received my approval on May 9, 1969, 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: —

Graduation exercises are to be held very shortly and the school authorities would like to have the new name of the college imprinted on the diplomas.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 9, 1969.

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

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 286. AN ACT PROVIDING THAT THE CHANCELLOR OF THE BOARD OF HIGHER EDUCATION SERVE AS AN EX OFFICIO MEMBER OF THE BOARD OF TRUSTEES OF STATE COLLEGES.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of the first paragraph of section 20A of chapter 15 of the General Laws, as appearing in section 3 of chapter 572 of the acts of 1965, is hereby amended by adding the following words: — ; provided, however, that the chancellor of the board of higher education shall serve as an ex officio member of the board but shall not have the right to vote.

SECTION 2. The second paragraph of said section 20A of said chapter 15, as so appearing, is hereby amended by inserting after the word "board", in line 1, the words: — , except the chancellor of the board of higher education, .

Approved May 9, 1969.

Chap. 287. AN ACT RELATIVE TO PLACING THE NAMES OF CERTAIN INCUMBENTS OF THE POSITION OF MOTOR VEHICLE EXAMINER ON AN ELIGIBLE LIST ESTABLISHED IN THE YEAR NINETEEN HUNDRED AND SIXTY-EIGHT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow the registrar of motor vehicles to retain the services of experienced employees serving in temporary positions, 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:

Notwithstanding any law to the contrary, the names of Alan J. Boyd, Santo S. Rizzotto, Peter J. Bartolo, Toivo A. Anderson and Frank E. Adams which appeared on the eligible list for motor vehicle examiner which expired on July twentieth, nineteen hundred and sixty-eight shall be interspersed according to grade and priority with the names of those on the eligible list established for motor vehicle examiner on July twenty-second, nineteen hundred and sixty-eight in accordance with the civil service law and rules for the period of eligibility of the list established on July twenty-second, nineteen hundred and sixty-eight.

(This Bill, returned by the acting governor, to the House of Representatives, the branch in which it originated, with his objections thereto, was

passed by the House of Representatives, May 13, 1969, and, in concurrence, by the Senate, May 13, 1969, the objections of the acting governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

Chap. 288. AN ACT COMBINING THE OFFICES OF TREE WARDEN AND SUPERINTENDENT OF INSECT PEST CONTROL IN THE TOWN OF MARBLEHEAD.

Be it enacted, etc., as follows:

SECTION 1. The office of superintendent of insect pest control and the office of tree warden in the town of Marblehead are hereby combined and the powers and duties pertaining to said offices shall be exercised and performed by the tree warden. All laws from time to time in force relating to the tree warden and superintendent of insect pest control and not inconsistent with the provisions of this act shall apply to the office of tree warden in said town.

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

Approved May 14, 1969.

Chap. 289. AN ACT AUTHORIZING THE LICENSING BOARD OF THE TOWN OF NORTHFIELD TO ISSUE A CERTAIN LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES BY CERTAIN HOTELS.

Be it enacted, etc., as follows:

SECTION 1. The licensing board of the town of Northfield is hereby authorized to issue a license under the provisions of subdivision D of section eleven of chapter one hundred and thirty-eight of the General Laws for the sale of all alcoholic beverages by a hotel having a dining room capacity of not less than ninety-nine persons and a lodging capacity of not less than fifty rooms such license to remain in effect until December thirty-first, nineteen hundred and seventy.

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

Approved May 14, 1969.

Chap. 290. AN ACT AUTHORIZING THE COURT TO VACATE JUDGMENT AND STAY EXECUTION THEREOF WITHOUT REQUIRING SECURITY OR BOND.

Be it enacted, etc., as follows:

Section 24 of chapter 250 of the General Laws is hereby amended by adding the following sentence: — The court may, in its discretion, vacate judgment and stay or supersede execution thereof without requiring bond or security, if it is satisfied that the petitioner has insufficient funds available to him to furnish the necessary bond or security.

Approved May 14, 1969.

Chap. 291. AN ACT INCREASING THE PERIOD FOR WHICH A PAROLEE MAY BE HELD IN TEMPORARY CUSTODY ON WARRANT OF A PAROLE OFFICER.

Be it enacted, etc., as follows:

Section 149A of chapter 127 of the General Laws, as appearing in chapter 765 of the acts of 1965, is hereby amended by striking out, in line 6, the word "five" and inserting in place thereof the word: — fifteen.

Approved May 14, 1969.

Chap. 292. AN ACT CHANGING THE REQUIREMENT OF PROOF FROM THE VETERANS ADMINISTRATION IN CERTAIN CASES WHERE REAL ESTATE TAX EXEMPTIONS HAVE BEEN GRANTED VETERANS OR WIDOWS IN PRIOR YEARS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*a*) of clause Twenty-second of section 5 of chapter 59 of the General Laws is hereby amended by adding the following sentence: — After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been allowed, unless the disability rating determined by the Veterans Administration or any branch of the armed forces is reduced to less than ten per cent.

SECTION 2. Paragraph (*f*) of said clause Twenty-second of said section 5 of said chapter 59 is hereby amended by adding the following sentence: — After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been so allowed, except that the assessors may require an annual statement that such widow has remained unmarried.

SECTION 3. Clause Twenty-second B of said section 5 of said chapter 59 is hereby amended by inserting after the first paragraph the following paragraph: —

After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been so allowed.

SECTION 4. Clause Twenty-second C of said section 5 of said chapter 59 is hereby amended by inserting after the first paragraph the following paragraph: —

After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been so allowed.

SECTION 5. This act shall be applicable to taxes levied in the year nineteen hundred and sixty-nine and subsequent years.

Approved May 14, 1969.

Chap. 293. AN ACT PROVIDING PENALTIES FOR PROCESS SERVERS WHO WILLFULLY MAKE FALSE STATEMENTS REGARDING SERVICE OF PROCESS.

Be it enacted, etc., as follows:

Chapter 268 of the General Laws is hereby amended by inserting after section 6A the following section: —

Section 6B. Any process server who returns to the court a writ or other official instrument of process on which he has willfully falsified either the fact that service has been made, or the fact that a particular kind of service has been made, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year. *Approved May 14, 1969.*

Chap. 294. AN ACT PROHIBITING JUSTICES OF THE PEACE AND NOTARIES PUBLIC FROM CHARGING FEES FOR COMPLETING JURATS ON OFFICIAL ABSENT VOTING BALLOT ENVELOPES.

Be it enacted, etc., as follows:

Section 43 of chapter 262 of the General Laws is hereby amended by adding the following sentence: — Neither justices of the peace nor notaries public shall charge any fee for completing the jurat on official absent voting ballot envelopes bearing the affidavits specified in subsection (*c*) of section eighty-seven of chapter fifty-four.

Approved May 14, 1969.

Chap. 295. AN ACT AUTHORIZING THE CONSERVATION COMMISSION OF THE TOWN OF SWAMPSCOTT TO SELL CERTAIN LAND AND TO RETAIN THE PROCEEDS IN THE CONSERVATION FUND.

Be it enacted, etc., as follows:

The conservation commission of the town of Swampscott is hereby authorized to sell a certain parcel of land on Nason road in said town being shown as lot 66 on Assessors' plate 22, at public auction and to retain the proceeds of said sale in the conservation fund of said town.

Approved May 14, 1969.

Chap. 296. AN ACT RELATIVE TO THE QUALIFICATIONS OF PERSONS APPOINTED OR ELECTED TO FILL VACANCIES IN CERTAIN TOWN OFFICES.

Be it enacted, etc., as follows:

Section 11 of chapter 41 of the General Laws, as amended by section 3 of chapter 341 of the acts of 1938, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next annual meeting or until another is qualified. *Approved May 14, 1969.*

Chap. 297. AN ACT AUTHORIZING THE LAWRENCE AIRPORT COMMISSION TO RECONVEY OR RELEASE AN EASEMENT ACQUIRED BY IT.

Be it enacted, etc., as follows:

The Lawrence Airport Commission is hereby authorized and empowered to reconvey or release to Horace N. Stevens, Jr. and Old Colony Trust Company, Trustees of Trust B under the will of Abbot Stevens, or to any grantee or successor of such Trustees, any easement or right taken or acquired in a tract of land of such Trustees, situated in the town of North Andover, by order of taking by said commission dated September twenty-eight, nineteen hundred and sixty-four, recorded with North Essex Deeds in Book 1019, Page 153, in consideration of the grant to said commission of an easement or right satisfactory to said commission in part of the land now or formerly of said trustees.

Approved May 14, 1969.

Chap. 298. AN ACT PROVIDING THAT THE DIRECTOR OF CIVIL SERVICE MAY RELY ON AN UNASSEMBLED EXAMINATION TO QUALIFY AND RANK APPLICANTS FOR POSITIONS REQUIRING EXCEPTIONAL EDUCATIONAL QUALIFICATIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 31 of the General Laws is hereby amended by striking out the definition of "Unassembled examination", inserted by section 4 of chapter 780 of the acts of 1967, and inserting in place thereof the following definition: —

"Unassembled examination", an examination which consists of grading an examinee on the basis of his training and experience.

SECTION 2. Said chapter 31 is hereby further amended by striking out section 6B, inserted by section 10 of said chapter 780, and inserting in place thereof the following section: —

Section 6B. Whenever qualifications of a scientific or professional character requiring education at or above the doctorate level are established for an office or position by statute or under authority thereof, the director, in his discretion and subject to the provisions, wherever applicable, of section twenty-three, may rely upon an unassembled examination to qualify and rank applicants for appointment or promotion to such position.

At his discretion and subject to the provisions, wherever applicable, of section twenty-three, the director may rely upon an unassembled examination to qualify and rank applicants for appointment or promotion to a position the major duty of which is such that the incumbent is required to possess a certificate, registration or license issued after examination by one of the state boards of registration or examiners under the provisions of chapter one hundred and twelve, one hundred and forty-one or one hundred and forty-two, or a license or certificate of competency issued under the provisions of chapter one hundred and forty-six.

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 inclusion

of a practical written test in an examination for a position in the service of the commonwealth or political subdivision thereof, the provisions of this section relative to an unassembled examination shall not apply.

Approved May 14, 1969.

Chap. 299. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES BY CERTAIN RESTAURANTS IN THE TOWN OF LEXINGTON.

Be it enacted, etc., as follows:

The state secretary shall cause to be placed on the official ballot used in the town of Lexington at each biennial state election the following subdivision to the question which he is required under the provisions of section eleven of chapter one hundred and thirty-eight of the General Laws to place on the official ballot in all cities and towns and, under the provisions of chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-eight, in the town of Lexington at such elections, to wit: —

F. Shall licenses be granted in the town of Lexington for the sale therein of all alcoholic beverages by restaurants having a dining room capacity of not less than ninety-nine persons?

YES.	
NO.	

If a majority of the votes cast in said town in answer to subdivision F is in the affirmative, said town shall, irrespective of the results of the votes in answer to subdivisions A, B, C, D and E be taken to authorize for the two calendar years next succeeding, the sale in said town of all alcoholic beverages to be drunk on the premises of restaurants having a dining room capacity of not less than ninety-nine persons, in accordance with the provisions of said chapter one hundred and thirty-eight.

Approved May 14, 1969.

Chap. 300. AN ACT AUTHORIZING THE TOWN OF PROVINCETOWN TO BORROW MONEY FOR HARBOR IMPROVEMENT PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Provincetown may borrow from time to time such sums as may be necessary not exceeding, in the aggregate, the sum of three hundred and eighty thousand dollars, and may issue bonds and notes therefor, which shall bear on their face the words, Town of Provincetown Harbor Improvements Loan, Act of 1969, to pay the town's share of the cost of the improvement of its harbor by the construction pursuant to section twenty-nine of chapter ninety-one of the General Laws of a breakwater of stone or concrete. Each such issue shall constitute a separate loan and each such loan shall be paid in not more than twenty years from its date. Indebtedness incurred under this act shall not be subject to approval as required by section two of chapter seventy-four of the acts of nineteen hundred and forty-five, as amended, but shall be in excess of the statutory limit and shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitations contained in the first paragraph of section seven thereof.

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

Approved May 15, 1969.

Chap. 301. AN ACT FURTHER DEFINING THE LAW RELATING TO POLYGAMY.

Be it enacted, etc., as follows:

Section 15 of chapter 272 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 11 to 13, inclusive, the words "and who is not the guilty cause of such divorce, nor to any person who has been legally divorced after the expiration of two years from the time of the entry of the absolute decree of divorce". *Approved May 15, 1969.*

Chap. 302. AN ACT ESTABLISHING THE BONDSVILLE FIRE AND WATER DISTRICT AND DISSOLVING THE BONDSVILLE FIRE DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Palmer, liable to taxation in said town and residing within the territory comprised within the following boundary lines, — to wit: Beginning at the point of intersection of the Westerly bank of Ware River and the line marking the boundary between the Town of Ware and the Town of Palmer; thence running S. 69° 55′ W. along said line marking the boundary between the Town of Ware and the Town of Palmer to the Southeasterly bank of the Swift River; thence running Southwesterly and Southerly along the Southeasterly and Easterly bank of the Swift River to a point where the Easterly bank of the Swift River joins the Northerly bank of the Ware River; thence running Easterly along the Northerly bank of said Ware River to the Northeast abutment of Dutton Bridge, so-called; thence running Northeasterly in a straight line to the intersection of the Westerly line of State Street and the Southerly line of Summer Street; thence Southeasterly along the Northeasterly line of State Street to the Northwesterly bank of the Ware River; thence running Northerly along the Westerly bank of said Ware River to the place of beginning, — shall constitute a water district and are hereby made a body corporate by the name of the Bondsville Fire and Water District, hereinafter called the district, for the purpose of supplying themselves and others, for fair consideration, 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. 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, including the metropolitan water district acting through the metropolitan district commission, for whatever water may be required, authority to furnish the same being hereby granted, and, subject nevertheless to section fif-

teen, 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, which are within the town of Palmer and adjacent towns and, except in the case of property referred to in said section fifteen, not already appropriated for the purposes of a public water supply, and the water and flowage rights connected with any such water sources; and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold all lands, rights-of-way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the department of public health, and that the location and arrangement of all dams, reservoirs, springs, wells, pumping, purification and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The district may construct and maintain on the lands acquired and held under this act proper dams, wells, springs, reservoirs, standpipes, tanks, pumping plants, buildings, fixtures and other structures, including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective waterworks; and for that purpose may construct pipelines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, watercourses, railroads, 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 Palmer. 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, and the district is empowered and authorized to sell and distribute water and provide fire protection services to any adjacent town, district or any part thereof on such terms and conditions and for such consideration as the commissioners may determine.

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, two hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Bondsville Fire and Water District Loan, Act of 1969. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 5. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four of this act; and, when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its waterworks and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under this act, shall without further vote be assessed upon the district by the assessors of said town of Palmer 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 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 boundaries set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the district to be held prior to the qualification of a majority of the water commissioners, shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the water commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the district.

SECTION 9. The district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in said district, to hold office, one until the expiration of three years, one until the expiration of two years and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-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 said district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district. The treasurer shall not be a water commissioner, and shall give bond to the district in such an amount as may be approved by said water commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said water commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its water works except upon a written order of said water commissioners or a majority of them.

SECTION 10. Said board of water commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act.

If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said water commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

SECTION 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 or abutting on said district and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said water commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the question of including said real estate within the district.

If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within thirty 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. The district shall have all the rights of fire districts contained in chapter forty-eight of the General Laws not inconsistent with this act and the board of water commissioners established hereunder shall have all the powers and duties conferred upon prudential committees and boards of engineers under said chapter forty-eight.

SECTION 15. Nothing in this act shall authorize the district to supply water for the extinguishment of fire or for domestic or other purposes to the inhabitants of the area served on the effective date of this act by

Bondsville Water Company, a Massachusetts corporation, or its assigns, without first having acquired by purchase, or by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws as the occasion may arise, all of the properties of said Bondsville Water Company, or its assigns, on said date appurtenant to the business of water supply and located within the area served by said Bondsville Water Company or its assigns. In case of dispute as to the area served by said Bondsville Water Company or its assigns on said date, the department of public utilities, upon application of the district or of said Bondsville Water Company, or its assigns, shall determine such area and such determination shall be final.

SECTION 16. Upon the qualification of said water commissioners, the Bondsville Fire District shall be dissolved and the terms of office of the officers of said district shall be terminated.

Approved May 15, 1969.

Chap. 303. AN ACT PROVIDING FOR THE ELECTRICAL OPERATION OF APARTMENT HOUSE DOOR LOCKS.

Be it enacted, etc., as follows:

The first paragraph of section 3R of chapter 143 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 464 of the acts of 1965, and inserting in place thereof the following sentence: — At least one of the doors of the main common entryway into every apartment house having more than three apartments shall be so designed or equipped as to close and lock automatically with a lock, including a lock with an electrically-operated striker mechanism, a self-closing door and associated equipment, and such lock, door or equipment shall be of a type approved by the board of standards in the department. *Approved May 15, 1969.*

Chap. 304. AN ACT RELATIVE TO THE DISPLAY OF IDENTIFICATION NUMBERS ON MOTORBOATS.

Be it enacted, etc., as follows:

Paragraph (*a*) of section 3 of chapter 90B of the General Laws is hereby amended by inserting after the sixth sentence the following sentence: — Subject to the exceptions listed in section two, no identification number shall be displayed on any vessel on the waters of the commonwealth by the owner of any motorboat principally used in the commonwealth unless said owner has a valid certificate of number issued by the director. *Approved May 15, 1969.*

Chap. 305. AN ACT FURTHER REGULATING THE ISSUANCE OF ALCOHOLIC BEVERAGE LICENSES IN THE PROXIMITY OF SCHOOLS.

Be it enacted, etc., as follows:

Section 16C of chapter 138 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 435 of the acts of 1968, and inserting in place thereof the following paragraph: —

Premises, except those of an innholder and except such parts of build-

ings as are located ten or more floors above street level, 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 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, nor shall it apply to the licensing of premises located within a radius of five hundred feet of a church or school if the governing body of such church or school assents in writing to such licensing. The term governing body as used in the preceding sentence shall mean the school committee, in the case of a public school. *Approved May 15, 1969.*

Chap. 306. AN ACT AUTHORIZING THE TOWN OF PALMER TO SELL CERTAIN PARK LAND TO THE PALMER HOUSING AUTHORITY FOR THE PURPOSE OF CONSTRUCTION OF HOUSING FOR THE ELDERLY.

Be it enacted, etc., as follows:

The selectmen of the town of Palmer may sell and convey to the Palmer Housing Authority, for construction of housing for the elderly, a certain parcel of park land in said city bounded and described as follows: —

Beginning at the point of intersection of the Easterly line of North Main Street and the Southerly line of the Massachusetts Turnpike Authority, and thence Easterly in a curve to the right with a radius of 4780.00 feet, a length of 446.93 feet along the Southerly line of said Massachusetts Turnpike Authority to a point at remaining land of the Town of Palmer known as Burleigh Park; thence turning and running S. 9° 58′ 34″ E. 67.23 feet along said last named land to a point at Parcel B now or formerly of Garrett P. T. and Madeline G. Cavanaugh; thence turning and running S. 83° 50′ 20″ W. 449.37 feet along said land of Cavanaugh to a point on the Easterly side of North Main Street; thence turning and running N. 7° 51′ 30″ W. 45.35 feet along the Easterly side of North Main Street to the point of beginning. Containing about 26,753 square feet. *Approved May 15, 1969.*

Chap. 307. AN ACT RELATIVE TO THE LATERAL PROJECTION OF MIRRORS AND OTHER EXTERIOR DEVICES ON CERTAIN MOTOR VEHICLES AND TRAILERS.

Be it enacted, etc., as follows:

The first sentence of section 19 of chapter 90 of the General Laws, as most recently amended by chapter 395 of the acts of 1967, is hereby further amended by inserting after the word "inches", in line 11, the words: —; provided, that such width may be further exceeded by the lateral projection of mirrors or other devices on semitrailer units, truck trailer combinations, tractors, commercial vehicles having a registered gross weight in excess of ten thousand pounds, a bus or a school bus, so long as such mirrors or other devices will not increase the outside width of such vehicles above one hundred and six inches and provided such mirrors or other devices are so mounted as not to constitute a hazard to pedestrians on or adjacent to any public way. *Approved May 15, 1969.*

Chap. 308. AN ACT AUTHORIZING THE ESTABLISHMENT OF A SEPARATE ACCOUNT IN THE TREASURY OF THE CITY OF BEVERLY CONSISTING OF RECEIPTS OF ITS YOUTH ACTIVITIES COMMISSION AND PROVIDING FOR EXPENDITURES THEREFROM WITHOUT FURTHER APPROPRIATION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws, the youth activities commission of the city of Beverly shall deposit with the treasurer of said city all receipts derived from the conduct of its activities and said receipts shall be held by said treasurer as a separate account and the principal and interest thereof may be expended by said commission without further appropriation in such manner and at such times as in the discretion of said commission best serve and promote the purposes for which said commission was established.

SECTION 2. This act shall take effect upon its acceptance by the city of Beverly. *Approved May 15, 1969.*

Chap. 309. AN ACT PROVIDING TENURE OF OFFICE FOR FREDERICK HOBART, INCUMBENT OF THE OFFICE OF HIGHWAY SUPERINTENDENT IN THE TOWN OF HOLBROOK UNTIL HE ATTAINS AGE SEVENTY.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the tenure of Frederick Hobart, incumbent of the office of highway superintendent of the town of Holbrook shall, upon the effective date of this act, be unlimited until he attains age seventy, 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.

Approved May 15, 1969.

Chap. 310. AN ACT PROVIDING FOR AN EXCISE IN LIEU OF A PROPERTY TAX ON CERTAIN FARM ANIMALS AND DOMESTIC FOWL OF CERTAIN PERSONS UNDER AGE TWENTY-ONE.

Be it enacted, etc., as follows:

Section 8A of chapter 59 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 285 of the acts of 1964, and inserting in place thereof the following paragraph: —

Any person, not including a corporation, engaged principally in agriculture, who owns farm machinery and equipment, other than motor vehicles and trailers which are exempt under clause Thirty-fifth of section five, or mules, horses, neat cattle, swine, sheep, goats, domestic fowl or mink, which are not exempt under clause Twenty-first of section five, and any individual under twenty-one years of age who owns and raises any such animals or fowl in connection with an agricultural youth program, including but not limited to the 4H Clubs and Future Farmers of America, which are not exempt under said clause Twenty-first of

section five, shall annually, on or before March first, make a return on oath to the assessors of the town where such machinery and equipment or such animals and fowl are located, setting forth the make, age, model if any, and purchase price of such machinery and equipment and the number and kind of each class of such animals and fowl owned by him on the next preceding January first. If the assessors are satisfied of the truth of the return they shall assess such machinery and equipment and such animals and fowl at the rate of five dollars per one thousand dollars of valuation, as determined by the state tax commission, of such machinery and equipment and of each class and kind of such animals and fowl, and such persons shall be otherwise exempt from taxation on these classes of property under this chapter. *Approved May 15, 1969.*

Chap. 311. AN ACT AUTHORIZING DOMESTIC INSURANCE COMPANIES AND THEIR SUBSIDIARIES TO ESTABLISH PENSION AND INSURANCE PLANS FOR EMPLOYEES WITHOUT THE APPROVAL OF THE COMMISSIONER OF INSURANCE.

Be it enacted, etc., as follows:

SECTION 1. Section 36 of chapter 175 of the General Laws is hereby amended by striking out the second, third and fourth paragraphs and inserting in place thereof the following three paragraphs: —

Any such company may also establish or amend an employee's savings fund, pension system or association for the benefit of its employees. Such a fund, system or association may be an association described in sections thirty-nine, forty and forty-one of chapter thirty-two and subject thereto.

Any domestic life company may also provide for the payment of pensions to its aged or disabled employees under a group contract issued by it. Such a company may insure the lives of its employees under a group policy issued by it, which shall be subject to the provisions of sections one hundred and thirty-three to one hundred and thirty-six, inclusive, so far as applicable. The provisions of section ninety-four, relative to membership and voting rights in a domestic mutual life company, shall not apply to any person covered by or insured under any such contract or policy.

The term "employee", as used in this section and in sections thirty-six, thirty-six A and thirty-six B, may include the officers, managers, agents and employees of subsidiary or affiliated corporations, and the individual proprietors, partners, agents and employees of affiliated individuals and firms, if the business of the domestic insurance company and of such subsidiary or affiliated corporations, firms or individuals is under common control through stock ownership, contract or otherwise.

SECTION 2. The first sentence of section 36A of said chapter 175, as amended by chapter 261 of the acts of 1959, is hereby further amended by striking out, in line 4, the words ", with written approval of the commissioner,".

SECTION 3. Section 36B of said chapter 175, inserted by chapter 247 of the acts of 1954, is hereby amended by striking out, in line 4, the words ", with the written approval of the commissioner," — and by striking out, in lines 7 and 8, the sentence: — The term "employee", as used in this section, shall include an officer. *Approved May 15, 1969.*

Chap. 312. AN ACT INCREASING THE AMOUNT WHICH MAY BE BORROWED AND EXPENDED BY THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY FOR THE CONSTRUCTION OF A COURT HOUSE IN THE TOWN OF ORLEANS FOR THE SECOND DISTRICT COURT OF BARNSTABLE.

Be it enacted, etc., as follows:

SECTION 1. The fifth paragraph of section 1 of chapter 657 of the acts of 1967 is hereby amended by striking out, in line 4, the word "nine" and inserting in place thereof the words: — one million, one.

SECTION 2. Section 2 of said chapter 657 is hereby amended by striking out, in line 4, the word "nine" and inserting in place thereof the words: — one million, one.

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

Approved May 15, 1969.

Chap. 313. AN ACT FURTHER REGULATING THE USE OF TITLES OR OTHER DESCRIPITIVE WORDS OR LETTERS BY PERSONS LICENSED TO PRACTICE CHIROPRACTIC IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 95 of chapter 112 of the General Laws, as appearing in section 2 of chapter 409 of the acts of 1966, is hereby amended by striking out, in lines 18 to 20, inclusive, the words "of the titles, words or letters 'doctor of chiropractic', 'D. C.', or any other titles or letters other than 'registered chiropractor' " and inserting in place thereof the words: — title, words or letters which do not indicate that he is engaged in the practice of chiropractic. *Approved May 16, 1969.*

Chap. 314. AN ACT PROHIBITING UNLAWFUL DISCRIMINATION BY THE USE OF CERTAIN CRIMINAL RECORDS AGAINST PERSONS SEEKING EMPLOYMENT.

Be it enacted, etc., as follows:

Section 4 of chapter 151B of the General Laws is hereby amended by inserting after subsection 8 the following subsection: —

9. For an employer, himself or through his agent, to refuse to hire or employ, or to bar or discharge from employment, any person by reason of his failure to furnish information regarding his arrest for or conviction of any misdemeanor where such arrest or conviction occurred more than ten years prior to the date of such refusal, barring from employment or discharge, unless such person was punished by imprisonment, or unless such individual has been arrested for or convicted of any offense within ten years of such date, or unless such misdemeanor involved a violation of the narcotic drugs law, as set forth in sections one hundred and ninety-seven to two hundred and seventeen E, inclusive, of chapter ninety-four, or a violation of any provision of the laws relating to sexual offenses referred to in section four B of chapter one hundred and forty-seven. An application form for employment which con-

tains an inquiry as to the police record of the applicant shall include a statement that no information concerning any arrest for or conviction of a misdemeanor which occurred more than ten years prior to the date of such application for employment shall be required unless (*a*) the applicant was sentenced to imprisonment upon conviction of such misdemeanor, or (*b*) such misdemeanor involved a violation of the narcotic drugs law or a violation of any provisions of the laws relating to sexual offenses, or (*c*) such individual has been convicted of any offense within ten years of such date. *Approved May 19, 1969.*

Chap. 315. AN ACT AUTHORIZING THE CITY OF PEABODY TO EXPEND THE PROCEEDS OF A CERTAIN LOAN FOR LAND DAMAGES.

Be it enacted, etc., as follows:

SECTION 1. The city of Peabody is hereby authorized to make expenditures for the payment of damages on account of the acquisition of land for various water purposes from the proceeds of a loan which was authorized by an order of the city council on the thirteenth day of February in the year nineteen hundred and sixty-nine and approved by the mayor on the eighteenth day of February in the year nineteen hundred and sixty-nine, which order authorized a loan for various water purposes, notwithstanding that the takings were made prior to the eighteenth day of February in the year nineteen hundred and sixty-nine when there were insufficient funds available to pay for the amount of the damages due to said acquisition.

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

Approved May 20, 1969.

Chap. 316. AN ACT AUTHORIZING THE TOWN OF AMESBURY TO PAY A CERTAIN SUM OF MONEY TO E. F. MAHADY COMPANY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Amesbury 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 one thousand nine hundred and ninety-seven dollars to E. F. Mahady Company for hospital equipment purchased by the Amesbury hospital trustees in the year nineteen hundred and sixty-seven, said bill being legally unenforceable by reason of it not having been incurred pursuant to the provisions of the General Laws and town by-laws.

SECTION 2. The acts and proceedings taken at the town meeting of the town of Amesbury on March eighteenth, nineteen hundred and sixty-eight, and contained in Article 87 of the warrant for said meeting, and all acts done in pursuance thereof, are hereby confirmed and validated.

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

Approved May 20, 1969.

Chap. 317. AN ACT VALIDATING THE ACTS AND PROCEEDINGS AT THE ANNUAL TOWN MEETING OF THE TOWN OF WRENTHAM IN THE YEAR NINETEEN HUNDRED AND SIXTY-NINE.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the town of Wrentham at the annual town meeting held in the year nineteen hundred and sixty-nine, and all acts in pursuance thereof, are hereby confirmed and made valid, notwithstanding the failure of said town to post the warrant prior to the holding of said meeting within the time required by law.

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

Approved May 20, 1969.

Chap. 318. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO GRANT A CERTAIN ANNUITY TO MILDRED KANE, WIDOW OF JOHN F. KANE.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, and for the purpose of promoting the public good, the city of Springfield may, from and after the effective date of this act, grant to Mildred Kane, the widow of a former fire fighter in the fire department of said city, John F. Kane, an annuity in the amount she would have received if the provisions of option (*d*) of subdivision (2) of section twelve of chapter thirty-two of the General Laws as in effect immediately prior to the effective date of this act had been in effect on the date of his death.

Approved May 20, 1969.

Chap. 319. AN ACT FURTHER REGULATING THE RESERVE FUND IN CREDIT UNIONS.

Be it enacted, etc., as follows:

Section 20 of chapter 171 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 14, the words "unless the same are well secured and in the process of collection" and inserting in place thereof the following: — or more, unless provision has been made for eventual repayment by means of a program of adequate periodic payments or unless the loan is secured by sufficient collateral, — so that the last sentence will read as follows: — All debts due to any credit union on which interest or partial payments on the principal are due and unpaid for a period of six months or more, unless provision has been made for eventual repayment by means of a program of adequate periodic payments or unless the loan is secured by sufficient collateral, shall be considered bad debts within the meaning of this section.

Approved May 20, 1969.

Chap. 320. AN ACT AUTHORIZING CERTAIN EDUCATIONAL INSTITUTIONS TO APPOINT PARKING CONTROL OFFICERS.

Be it enacted, etc., as follows:

Chapter 147 of the General Laws is hereby amended by striking out section 10F, inserted by chapter 381 of the acts of 1965, and inserting in place thereof the following section: —

Section 10F. Any board or officer authorized to appoint police officers in any city or town which accepts this section, and any college, university or other educational institution empowered by law to make or establish rules or regulations regulating the parking of motor vehicles, 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 May 20, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 20, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 320 of the Acts of 1969, entitled "AN ACT AUTHORIZING CERTAIN EDUCATIONAL INSTITUTIONS TO APPOINT PARKING CONTROL OFFICERS." and the enactment of which received my approval on May 20, 1969, 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:

This bill empowers college or university police to ticket cars and issue parking violations. This authority has been restricted to the local police. Illegal parking around college and university campuses is so severe that to have the police at these campuses the ones who do the ticketing, would not only tend to lessen the situation but would also take some of the load from the local police.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 21, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting 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 three hundred and twenty of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 321. AN ACT FURTHER REGULATING COLLATERAL LOANS MADE BY SAVINGS BANKS TO SPECIAL NOTICE ACCOUNT DEPOSITORS.

Be it enacted, etc., as follows:

Paragraph 3 of section 38 of chapter 168 of the General Laws is hereby amended by striking out the words "; provided, however, that no such corporation shall make a loan to one of its own special notice account

depositors secured by the pledge of the deposit book evidencing such depositor's special notice account unless such loan either is made pursuant to the provisions of section forty or is for a period of not less than six months", added by section 6 of chapter 169 of the acts of 1962.

Approved May 20, 1969.

Chap. 322. AN ACT INCREASING THE PERCENTAGE OF DEPOSITS OF SAVINGS BANKS WHICH MAY BE USED FOR IMPROVEMENT LOANS.

Be it enacted, etc., as follows:

Paragraph 10 of section 35 of chapter 168 of the General Laws is hereby amended by striking out the fifth sentence, as appearing in section 1 of chapter 432 of the acts of 1955, and inserting in place thereof the following sentence: — The aggregate balance of principal outstanding at any one time on loans of this class shall not exceed four per cent of the deposits of such corporation. *Approved May 20, 1969.*

Chap. 323. AN ACT AUTHORIZING THE COLLECTOR OF TAXES FOR THE CITY OF HOLYOKE TO PAY THE PROCEEDS FROM CERTAIN WATER LIENS TO ITS BOARD OF WATER COMMISSIONERS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the collector of taxes for the city of Holyoke is hereby authorized to pay the proceeds from the collection of water liens under section forty-two A to forty-two E, inclusive, of chapter forty of the General Laws to its board of water commissioners.

Approved May 20, 1969.

Chap. 324. AN ACT INCREASING THE CONTRIBUTIONS WHICH CREDIT UNIONS MAY MAKE TO THE CREDIT UNION EMPLOYEES RETIREMENT ASSOCIATION.

Be it enacted, etc., as follows:

The third paragraph of section 31 of chapter 171 of the General Laws, as appearing in chapter 449 of the acts of 1965, is hereby amended by striking out, in line 9, the word "ten" and inserting in place thereof the word: — fifteen. *Approved May 20, 1969.*

Chap. 325. AN ACT MAKING CERTAIN PERFECTING CHANGES IN THE LAW PROVIDING SUITABLE RECOGNITION OF THOSE RESIDENTS OF THE COMMONWEALTH WHO SHALL HAVE SERVED IN THE ARMED FORCES OF THE UNITED STATES DURING THE VIETNAM CONFLICT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 646 of the acts of 1968 is hereby amended by inserting after the word "States", in line 4, the words: — in active service, — and by striking out, in lines 11, 12 and 13, inclusive, the words "and his enlistment, induction or commission in said armed

forces was credited to the quota of Massachusetts under the federal selective service act".

SECTION 2. Said section 1 of said chapter 646 is hereby further amended by adding the following three paragraphs: —

"Active service in the armed forces", as used in this section shall not include active duty for training in the army national guard or air national guard or active duty for training as a reservist in the armed forces of the United States.

The benefits of this section shall extend to any commissioned officer, warrant officer or person enlisted for an indefinite enlistment serving in the armed forces of the United States, who was domiciled as provided in this section and who served in said armed forces in active service for not less than three years since July first, nineteen hundred and fifty-eight in any grade or grades, and who is not otherwise entitled to said benefits solely for the reason that he has not received a discharge or release under honorable conditions from such service.

The benefits of this section shall also extend to include those persons who served on active duty less than six months since July first, nineteen hundred and sixty-eight, who have been discharged or released due to a disability or disease incurred in the line of duty, or were killed or died of injuries incurred while serving on active duty of less than six months; provided, however, they meet the requirements of this act.

SECTION 3. Section 7 of said chapter 646 is hereby amended by adding the following sentence: — The state treasurer shall furnish to the adjutant general a copy of Form DD-214 (report of separation of transfer from the armed forces) for the permanent records of the military division of the commonwealth. *Approved May 20, 1969.*

Chap. 326. AN ACT FURTHER INCREASING THE AMOUNT OF REAL AND PERSONAL ESTATE THAT DEAN ACADEMY MAY HOLD.

Be it enacted, etc., as follows:

Dean Academy, incorporated by chapter one hundred and seven of the acts of eighteen hundred and sixty-five, is hereby authorized to hold real and personal property to an amount not exceeding twenty-five million dollars. *Approved May 20, 1969.*

Chap. 327. AN ACT AUTHORIZING THE CITY OF HOLYOKE TO APPROPRIATE A SUM OF MONEY FOR THE CONSTRUCTION AND MAINTENANCE OF A CERTAIN GRADE CROSSING FOR TRUCKS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city of Holyoke is hereby authorized to appropriate money for the construction, operation and maintenance of a grade crossing, limited to trucks, over land of the Boston and Maine Railroad and located at North and South Canal streets in said city.

SECTION 2. For the purposes of section one the city of Holyoke may appropriate not more than twenty thousand dollars for the original construction of said crossing and a further sum of not more than nine thousand dollars a year for a period of three years for the maintenance and operation of said crossing. *Approved May 20, 1969.*

Chap. 328. AN ACT PLACING CERTAIN FORMER EMPLOYEES OF FAIRHAVEN WATER COMPANY NOW EMPLOYED BY THE BOARD OF PUBLIC WORKS OF SAID TOWN OF FAIRHAVEN UNDER THE CIVIL SERVICE LAW AND THE RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

Chapter 715 of the acts of 1966 is hereby amended by striking out section 3 and inserting in place thereof the following section: —

Section 3. The employees of the Fairhaven Water Company, on the date of the transfer of all its property and assets to the town of Fairhaven, shall be transferred to the service of the sewer and water department of said town or any successor department or board, and shall be subject to the provisions of chapter thirty-one of the General Laws but shall not be subjected to any qualifying examination and shall not have to serve any probationary period. Said employees shall be required to become members of the Fairhaven retirement system in the same manner and subject to the same laws, rules and regulations as persons entering the employ of said town. *Approved May 20, 1969.*

Chap. 329. AN ACT CREATING A PARKS AND RECREATION COMMISSION IN THE TOWN OF HARWICH.

Be it enacted, etc., as follows:

SECTION 1. The park department and the recreation commission of the town of Harwich are hereby abolished.

SECTION 2. There is hereby created in the town of Harwich a parks and recreation commission, to consist of nine members. Said commission shall have all the powers, duties, rights and obligations now vested by general law, special law or town meeting vote in the park department and the recreation commission of said town. The provisions of law relative to park commissions and recreation commissions shall, except insofar as the same may be inconsistent with the provisions of this act, apply to said parks and recreation commission.

SECTION 3. Upon the effective date of this act all employees of the park department and of the recreation commission of said town shall be transferred to said parks and recreation commission and shall continue to perform the same duties at not less than the salary being received on said date. 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 to 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; provided, that any person transferred who was not subject to said section nine A or said chapter thirty-one and persons appointed after the effective date of this act shall not be subject to said section nine A of chapter thirty or to any provision of said chapter thirty-one.

SECTION 4. The present members of the park department and of the recreation commission shall serve on the parks and recreation commission established by section one of this act until the end of the terms for

which they were originally elected to either the park department or recreation commission. Commencing with the year nineteen hundred and seventy, three members shall be elected to said parks and recreation commission for a term of three years. In the year nineteen hundred and seventy-one two members shall be elected for terms of three years. In the year nineteen hundred and seventy-two two members shall be elected for terms of three years. In the year nineteen hundred and seventy-three four members shall be elected, three for terms of three years and one for a term of two years; and thereafter all members shall be elected for terms of three years. *Approved May 20, 1969.*

Chap. 330. AN ACT AUTHORIZING CITIES AND TOWNS TO INDEMNIFY CERTAIN CIVIL DEFENSE VOLUNTEERS FOR CERTAIN INJURIES.

Be it enacted, etc., as follows:

Section 5 of chapter 40 of the General Laws is hereby amended by adding after clause (61) the following clause: —

(62) For the indemnification of an unpaid member of a civil defense agency, injured while responding to a call for assistance issued by a lawful authority of the appropriating town and for which such member would not be entitled to indemnification under any other provision of law. *Approved May 20, 1969.*

Chap. 331. AN ACT FURTHER REGULATING THE INVESTMENT OF CERTAIN TRUST FUNDS SUBJECT TO THE HEALTH, WELFARE AND RETIREMENT FUNDS LAW.

Be it enacted, etc., as follows:

Subsection (*c*) of section 3 of chapter 151D of the General Laws, as appearing in section 4 of chapter 655 of the acts of 1958, is hereby amended by inserting after the first paragraph the following paragraph: —

Nothing contained in this subsection shall be construed as prohibiting the purchase by the trustees at fair market value of any securities which are proper investments for trustees, nor the sale of such securities at such value. *Approved May 20, 1969.*

Chap. 332. AN ACT RELATIVE TO EXPENDITURES FOR THE CARE, MAINTENANCE AND REPAIR OF THE WORCESTER COUNTY HOSPITAL.

Be it enacted, etc., as follows:

The county commissioners of Worcester county are hereby authorized to expend for the year nineteen hundred and sixty-nine the sums set forth in this act for the care, maintenance and repair of the county hospital, 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 county commissioners and with the county treasurer a certification of the amounts set forth in the approved

schedules for such hospital. 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 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

Transfers within an appropriation between classes and between subclasses within a main group may be made by 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 and a graduate nurse who becomes a registered nurse may be paid an increased salary rate on account of such promotion, subject to approval by the county personnel board, and a person may receive an increased cash salary in lieu of maintenance formerly received, with like approval.

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 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.

WORCESTER COUNTY.

Item		
1.	For personal services	$997,262 28
2.	For contractual services	150,000 00
3.	For supplies and materials	160,000 00
4.	For current charges and obligations	92,424 59
5.	For equipment	20,725 00
8.	For debt and interest	25,000 00
10.	For unpaid bills of previous years	835 00
11.	For reserve fund	10,000 00
12.	For group insurance	24,000 00
	For total expenditures	$1,480,246 87

Approved May 20, 1969.

Chap. 333. AN ACT PROVIDING THAT A SPECIAL JUSTICE OF A DISTRICT COURT WHO SHALL RESIGN AFTER FIFTY YEARS OF SERVICE SHALL RECEIVE A PENSION EQUAL TO THREE FOURTHS OF THE SALARY OF THE JUSTICE OF HIS COURT.

Be it enacted, etc., as follows:

Section 65B of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 888 of the acts of 1967, is hereby further amended by inserting after the word "court", in line 13, the words: — or, if a special justice shall be so retired or shall resign his office, after in either case having served as a special justice for at least fifty years, he shall be entitled to a pension for life at an annual rate equal to three fourths of the annual rate of salary of the justice of his court or in the case of the municipal court of the city of Boston, three fourths of the annual rate of salary of an associate justice of said court, — so as to read as follows: —

Section 65B. A special justice of a district court, including the municipal court of the city of Boston, who shall be retired under Article LVIII of the Amendments to the Constitution, or a special justice thereof sixty-five years of age or over who shall resign his office, after in either case having served as a special justice for at least ten years, shall be entitled to receive a pension for life at an annual rate equal to three fourths of his average yearly earnings as special justice for any five years of service in said office, whether consecutive or not, for which such earnings were the highest, but not exceeding in any event an annual rate equal to three fourths of the annual rate of salary of the justice of his court or, in the case of the municipal court of the city of Boston, three fourths of the annual rate of salary of an associate justice of said court or, if a special justice shall be so retired or shall resign his office, after in either case having served as a special justice for at least fifty years, he shall be entitled to a pension for life at an annual rate equal to three fourths of the annual rate of salary of the justice of his court or in the case of the municipal court of the city of Boston, three fourths of the annual rate of salary of an associate justice of said court, payable from the same source and in the same manner as the salary of such justice or associate justice, as the case may be.

Approved May 22, 1969.

Chap. 334. AN ACT AUTHORIZING THE CITY OF WESTFIELD TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation, the city of Westfield is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, certain unpaid bills incurred by said city, totaling five hundred and twenty-five dollars, to Doctor Aldo J. Leani of Springfield for services rendered to Richard G. Oleksak and Philip M. Liptak, both members of the police department of said city, which bills are legally unenforceable against said city by reason of their having been incurred in the absence of available appropriations. *Approved May 22, 1969.*

Chap. 335. AN ACT PROVIDING THAT THE TREASURER OF THE CITY OF BOSTON AND THE COUNTY OF SUFFOLK MAKE PAYROLL DEDUCTIONS FROM THE SALARIES OF EMPLOYEES OF SAID CITY AND SAID COUNTY, RESPECTIVELY, AND PAY THE SAME OVER TO THE COLLECTIVE BARGAINING AGENCY AS AN AGENCY SERVICE FEE.

Be it enacted, etc., as follows:

SECTION 1. To assure that all employees of the city of Boston shall be adequately represented by their respective recognized or designated exclusive bargaining agents in bargaining collectively on questions of wages, hours and other conditions of employment, the collector-treasurer of said city shall deduct from each payment of salary made to each such employee during the life of a collective bargaining agreement so providing, and pay over to the exclusive bargaining agent of such employee, as an agency service fee, such sum, proportionately commensurate with the cost of collective bargaining and contract administration, as the collective bargaining agreement shall state; provided, however, that such sum shall not be deducted from any payment of salary until such collective bargaining agreement has been formally executed pursuant to a vote of a majority of all employees in the bargaining unit.

SECTION 2. To assure that all employees of the county of Suffolk shall be adequately represented by their respective recognized or designated exclusive bargaining agents in bargaining collectively on questions of wages, hours and other conditions of employment, the county treasurer shall deduct from each payment of salary made to each such employee during the life of a collective bargaining agreement so providing, and pay over to the exclusive bargaining agent of such employee, as an agency service fee, such sum, proportionately commensurate with the cost of collective bargaining and contract administration, as the collective bargaining agreement shall state; provided, however, that such sum shall not be deducted from any payment of salary until such collective bargaining agreement has been formally executed pursuant to a vote of a majority of all employees in the bargaining unit.

Approved May 22, 1969.

Chap. 336. AN ACT ESTABLISHING A PENALTY FOR FAILURE TO REEMPLOY A QUALIFIED WORKER WHO HAS RECEIVED WORKMEN'S COMPENSATION.

Be it enacted, etc., as follows:

Section 51B of chapter 149 of the General Laws, inserted by chapter 593 of the acts of 1958, is hereby amended by adding at the end thereof the following sentence: — An employer who violates this section shall be punished by a fine of not more than five hundred dollars.

Approved May 22, 1969.

Chap. 337. AN ACT INCREASING LIMITS UPON DEPOSITS IN SAVINGS BANKS AND UPON SAVINGS DEPOSITS IN TRUST COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 1 of section 21 of chapter 168 of the General Laws, as most recently amended by section 1 of chapter 253 of the acts

of 1963, is hereby further amended by striking out, in line 5, the word "thirty" and inserting in place thereof the word: — thirty-six.

SECTION 2. The first paragraph of section 22 of said chapter 168, as most recently amended by section 3 of said chapter 253, is hereby further amended by striking out, in line 4, the word "thirty" and inserting in place thereof the word: — thirty-six.

SECTION 3. Section 51 of chapter 172 of the General Laws is hereby further amended by striking out the first paragraph, as appearing in chapter 376 of the acts of 1963, and inserting in place thereof the following paragraph: —

A trust company may receive savings deposits subject to the following limitations: —

1. Deposits from any person for his own account or for the accounts of one or more distinct estates or trusts; but no such account shall be permitted to exceed thirty-six thousand dollars except by accumulation of interest.

2. Deposits on any joint account, but no such account shall be permitted to exceed thirty-six thousand dollars except by accumulation of interest. Either party to a joint account also may make deposits for his individual account, but the deposits in his individual account and in all joint accounts to which he is a party shall not at any one time exceed thirty-six thousand dollars, exclusive of interest accumulated thereon.

Approved May 22, 1969.

Chap. 338. AN ACT RELATIVE TO CERTAIN INVESTMENTS BY SAVINGS BANKS.

Be it enacted, etc., as follows:

SECTION 1. Section 49 of chapter 168 of the General Laws is hereby amended by striking out paragraph 6, as amended by section 2 of chapter 430 of the acts of 1968, and inserting in place thereof the following paragraph: —

6. *Bank Debentures, Convertible Debentures, Notes or Other Evidences of Indebtedness.* — Debentures, convertible debentures, notes or other evidences of indebtedness of (*a*) a banking corporation in the common stock of which such corporation may invest pursuant to paragraph 1 of section forty-seven; provided, that such banking corporation has a combined total of capital stock, surplus, undivided profits and reserve for contingencies equal to at least forty million dollars and also equal to at least six per cent of its aggregate deposit liability at the end of the calendar year immediately preceding the date of investment or (*b*) a banking corporation in the common stock of which such corporation may invest pursuant to paragraph 2 of said section forty-seven; provided that, in either case, at the date of investment, the combined total of all outstanding debentures, convertible debentures and notes of such banking corporation is equal to less than sixty-six and two thirds per cent of the combined total of its capital stock, surplus, undivided profits and reserve for contingencies. If, after such investment, such banking corporation issues debentures, convertible debentures or notes which, when added to the combined total of all of its already outstanding debentures, convertible debentures or notes, equal sixty-six and two thirds per cent or more of the combined total of its capital stock, surplus, undivided profits and reserve for contingencies, any debentures, con-

vertible debentures, notes, other evidences of indebtedness or capital stock owned by such corporation shall be disposed of within a reasonable time and in no event later than any date which may be specified by the commissioner, and the capital stock of such issuing bank shall be removed forthwith from the list provided for in section fifty-one. Not more than ten per cent of its deposits shall be invested by any such corporation in debentures, convertible debentures, notes or other evidences of indebtedness of such banking corporations and not more than two per cent of its deposits shall be invested by any such corporation in debentures, convertible debentures, notes or other evidences of indebtedness of any one banking corporation.

SECTION 2. Said section 49 of said chapter 168 is hereby further amended by adding the following paragraph: —

8. *Commercial Paper.* — Obligations of any corporation organized under the laws of any state maturing within two hundred seventy days, provided that such obligations receive the highest rating of an independent rating service designated by the commissioner. Not more than two per cent of its deposits shall be invested by any such corporation in such obligations and not more than one tenth of one per cent of its deposits shall be invested by any such corporation in such obligations of any one corporation.

SECTION 3. Paragraph 6 of section 42 of said chapter 168 is hereby amended by adding after clause (*f*) the following clause: —

(*g*) bonds, notes or obligations issued, assumed or guaranteed by the Export-Import Bank of the United States. *Approved May 22, 1969.*

Chap. 339. AN ACT FURTHER REGULATING THE OPERATION OF CERTAIN MOTOR VEHICLES TRANSPORTING SCHOOL CHILDREN.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by striking out section 7D, as amended by section 4 of chapter 502 of the acts of 1950, and inserting in place thereof the following section: —

Section 7D. The requirements of clauses (1), (3), (5) and (7) of section seven B shall apply to any motor vehicle, having permanent seating accommodations for and carrying eight or nine persons in addition to the operator, regularly used for the transportation of school children, while so used. *Approved May 22, 1969.*

Chap. 340. AN ACT REDEFINING THE TERM "REPAIRMAN" AS USED IN 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 "Repairman", as most recently amended by chapter 378 of the acts of 1953, and inserting in place thereof the following definition: —

"Repairman", any person who is engaged in the business of repairing, altering, equipping or towing motor vehicles or trailers for the public and who maintains an establishment with facilities for the repair, alteration or equipment of such motor vehicles or trailers.

Approved May 22, 1969.

Chap. 341. AN ACT PROVIDING THAT CERTAIN AGREEMENTS REACHED IN MUNICIPAL COLLECTIVE BARGAINING SHALL PREVAIL OVER CERTAIN REGULATIONS GOVERNING THE POLICE FORCE.

Be it enacted, etc., as follows:

The second sentence of the second paragraph of section 178I of chapter 149 of the General Laws, as appearing in section 2 of chapter 763 of the acts of 1965, is hereby amended by adding after the word "remains", in line 3, the words: — ; provided, however, that the provisions of any such agreement shall prevail over any regulation made by a chief of police pursuant to section ninety-seven A of chapter forty-one.

Approved May 22, 1969.

Chap. 342. AN ACT PROVIDING THAT THE USE OF A CHEMICAL MACE OR SIMILAR DEVICE OR INSTRUMENT FOR THE EMISSION OF GAS IN THE COMMISSION OF A CRIME SHALL CONSTITUTE A FELONY.

Be it enacted, etc., as follows:

Chapter 269 of the General Laws is hereby amended by inserting before section 11 the following section: —

Section 10C. Whoever uses a chemical mace or similar device or instrument for the emission of gas for the purpose of committing a crime shall be punished by imprisonment in the state prison for not more than seven years.

Approved May 22, 1969.

Chap. 343. AN ACT EXEMPTING LICENSED PRACTICAL NURSES 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 most recently amended by chapter 374 of the acts of 1967, and inserting in place thereof the following section: —

Section 12B. No physician duly registered under the provisions of section two or two A and no nurse duly registered or licensed under the provisions of section seventy-four, seventy-four A or seventy-six, 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 May 22, 1969.

Chap. 344. AN ACT ESTABLISHING THE CHICOPEE COMMUNITY CENTER COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the city of Chicopee a community center commission, hereinafter called the commission, for

the purpose of establishing, constructing, maintaining and operating a public community center. The commission shall consist of nine members who shall be residents of the city and who shall be appointed by the mayor subject to the approval of the board of aldermen. Of the initial members appointed to the commission three shall be appointed to serve until the qualification of the mayor pursuant to the city charter in nineteen hundred and seventy; three until such date in nineteen hundred and seventy-two; and three until such date in nineteen hundred and seventy-four. Upon the expiration of the terms of said members their successors shall be appointed for terms of six years. Each member of the commission shall hold office until his successor is appointed and qualified. Vacancies shall be filled for the balance of the unexpired term in the same manner as original appointments, but the existence of one or more vacancies, not exceeding four, shall not impair the commission's power to act. Five members of the commission shall constitute a quorum, but a lesser number may adjourn from time to time. The mayor may remove a member of the commission for cause, but only after reasonable notice in writing and a public hearing if requested by the member. The members of the commission shall serve without compensation, but they shall be reimbursed for their expenses necessarily incurred in the performance of their duties. The mayor shall from time to time designate one of the members as chairman and another as vice-chairman. The commission shall annually select a clerk who may, but need not, be a member of the commission.

SECTION 2. The commission is hereby authorized and empowered:

(*a*) To adopt rules and regulations for the conduct of its affairs and for the operation of a public community center;

(*b*) To establish, construct, maintain and operate a public community center with such branches or subsidiary facilities as may be desirable within the city. Without limiting the generality of the foregoing, such center may include facilities for indoor or outdoor athletic events, public meetings, the day care of children, the recreation of senior citizens, vocational rehabilitation, job counseling, relocation and referral services for families and businesses, neighborhood council and community action programs, education programs whether curricular or otherwise and any other activities or programs deemed suitable and of public benefit by the commission or required under the terms of any federal grant;

(*c*) To employ such persons on a full time, part time or intermittent basis as may be required for the proper operation of the community center;

(*d*) To lease or license use of part or all of the facilities to one or more nonprofit groups or organizations provided that no lease or license for a period of more than one year shall be granted without the approval of the mayor;

(*e*) To sponsor and support such citizen groups and citizen activities, other than partisan political groups or activities, as the commission deems appropriate;

(*f*) To cooperate with other agencies or departments of the city government or with agencies of the county, state or federal government in the furtherance of the purposes of the commission;

(*g*) To make such reasonable charges by way of fees, dues or contributions as may be required to defray the costs of carrying on one or more of the programs authorized by the commission. Such amounts

when received shall be paid over to the city treasurer who shall keep them as a separate fund subject to disbursal at the direction of the commission;

(*h*) To accept gifts or grants of property, both real and personal, in the name of the city pursuant to section fifty-three A of chapter forty-four of the General Laws; and

(*i*) To prepare and submit an annual report and budget request to the mayor.

The provisions of this section shall not authorize any action by the commission in contravention of the requirements of section 2 of Article XLVI of the amendments to the constitution.

SECTION 3. The community center and the equipment used in connection therewith shall be the property of the city, but the custody, control and management thereof shall be vested in the commission.

SECTION 4. The city of Chicopee may accept grants of federal aid for the purposes of this act, and in so doing may agree to be bound by any terms, conditions or restrictions which may be imposed in connection therewith.

SECTION 5. For the purpose of paying its share of the cost of establishing, constructing and originally equipping and furnishing a community center as provided in this act, the city of Chicopee may borrow from time to time such sums as may be necessary not exceeding, in the aggregate, two million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Chicopee Community Center Loan, Act of 1969. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of any limitation contained in section seven thereof.

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

Approved May 27, 1969.

Chap. 345. AN ACT PROVIDING THAT ROBERT J. LABRECQUE SHALL BE ELIGIBLE FOR APPOINTMENT AS A PERMANENT FIRE FIGHTER IN THE TOWN OF ATHOL UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Notwithstanding any law or rule to the contrary, on the effective date of this act, Robert J. Labrecque may be appointed a permanent fire fighter in the town of Athol under the provisions of chapter thirty-one of the General Laws. *Approved May 27, 1969.*

Chap. 346. AN ACT REQUIRING THAT CERTAIN INFORMATION APPEAR ON CERTAIN SUMMONSES USED TO COMMENCE AN ACTION AT LAW.

Be it enacted, etc., as follows:

Chapter 223 of the General Laws is hereby amended by adding aft section 16 the following section: —

Section 16A. There shall appear on the summons of each original or trustee writ served a notice informing the party served that he need not appear personally in court on the day designated in the writ as the return day, but that either he or his attorney should, in order to avoid judgment being entered against him, file a written answer by a specified date. *Approved May 27, 1969.*

Chap. 347. AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE SCHOOL COMMITTEE OF THE CITY OF GLOUCESTER.

Be it enacted, etc., as follows:

SECTION 1. A vacancy in the school committee of the city of Gloucester shall be filled in accordance with chapter two hundred and thirty of the acts of nineteen hundred and fifty-four relating to filling vacancies in elective bodies in certain cities having a Plan E charter; provided, however, that in the event there is no defeated candidate who is eligible and willing to serve, said vacancy shall be filled by the mayor and remaining members of the school committee, within fifteen days after said vacancy arises, by electing a suitable person to fill the vacancy for the unexpired term.

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

SECTION 3. This act shall take effect upon its acceptance by the city of Gloucester. *Approved May 27, 1969.*

Chap. 348. AN ACT VALIDATING THE APPOINTMENT OF DOCTOR RAYMOND E. LORD AS SCHOOL DENTIST IN THE SERVICE OF THE HEALTH DEPARTMENT OF THE CITY OF NORTH ADAMS.

Be it enacted, etc., as follows:

Doctor Raymond E. Lord shall be deemed to have been appointed as a permanent part-time school dentist in the health department of the city of North Adams, under the provisions of chapter thirty-one of the General Laws, effective September fourth, nineteen hundred and sixty-four, notwithstanding the failure of the division of civil service to certify his name for appointment when he was legally entitled to such certification. *Approved May 27, 1969.*

Chap. 349. AN ACT RELATIVE TO THE LICENSING OF OPERATORS OF COMMON CARRIERS OF PASSENGERS BY MOTOR VEHICLE.

Be it enacted, etc., as follows:

Section 9 of chapter 159A 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: — No person shall drive any motor vehicle under authority of this chapter unless he shall, in addition to being duly licensed by the registrar of motor vehicles to operate such motor vehicles, be licensed by the department. *Approved May 27, 1969.*

Chap. 350. AN ACT MAKING MEMBERS OF THE JUDICIARY SUBJECT TO THE LAW GOVERNING THE CONDUCT OF PUBLIC OFFICIALS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 268A of the General Laws is hereby amended by striking out the definition of "County employee", as appearing in section 1 of chapter 779 of the acts of 1962, and inserting in place thereof the following definition: —

(*d*) "County employee", a person performing services for or holding an office, position, employment, or membership in a county agency, whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent, or consultant basis.

SECTION 2. Said section 1 of said chapter 268A is hereby further amended by striking out the definition of "State employee", as so appearing, and inserting in place thereof the following definition: —

(*q*) "State employee", a person performing services for or holding an office, position, employment, or membership in a state agency, whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent or consultant basis, including members of the general court and executive council. *Approved May 27, 1969.*

Chap. 351. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR JOHN R. KIRCHHOF, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF GRANBY.

Be it enacted, etc., as follows:

John R. Kirchhof, incumbent of the office of chief of police of the town of Granby, shall hold said office during good behavior until he reaches the age of sixty-five, unless incapacitated by physical or mental disability from performing the duties thereof. He shall not, prior to reaching said age, be lowered in compensation, suspended or removed, except for just cause after a hearing by the board of selectmen for reasons specifically given him in writing. *Approved May 27, 1969.*

Chap. 352. AN ACT AUTHORIZING THE TOWN OF METHUEN TO REIMBURSE JOSEPH LAORENZA A CERTAIN SUM FOR THE OVERPAYMENT ON A SEWER ASSESSMENT.

Be it enacted, etc., as follows:

The town of Methuen is hereby authorized to appropriate and pay to Joseph Laorenza the sum of one hundred and twenty dollars in reimbursement of an overpayment on a sewer assessment.

Approved May 27, 1969.

Chap. 353. AN ACT AUTHORIZING THE TOWN OF STONEHAM TO SELL AND CONVEY CERTAIN PARK LAND IN SAID TOWN TO THE BOY'S CLUB OF STONEHAM, INC.

Be it enacted, etc., as follows:

The town of Stoneham, acting through its board of public works, is hereby authorized to sell and convey to the Boy's Club of Stoneham, Inc. a certain parcel of park land, located in said town and bounded and described as follows: —

Land owned formerly by Alice F., Agnes V. and William F. Halpin, consisting of 45,360 square feet, more or less, and described as follows: Beginning at a stone bound located at the intersection of the southerly and easterly lot lines of Recreation Park, so called, South 76 degrees – 28′ 40″ West, a distance of 121.36 feet, more or less, to a point; thence the line turns and runs South 13 degrees – 52′ 19″ East, a distance of 125.00 feet, more or less to a point; thence the line turns and runs South 60 degrees – 49′ 07″ West a distance of 60.37 feet, more or less, to a point; thence the line turns and runs South 13 degrees – 52′ 19″ East, a distance of 79.11 feet, more or less, to a point; thence the line turns and runs North 82 degrees – 59′ 20″ East, a distance of 239.09 feet, more or less, to a point; thence the line turns and runs North 14 degrees – 26′ 36″ West, a distance of 239.13 feet, more or less, to a point; thence the line turns and runs South 75 degrees – 32′ 12″ West, a distance of 53.64 feet, more or less, to said point of beginning; being a portion of the same land acquired under the provisions of article thirty-six of the adjourned town meeting of March sixteen, nineteen hundred and sixty-four. *Approved May 27, 1969.*

Chap. 354. AN ACT TO AUTHORIZE THE TOWN OF WEYMOUTH TO GRANT CERTAIN EASEMENTS TO BOSTON EDISON COMPANY OVER CERTAIN PARK LANDS IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the town of Weymouth is hereby authorized to grant to the Boston Edison Company an easement over a portion of park land owned by said town known as Gagnon Park, said easement to be the same as the easement granted to the Boston Edison Company on January 10, 1922 by instrument recorded in Norfolk Deeds, Book 1508, Page 266, and which easement was taken in error by said town under an order of taking recorded in the Norfolk Registry District of the Land Court on July 19, 1962 as document #236103 and noted on Certificate #27643.

SECTION 2. Notwithstanding any contrary provision of law, the town of Weymouth is hereby authorized to sell and convey to the Boston Edison Company in fee, or grant perpetual rights and easements for the transmission of electric current and purposes incidental thereto, over park land owned by said town known as Gagnon Park adjacent to the easement described in section one, such sale, conveyance or grant of rights and easements to be upon such terms and conditions and for such price, or in exchange for such other lands, as may be deemed appropriate by a town meeting. *Approved May 27, 1969.*

Chap. 355. AN ACT FURTHER REGULATING THE RECOVERY OF POSSESSION BY SUMMARY PROCESS OF CERTAIN PREMISES IN CASES OF VIOLATION OF STANDARDS OF FITNESS FOR HUMAN HABITATION.

Be it enacted, etc., as follows:

The first paragraph of section 8A of chapter 239 of the General Laws, as appearing in section 1 of chapter 420 of the acts of 1967, is hereby amended by adding the following sentence: — Written notification to the landlord of the existence of any violation which may endanger or materially impair the health or safety of persons occupying the premises 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, shall satisfy and be the equivalent of the notice requirement of clause (1) of this paragraph. *Approved May 27, 1969.*

Chap. 356. AN ACT AUTHORIZING GOVERNMENTAL UNITS TO ENTER INTO CONTRACTS FOR THE JOINT DISPOSAL OF REFUSE, GARBAGE AND OFFAL FOR PERIODS NOT EXCEEDING TWENTY YEARS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to extend the time for which contracts for the joint disposal of refuse, garbage or offal may be entered into by governmental units, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Be it enacted, etc., as follows:

The first paragraph of section 4A of chapter 40 of the General Laws is hereby amended by inserting after the second sentence the following sentence: — A governmental unit may enter into an agreement with any other governmental unit for the joint disposal of refuse, garbage or offal for a period not exceeding twenty years.

Approved May 29, 1969.

Chap. 357. AN ACT PROVIDING THAT CITIES AND TOWNS MAY PLACE CERTAIN FIGURES OR OBJECTS ON PUBLIC WAYS AT SCHOOL CROSSINGS WITHOUT THE APPROVAL OF THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

Chapter 85 of the General Laws is hereby amended by striking out section 21A and inserting in place thereof the following section: —

Section 21A. Subject to the provisions of section two, cities and towns are hereby authorized to erect and maintain on state and town and city highways such warning signs, lights or markings as are necessary for the protection of school children; provided, however, that, subject to compliance with the department's specifications and standards, figures or objects may be placed or erected on such ways by cities and towns at school crossings for the protection of school children without the approval of the department. *Approved May 29, 1969.*

Chap. 358. AN ACT ESTABLISHING A GOVERNMENT CENTER COMMISSION IN THE CITY OF QUINCY.

Be it enacted, etc., as follows:

SECTION 1. It is hereby declared (a) that there is a serious shortage of suitable facilities in the city of Quincy for governmental offices and related functions, public meetings, conventions, the performing arts and civic and cultural events; (b) that the public welfare and convenience will be served by providing the same in a single complex as provided in this act; and (c) that private enterprise is not able to provide the necessary facilities.

SECTION 2. There shall be a commission, to be known as the Quincy Government Center Commission, hereinafter called the commission, for the purpose of establishing, operating and maintaining a government center within the city of Quincy. Such commission shall consist of five members appointed by the mayor pursuant to the provisions of the city charter. The chairman of the commission shall be designated by the mayor from time to time.

The members of the commission shall serve for terms of five years; provided, however, the initial appointees shall serve for terms of one, two, three, four and five years, respectively. Members, unless sooner removed, shall serve until the appointment of their successors, and vacancies other than by reason of expiration of a term shall be filled by appointment by the mayor for the balance of the unexpired term. Any member of the commission may be removed by the mayor for cause. Members of the commission shall be compensated for their activities at a rate to be determined by ordinance of the city of Quincy and shall be reimbursed for necessary expenses incurred in the performance of their duties.

SECTION 3. (a) The commission is authorized on behalf of the city of Quincy to plan, design, acquire property for, construct, equip, furnish, alter, enlarge, maintain and operate a government center. The government center shall consist of such one or more single or multipurpose buildings as the commission deems necessary to provide space for governmental operations in the city of Quincy at all levels of government and to provide accommodations for public meetings, conventions, the performing arts and civic and cultural events. It may include such malls, off-street parking and other appurtenant facilities as the commission deems necessary. A restaurant may be included to the extent deemed necessary by the commission to the utilization of the accommodations for public meetings and conventions and other events. The government center may include additions to existing parking or other structures, and if such existing structures are designated by the commission with the approval of the mayor as part of the government center, they shall be under the jurisdiction and control of the commission.

(b) All departments and agencies of the commonwealth and the city and all other parties, public and private, are authorized to exercise their powers in such manner as to facilitate the establishment and operation of the government center. Without limiting the generality of the foregoing, the commission is authorized to use the personnel and services of other departments of the city of Quincy; provided, that the cost of such services and personnel is properly charged against the commission.

(c) The commission shall adopt rules, not inconsistent with the law and the city charter and ordinances, for conducting its business and meetings and otherwise carrying out the purpose of this act. Meetings of the commission shall be held at the call of the chairman or in such other manner as may be set forth in said rules. All decisions of the commission, including the adoption of said rules, shall be by vote of a majority of the members thereof.

SECTION 4. (a) For the purposes of this act, the commission may take by eminent domain on behalf of the city of Quincy under chapter seventy-nine or chapter eighty A of the General Laws such private property and rights therein, whether real or personal, and may acquire by purchase, gift, lease, bequest, devise or grant such public or private property and rights therein, whether real or personal, as it deems necessary or desirable for government center facilities. The commission on behalf of said city may acquire air rights or other property or rights in property from the Massachusetts Bay Transportation Authority for the purposes of this act, and the Authority may grant such rights or property to the commission on behalf of said city, for such consideration as may be agreed upon and chapter five hundred and forty-seven of the acts of nineteen hundred and sixty-seven shall not be applicable.

(b) The commission on behalf of said city may sell or otherwise dispose of any property no longer needed for the purposes of this act, provided that no real property shall be so sold or disposed of without the approval of the city council.

SECTION 5. (a) For the purposes of paying all or any part of the costs incurred or to be incurred pursuant to this act, exclusive of current maintenance and operating expenses, the city of Quincy may borrow from time to time such sums of money as may be necessary, not exceeding, in the aggregate, fifteen million dollars and may issue bonds or notes therefor, which shall bear on their face the words, City of Quincy Government Center Loan, Act of 1969. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than thirty years from their dates of issue. Indebtedness incurred under this act shall be in excess of the statutory limits provided in section ten of chapter forty-four of the General Laws, and the provisions of sections seven and eight of said chapter forty-four shall not apply. The notes or bonds issued hereunder shall be signed by the treasurer and countersigned by the mayor, and, subject to the provisions of this paragraph, shall be upon such terms and conditions as they deem proper; provided, however, that such notes or bonds shall not be sold at less than the par value thereof.

(b) The city of Quincy may appropriate such funds as it deems necessary to the commission for the purposes of this act.

(c) Any funds received by the commission from the rental or operation of the government center or from the sale or grant or other disposition of any property, right, interest or privilege under this act shall be paid over to the city treasurer forthwith and may be appropriated by the city of Quincy for any municipal purpose at any time.

(d) Within ninety days after the close of each fiscal year, the commission shall make an annual report to the mayor and city council of all activities during the fiscal year, which report shall include a detailed financial statement for such year, a progress report on the construction of the buildings and appurtenant facilities and a program for the next

fiscal year. The commission shall be subject to the provisions of section thirty-one and thirty-one A of chapter forty-four of the General Laws.

SECTION 6. The commission is empowered to accept from the federal government on behalf of the city of Quincy, state agencies, any political subdivision, or any charitable foundation, private corporation or person, and expend for the purpose for which given, any grant or gift in aid, and to secure the benefits in regard to the government center of the provisions of chapter seventy-four of the acts of nineteen hundred and forty-five as amended, but in all events subject to the applicable provisions of federal law.

SECTION 7. Notwithstanding the provisions of any general or special law or ordinance to the contrary, the commission is hereby authorized and empowered:

(a) To provide through employees of the city under the commission's supervision or by the grant of one or more concessions to private persons or firms or in part through such employees of the city and in part by the granting of one or more concessions to private persons or firms for the furnishing of services and things for the accommodation of persons admitted to or using the government center or any part, facility or function thereof.

(b) To establish rules and regulations, and fix policies, for the use of the center in accordance with the purposes of this act and to revise the same from time to time.

(c) To fix from time to time and charge and collect fees for admission to, or the use or occupancy of such facilities or any part thereof, and for the grant of concessions therein and for things furnished or services rendered by the commission or by any person holding a concession from the commission whether the facilities are operated by the commission or under a contract or lease, provided such fees shall conform to any applicable laws of the United States or of the commonwealth. The commission shall fix such fees under this clause as in its judgment are best adapted to insure sufficient income to reimburse the city for its expenses under this act and to provide such facilities at reasonable cost.

(d) To make office and related space available for use by the city of Quincy; to provide by lease or otherwise for the use of such space by other governmental agencies and instrumentalities; to provide temporarily by lease or otherwise for the use of such space by other parties for terms not exceeding five years to the extent the same is not immediately required for governmental operations; and to provide by lease or otherwise for the use of other facilities in the government center. Any arrangement for the use of such other facilities may provide for advance reservations but shall not be for a longer term than is deemed necessary to accomplish its purpose. The commission may provide by lease or contract for the operation by others of parking or restaurant or other appurtenant facilities included in the government center for terms not exceeding ten years.

(e) To make contracts for the purposes of this act, including contracts for maintenance and operating services, subject to all applicable laws and the charter and ordinances of the city of Quincy. Contracts and leases of the commission shall be subject to section twenty-nine of chapter forty-three of the General Laws where the requisite amount is involved.

(f) To retain an executive secretary by written contract and to delegate such duties and authority to the executive secretary in regard to the construction, equipping, furnishing, repairing, operating, use, rental and maintaining of the center as the commission deems proper, but any such contract shall provide for the termination of the same by the commission for cause; and to retain such other employees and agents as the commission deems necessary. The executive secretary shall be exempt from the civil service law and rules. All persons employed by the commission shall be deemed to be employees of the city of Quincy and shall be subject to all laws, ordinances and rules applicable to employees of said city except as hereinbefore provided.

(g) To make parking or other facilities available for other uses when not needed for the purposes of the government center.

(h) To lease or grant air rights or other rights or interests in property to other parties for such reasonable consideration as the commission may determine to the extent that such rights or interests are not needed by the commission for the government center, and to participate with other parties in the making of combined contracts for the construction of the government center and other facilities, the allocation of costs being agreed upon between the commission and such other parties.

SECTION 8. (a) Notwithstanding any limitation on the number of licenses which may be issued under the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, the licensing board of the city of Quincy may issue to a person operating facilities in the government center or who has been granted a concession by the commission for the sale of food and alcoholic beverages a license as a common victualler to serve all alcoholic beverages to be drunk on the premises of the government center or any part thereof and the provisions of section twelve A and sixteen C of said chapter one hundred and thirty-eight shall not apply to such premises. The licensee shall not be required by said licensing board under the provisions of section twelve of said chapter one hundred and thirty-eight to have the licensed premises open during any hours when there is no activity being conducted in the government center facility or parts thereof.

(b) Said licensing board is authorized to issue to a person operating facilities in the government center or who has been granted a concession by the commission for the sale of food and beverages a common victualler's license for the government center premises or any part thereof pursuant to section two of chapter one hundred and forty of the General Laws, and the provisions of section five and eight of said chapter shall not apply to the license so issued.

(c) Any licenses issued under this section shall not be transferable to any other location and such licenses may be renewed annually.

(d) Any license issued under this section shall expire and be returned by the licensee to the licensing board upon the termination of the licensee's lease or concession from the commission.

SECTION 9. The provisions of the zoning ordinances of the city of Quincy shall not be applicable to the government center.

SECTION 10. Any person leasing, using or occupying any property of the city as a part of the government center shall not be required to pay any taxes or assessments thereon, or upon the use, storage or consumption thereof. For this purpose, the government center shall be deemed to include temporarily surplus space which is used by others under section

seven (d), but shall not include property disposed of under section four (b) or the rights, interests and facilities of other parties under section seven (h).

No retail sales tax shall be imposed upon the sale of any property to the commission. Subject to the foregoing provisions of this section, sales of property and services at the government center by the commission or by any party leasing, using or occupying any part of the government center shall be subject to meals taxes, retail sales taxes and similar taxes to the extent applicable under the laws imposing such taxes.

SECTION 11. The commission is authorized to exercise all powers necessary, convenient or desirable to carry out the purposes of this act.

SECTION 12. The provisions of this act are severable and if any section, provision or clause of this act shall be declared invalid or inapplicable to any person or circumstance by a court of competent jurisdiction, such invalidity or inapplicability shall not be construed to affect other portions, persons or circumstances. All laws and ordinances or portions of laws or ordinances inconsistent with the policy and provisions of this act are superseded to the extent of such inconsistency.

SECTION 13. This act shall take effect upon its acceptance by the city of Quincy. *Approved May 29, 1969.*

Chap. 359. AN ACT PROVIDING A MINIMUM PENALTY FOR PERSONS WHO COMMIT AN ASSAULT AND BATTERY UPON A POLICE OFFICER OR FIRE FIGHTER ENGAGED IN THE PERFORMANCE OF HIS DUTY.

Be it enacted, etc., as follows:

Chapter 265 of the General Laws is hereby amended by inserting after section 13C the following section: —

Section 13D. Whoever commits an assault and battery upon a police officer or fire fighter engaged in the performance of his duty shall be punished by imprisonment for not less than ten days nor more than two and one half years in a house of correction or by a fine of not less than one hundred dollars nor more than five hundred dollars.

Approved May 29, 1969.

Chap. 360. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-NINE 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 items in the general appropriation act and for certain new activities and projects, the sums set forth in section two of this act are hereby appropriated from the General Fund unless specifically designated otherwise in the item, subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight for the fiscal year ending June thirtieth, nineteen hundred and sixty-nine,

or for such period as may be specified, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

Legislature.

Senate.

Item		
0115–0000	For the office of the senate committee on rules, prior appropriation continued, including not more than eight permanent positions	$120,000
0118–0000	For traveling and such other expenses of the committees of the senate, as may be authorized by order of the senate	6,600

House of Representatives.

0124–0000	For the office of the house counsel, prior appropriation continued, including not more than eight permanent positions	$3,765
0125–0000	For the office of the house committee on rules, prior appropriation continued, including not more than fourteen permanent positions	30,000
0127–0000	For clerical and other expenses of the members of the house of representatives, including not more than one permanent position	15,000

Sergeant-at-Arms.

0131–0000	For the office of the sergeant-at-arms, including not more than eleven permanent positions	$5,602
0132–1000	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	7,682

Other Expenses.

0161–0000	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, for printing the manual of the general court, with the approval of the clerks of the respective branches, and for biographical sketches of certain state and federal officials, prior appropriation continued	$125,000
0161–1000	For telephone and telegraph service, prior appropriation continued	28,960
0169–0000	For the expenses of a certain committee, authorized under an order adopted in the house of representatives on April sixteenth, nineteen hundred and sixty-nine, and in the senate on April seventeenth, nineteen hundred and sixty-nine, appropriation expires June thirtieth, nineteen hundred and seventy	15,000

Special Investigations.

0180–2000	For the investigation and study relative to the administration of the department of mental health and of the laws of the commonwealth relative to the admittance, treatment and release of patients in institutions under the control of said department, as authorized by chapter eighty-nine of the resolves of nineteen hundred and sixty-one and most recently revived and continued under the provisions of chapter five of the resolves of nineteen hundred and sixty-nine.	$4,500
0182–4000	Item 0182–4000, appearing in section two of chapter seven hundred and nine of the acts of nineteen hundred and sixty-six as item 0267–10, is hereby amended by striking out all after the word "property" and inserting in place thereof the following: —, as authorized by chapter eighty-eight of the resolves of nineteen hundred and sixty-five as most recently revived and continued by chapter five of the resolves of nineteen hundred and sixty-nine.	
0182–5000	For an investigation and study by a special commission of the laws of the commonwealth regulating the manufacture, transportation, storage and sale of alcoholic beverages, as authorized by chapter forty-eight of the resolves of nineteen hundred and sixty-six, and most recently revived and continued under the provisions of chapter five of the resolves of nineteen hundred and sixty-nine	2,275

Item

0183-3000 For an investigation and study by a special commission relative to the conduct, operation, administration and management of state governmental departments, agencies, boards, divisions and commissions, as authorized by chapter one hundred and thirty-one of the resolves of nineteen hundred and sixty-seven, and most recently revived and continued under the provisions of chapter five of the resolves of nineteen hundred and sixty-nine $4,207

0184-5000 For an investigation and study by a special commission, as authorized by chapter one hundred and sixty-four of the resolves of nineteen hundred and sixty-seven, appropriation expires June thirtieth, nineteen hundred and seventy 35,000

0184-9000 Item 0184-9000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out all after the word "commonwealth" and inserting in place thereof the following: —, as authorized by an order (Senate 1510), adopted by both branches in nineteen hundred and sixty-seven, and revived and continued in nineteen hundred and sixty-eight and nineteen hundred and sixty-nine.

Judiciary.

Supreme Judicial Court.

0301-0200 For the salaries of the officers and messengers . . $1,000

0301-0300 For the commonwealth's part of the salaries of the clerk and assistant clerks for the county of Suffolk 5,000

Superior Court.

0302-0100 For the commonwealth's part of the salaries and expenses of the clerk and assistant clerk of Suffolk county . . . $3,633

Suffolk County Court House.

0312-0001 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 $90,000

Local Aid Fund 100.0%

Executive.

Governor.

0411-8000 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 his written recommendation as to the amount of funds required with facts pertinent thereto $6,000

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.

Item

0431-0200 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 $3,000

Massachusetts Commission for the Blind.

Bureau of Medical Care.

0441-1000 For administration of the bureau, to be in addition to any federal funds available for the purpose, and including not more than fifty-four permanent positions $72,000

0441-1030 For payments of the state share of certain medical assistance programs, including medical supplies and equipment . . . 250,000

Bureau of Individual Services.

0441-2010 For administration of a talking book program, including not more than three permanent positions $14,136

Bureau of Industrial Aid and Workshops.

0441-4010 For operation of local shops, including not more than thirteen permanent positions $1,200

0441-4040 For the administration and operation of the service of piano tuning 4,000

Executive Office for Administration and Finance.

Group Insurance Commission.

0454-1000 For administration of the group insurance program, including not more than forty permanent positions $10,750

Other Boards and Commissions serving under the Governor and Council.

Massachusetts Commission Against Discrimination.

0461-5120 For administration of the New Bedford office . . $270

State Racing Commission.

0461-6000 For the office of the commission; provided, that fees paid to veterinarians for services in connection with horse racing shall not exceed forty-five dollars per diem and in connection with dog racing shall not exceed thirty-five dollars per diem, including not more than ten permanent positions $510

Retirement Law Commission.

0463-3000 For the administration of the commission, including not more than two permanent positions $350

Commissioner of Veterans' Services.

0463-6300 For the payment of annuities to certain disabled veterans $20,000

Municipal Police Training Council.

0463-7000 For the administration of the council $500

Soldiers' Home in Massachusetts.

0471-0000 For the maintenance of the home, including not more than six hundred and fourteen permanent positions $300

Item

0471-9002 Item 0471-9002 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight is hereby amended by inserting after the word "plant" the words: — and the Williams house.

Soldiers' Home in Holyoke.

0481-0000 For the maintenance of the home, including not more than two hundred and twenty-six permanent positions **$17,126**

Secretary of the Commonwealth.

0513-0000 For the expense of processing certain statistical data . **$6,658**

Treasurer and Receiver-General.

0610-0000 For the office of the treasurer and receiver-general; provided, that there shall be charged against this appropriation certain shortages in the amount of three thousand three hundred and forty-five dollars and ninety-nine cents determined by the auditor to be the shortage as of January thirty-first, nineteen hundred and sixty-eight; and, provided further, there shall be paid from this item the amount of one thousand four hundred and thirty-one dollars and thirty-seven cents to clear overpaid salary advances determined by the attorney general to be uncollectible, including not more than ninety-two permanent positions **$69,500**

Highway Fund	30.0%
General Fund	70.0%

0611-4000 For administration of the payment of a bonus to veterans of the Vietnam conflict **27,600**

0611-5000 For compensation to victims of violent crimes, as authorized by chapter two hundred and fifty-eight A of the General Laws . **1,000**

State Board of Retirement.

0612-1000 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 appropriations continued; provided, 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 **$2,750,000**

Highway Fund	15.0%
General Fund	Remainder

0612-2000 For the compensation of veterans who may be retired by the state board of retirement under the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws, and under the provisions of chapter four hundred and ninety of the acts of nineteen hundred and sixty-one, as amended, 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 **525,000**

Highway Fund	22.0%
General Fund	78.0%

0612-5000 For retirement allowances of certain employees formerly in the service of the administrative division of the metropolitan district commission; provided, that the metropolitan district commission's share of this item shall be assessed by methods fixed by law . . **5,300**

MDC Sewerage District Fund	25.0%
MDC Water District Fund	25.0%
Highway Fund	25.0%
MDC Parks District Fund	25.0%

Item

0612-6000 For retirement allowances of certain veterans and police officers, formerly in the service of the metropolitan district commission; provided, that the commission's share of this item shall be assessed by methods fixed by law $4,000

Highway Fund	60.0%
MDC Parks District Fund	39.0%
General Fund	1.0%

0612-8000 For retirement allowances of certain veterans formerly in the service of the metropolitan water system 10,000

MDC Water District Fund	100.0%

Emergency Finance Board.

0630-0000 For administration of the board, including not more than one permanent position $753

Auditor of the Commonwealth.

0710-0000 Item 0710-0000 of section two of chapter one hundred and fifty-eight of the acts of the current year is hereby amended by striking out the word "ninety-two" and inserting in place thereof the word: — ninety-six.

Department of Agriculture.

State Reclamation Board.

0919-0100 For the office of the board, including not more than three permanent positions $1,848

For the expenses of the following mosquito control project:

0919-1300 Bristol County $13,763

Mosquito and Greenhead Fly Control Fund	100.0%

Department of Natural Resources.

Division of Forests and Parks.

1011-0000 For the office of the bureau of recreation, including not more than one hundred and thirty-three permanent positions . . $7,500

State Recreational Areas Fund	100.0%

1011-2000 For the administration and maintenance of swimming pools and skating rinks; provided, that the provisions of chapter thirty-one of the General Laws shall not apply to this item . . . 90,000

State Recreational Areas Fund	100.0%

1013-0000 For the office of the state fire warden and for expenses of the north-eastern 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, including not more than nineteen permanent positions 49,000

Division of Law Enforcement.

1020-0000 For the office of the division, including not more than seventy-seven permanent positions $6,000

Inland Fisheries and Game Fund	26.0%
Marine Fisheries Fund	24.0%
State Recreational Areas Fund	5.0%
General Fund	45.0%

Division of Conservation Services.

1030-1241 For the administration of a land and water conservation program, including not more than one permanent position . . $500

State Recreational Areas Fund	100.0%

Division of Marine Fisheries.

Item

1040–1341 Item 1040–1341 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight is hereby amended by adding the following: — ; provided, that the amount of one hundred twenty-three dollars and fifty cents shall be allowed and paid to the treasurer and receiver-general to replace certain stolen funds.

Marine Fisheries Fund . . . 100.0%

Division of Fisheries and Game.

It is hereby provided that federal funds received as a reimbursement under the following item is to be credited as income to the Inland Fisheries and Game Fund:

1070–2322 For certain anadromous fish restoration programs; provided, that expenditures from this item shall be contingent upon prior approval of the proper federal authorities for reimbursement of at least fifty per cent of the amounts expended **$2,500**

Inland Fisheries and Game Fund . 100.0%

Department of Corporations and Taxation.

1201–1000 For the expenses of the department except as provided in other items contained in this section; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and twenty-nine thousand dollars from the receipts of the cigarette tax in accordance with provisions of paragraph (B) of section twenty-eight of chapter sixty-four C of the General Laws **$280**

Highway Fund 2.5%
Local Aid Fund 68.0%
General Fund 29.5%

Bureau of Local Taxation.

1233–1000 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-eight, and for reimbursement of certain towns **$23,000**

Local Aid Fund 100.0%

1233–2000 For reimbursing cities and towns for abatements granted, prior appropriation continued **150,000**

Local Aid Fund 100.0%

Department of Civil Service and Registration.

Division of Civil Service.

1411–0000 Item 1411–0000 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight, as amended by section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight, is hereby further 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, forty additional days may be allowed and paid from this item.

Division of Registration.

1421–0000 For the administration of the division, including not more than seventy-one permanent positions; provided, that the position of investigator of radio-television technicians shall not be subject to chapter thirty-one of the General Laws **$15,000**

For the services of the following agencies in the division:

Item

1421-0400 Board of registration in pharmacy, including not more than nine permanent positions $5,816

1421-0800 Board of registration in veterinary medicine, including not more than five permanent positions 272

1421-1200 Board of public accountancy, including not more than nine permanent positions 6,600

1421-1600 Board of registration of electrologists, including not more than three permanent positions 500

1421-1700 Board of registration of barbers, including not more than ten permanent positions 500

1421-2200 Board of registration of landscape architects . . 500

Department of Commerce and Development.

1500-0000 For the general administration of the department, including not more than one hundred and thirty-eight permanent positions; provided, that section twenty-five of chapter thirty of the General Laws shall not apply to payments made for the expenses of the New York office $17,200

Tourism and Industrial Promotion Fund 30.0%
General Fund 70.0%

Department of Labor and Industries.

For the personal services and expenses of the following agencies of the department:

1610-2000 Division of industrial safety, including not more than seventy-nine permanent positions $2,600

1610-6000 Commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions 2,260

Labor Relations Commission.

1620-1000 For the office of the commission, including not more than twenty-four permanent positions $180

Division of Industrial Accidents.

1650-1000 For the office of the division and for clerical and other assistance for the industrial accident rehabilitation board, including not more than one hundred and eighty-six permanent positions . . $1,500

1650-1901 For expenses of impartial examinations, for the fiscal year nineteen hundred and sixty-nine and previous fiscal years . 10,000

1650-3000 For the compensation of certain public employees for injuries sustained in the course of their employment, for the fiscal year nineteen hundred and sixty-nine and previous fiscal years . . . 195,000

Highway Fund 35.0%
General Fund 65.0%

Department of Correction.

1801-9000 For the payment of certain prior-year salaries, as authorized by chapter one hundred and twenty-four of the resolves of nineteen hundred and sixty-eight $19,498

For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:

1814-0000 Correctional institution at Concord, including not more than two hundred and fifty-one permanent positions . . . $68,200

1818-0000 Correctional institution at Norfolk, including not more than two hundred and sixty-three permanent positions . . . 92,550

1831-0000 Correctional institution camps, including not more than thirty-six permanent positions 4,665

Department of Public Welfare.

Item

1901–1000 For care and maintenance of children under the jurisdiction of the division of child guardianship, including prior-year charges . **$2,513,000**

1902–5000, 1903–2000, 1905–2000, 1906–2000, 1907–2000 From the unexpended balance remaining in item 1902–5000 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight, as amended by chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight and as further amended by chapter one hundred and fifty-eight of the acts of nineteen hundred and sixty-nine, the sum of fifty-three million three hundred and eighty thousand dollars is hereby transferred and made available for the purposes of the following items of section two of said chapter three hundred and eighty and in the amounts shown: to item 1903–2000, the sum of twenty million nine hundred and eighty thousand dollars; to item 1905–2000, the sum of twenty-three million two hundred thousand dollars; to item 1906–2000, the sum of four million nine hundred thousand dollars; and to item 1907–2000, the sum of four million three hundred thousand dollars.

Local Aid Fund 100.0%

Department of Public Health.

Bureau of Administration.

2010–0100 For the office of the bureau, including not more than fifty-nine permanent positions **$4,200**

2010–0301 For the state's share of the expenses of the war memorial auditorium in connection with the annual assembly of the world health organization, appropriation expires June thirtieth, nineteen hundred and seventy **35,000**

2010–0700 For the administration of the medical assistance unit . **61,911**

Bureau of Chronic Disease Control.

2012–0100 For the office of the division of communicable and venereal diseases, including not more than twenty-three permanent positions **$10,000**

2012–0200 Item 2012–0200 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight is hereby amended by adding the following: — ; provided, that a certain shortage for the fiscal year nineteen hundred and sixty-eight in the amount of sixteen dollars and one cent shall be allowed and paid from this item.

For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:

2031–0000 Lakeville hospital, including not more than three hundred and twenty-seven permanent positions **$5,000**

2034–9001 For the administration of a cancer research project . **942**

Department of Public Safety.

2111–0000 For the administration of the department, including not more than one hundred and eight permanent positions . . . **$4,500**

Department of Public Utilities.

2311–9001 For hearings and special investigations; provided, that no salaries or expenses of permanent employees shall be chargeable to this item; appropriation expires June thirtieth, nineteen hundred and seventy **$55,000**

Metropolitan District Commission.

Metropolitan Water System.

2420–0000 Item 2420–0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by adding the following: — ; provided, that notwithstanding any

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other provisions of law to the contrary, the amount of sixty-eight dollars shall be allowed and paid for the salaries of certain employees, earned but not paid, for the period April twenty-second to June eleventh, nineteen hundred and sixty-five $68

MDC Water District Fund . . 100.0%

2425-9011 For an engineering and economic study of the potential water needs of certain cities and towns, appropriation expires June thirtieth, nineteen hundred and seventy 25,000

MDC Water District Fund . . 100.0%

Metropolitan Sewerage District.

2430-0000 For the maintenance and operation of a system of sewage disposal for the metropolitan sewerage district, including payments to the state retirement system under the provisions of the General Laws, and including not more than five hundred and thirty-eight permanent positions $200,000

MDC Sewerage District Fund . 100.0%

Department of Community Affairs.

2500-1000 For the administration of the service corps program; provided, that from the unexpended balance remaining in this item, the sum of nineteen thousand dollars is hereby transferred and made available for the purposes of item 2500-0000 . . . . . $1,590

Department of Mental Health.

5011-0000 Item 5011-0000 of section two of chapter one hundred and fifty-eight of the acts of nineteen hundred and sixty-nine is hereby amended by adding the following: — ; provided, that notwithstanding any provision of law to the contrary, the amount of nine hundred and seventy-five dollars shall be allowed and paid for the service of a certain employee performed but not paid for the period of June third, nineteen hundred and sixty-eight through June eighteenth, nineteen hundred and sixty-eight.

Region Three.

5391-0000 Item 5391-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by adding the following: — ; provided, that a certain shortage in the amount of three hundred and three dollars, determined by the auditor of the commonwealth to be the shortage existing in cash received from the sale of meals tickets on January twenty-third, nineteen hundred and sixty-eight, shall be allowed and paid from this item.

Region Five.

5591-0000 For the maintenance of the Medfield state hospital, including not more than six hundred and eighty-five permanent positions $186,950

Region Six.

5661-0000 For the maintenance of the Massachusetts mental health center, including not more than two hundred and ninety-seven permanent positions; provided, that any federal funds available for this purpose, when received, shall be credited to the General Fund $26,000

Region Seven.

5781-0000 For the maintenance of the Paul A. Dever school, including not more than six hundred and thirty-eight permanent positions $14,838

5792-0000 Item 5792-0000 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight is hereby amended by

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adding the following: — ; provided, that notwithstanding any provision of law to the contrary, the amount of thirty-four dollars and twenty cents shall be allowed and paid from this item for the salary of a certain employee, earned but not paid, for the period of November twentieth, nineteen hundred and sixty-eight through December thirty-first, nineteen hundred and sixty-eight.

Department of Public Works.

Highway Activities.

Administrative and Engineering Expenses.

6020–2501 Item 6020–2501 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by adding the following: — ; provided, that notwithstanding any provisions of law to the contrary, the amount of fifty-six dollars and six cents shall be allowed from this item to clear an advance of the fiscal year nineteen hundred and sixty-seven deemed uncollectible by the attorney general.

General Fund 8%
Highway Fund 99.2%

Maintenance and Operation of State Highways and Bridges.

The appropriations under this heading may be expended for traffic safety and control on certain city or town ways:

6030–7201 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 **$3,496**

Highway Fund 100.0%

6030–7401 For the purchase of materials and supplies for the maintenance and operation of state highways and bridges, excluding those specifically provided for in items 6030–7201 and 6030–7301 . . **50,000**

Highway Fund 100.0%

Waterways Activities.

The salaries of all officers and employees of the department engaged in waterways projects or activities authorized by bond issue or otherwise shall be charged in full to appropriations authorized under this heading in this act:

Division of Waterways.

6032–1800 Item 6032–1800 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight is hereby amended by adding the following: — ; provided, that the amount appropriated in this item shall be credited to the Highway Fund in full payment of certain charges assessed by the department of public works against the city of Fall River; and, provided further, that of this amount the sum of fifty-two thousand three hundred and ninety-seven dollars shall be credited to the Highway Fund debt service reserve.

8354–00 Item 8354–00 of section two of chapter three hundred and ninety-three of the acts of nineteen hundred and sixty-seven is hereby amended by striking out, in line five, the words "seventy-five thousand" and inserting in place thereof the words: — eighty-five thousand two hundred and thirty-seven.

6032–3003 For the cost of a study for the removal, replacement or renovation of the dam at Lake Garfield, appropriation expires June thirtieth, nineteen hundred and seventy **$25,000**

Registry of Motor Vehicles.

6111–0000 For the office of the registry, including not more than one thousand one hundred and ninety-three permanent positions; provided, that the

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positions of administrative assistant to the registrar of motor vehicles, legislative assistants, R.M.V., executive secretary, R.M.V. and executive assistant to the registrar of motor vehicles shall not be subject to the civil service law and rules $31,000

Local Aid Fund 1.2%
Highway Fund 98.8%

Division of Motorboats.

6120-0000 For the office of the division, including not more than fifty-one permanent positions $530

Recreational Boating Fund . . 100.0%

Outdoor Advertising Division.

6210-0000 For the office of the division, including not more than eleven permanent positions $4,500

Department of Education.

Board of Education.

Division of Curriculum and Instruction.

7033-8011 For reimbursement to certain municipalities and regional school districts of expenses for certain approved courses as defined in section nine of chapter seventy-four of the General Laws, including reimbursements for prior and current fiscal years $2,772,693

Local Aid Fund 100.0%

7033-8012 For reimbursement to certain municipalities for certain tuition fees as defined in section ten of chapter seventy-four of the General Laws, including reimbursements for the prior and current fiscal years 4,605

Local Aid Fund 100.0%

7033-8013 For reimbursement to certain municipalities or regional school districts for two thirds of the salaries of certain agricultural instructors, including reimbursements for the prior and current fiscal years 15,300

Local Aid Fund 100.0%

7034-0301 For the expenses of educating the emotionally disturbed children of the commonwealth, prior appropriation continued . . 1,600,000

7034-0701 For the expenses of educating the deaf, blind and aphasic pupils of the commonwealth, prior appropriation continued . . 200,000

7034-2801 For the reimbursement of certain counties for county vocational schools 38,946

Local Aid Fund 100.0%

7035-0001 For the reimbursement of certain towns and regional school districts for the transportation of pupils as provided by law . 2,185,457

Local Aid Fund 100.0%

7036-0101 For the administration of the library bureau, to be in addition to any federal funds available for the purpose, including not more than twenty-five permanent positions 2,250

7036-1401 For state aid to regional public libraries . . . 462,458

Local Aid Fund 100.0%

7036-1501 For state aid to public libraries 13,263

Local Aid Fund 100.0%

Division of School Facilities and Related Services.

7053-1907 Item 7053-1907 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight 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-nine.

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7053-1909 Item 7053-1909 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight is hereby amended by adding 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-nine . $677,151

Local Aid Fund 100.0%

Division of State and Federal Assistance.

7061-0003 For the reimbursement of towns in regional school districts for fifteen per cent of the amount of school aid due under the provisions of chapter seventy and subsection (6) of section eighteen A of chapter fifty-eight of the General Laws $5,740,000

Local Aid Fund 100.0%

Board of Higher Education.

7070-0006 Item 7070-0006 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight is hereby amended by adding the following: — ; provided, that the amount of eighteen hundred dollars may be awarded and expended during the current fiscal year $1,800

7070-0008 For the administration of the bureau of immigration and Americanization, including not more than seventeen permanent positions 837

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:

7101-0001 For the office of the board, including not more than nineteen permanent positions. $925

7108-4102 For the trimester program at the state college at Boston 47,000

7109-0000 Item 7109-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the word "fifty-one" and inserting in place thereof the word: — sixty-seven 47,000

7109-9003 For the purchase of certain scientific equipment, to be expended with at least an equivalent amount of federal grants for this purpose 49,407

7109-1011 State college at Bridgewater, boarding hall, including not more than thirty-eight permanent positions 15,000

7110-0000 Item 7110-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out, in line six, the word "twelve" and inserting in place thereof the word: — twenty-two.

7111-0000 Item 7111-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the word "eighty-two" and inserting in place thereof the word: — eighty-eight.

7111-9719 For certain renovations to the dining hall facility, including furnishings and equipment appropriation expires June thirtieth, nineteen hundred and seventy 60,000

7112-0000 Item 7112-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the word "fifty-nine" and inserting in place thereof the word: — seventy-two.

7112-9718 For the purchase of certain scientific equipment, to be expended with at least an equivalent amount of federal grants for this purpose 47,438

7113-0000 State college at North Adams, including not more than eighty-one permanent positions 15,000

7113-9070 For certain renovations to the president's house, appropriation expires June thirtieth, nineteen hundred and seventy . . 10,000

7114-0000 Item 7114-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the word "seventy-two" and inserting in place thereof the word: — eighty-two 5,000

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7115-0000 Item 7115-0000 of section two of chapter one hundred and fifty-eight of the acts of the current year is hereby amended by striking out the word "eighty-nine" and inserting in place thereof the word: — ninety-six.

7116-0000 Item 7116-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the word "eighty-one" and inserting in place thereof the word: — eighty-eight.

7117-0000 Massachusetts College of Art, including not more than fifty permanent positions **$2,000**

7118-0000 Massachusetts maritime academy and ship, including not more than fifty-nine permanent positions **15,000**

Southeastern Massachusetts Technological Institute.

8069-59 Item 8069-59 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by adding the following: — , including the cost of transportation, and installation of usable equipment, from the former locations of the Bradford Durfee college of technology and the New Bedford institute of technology.

University of Massachusetts.

7410-0000 Item 7410-0000 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight is hereby amended by striking out, in line nineteen, the words "and twenty-three" and inserting in place thereof the words: — one hundred and twenty-three **$341,000**

7416-1001 Item 7416-1001 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out, in line five, the word "seventy-five" and inserting in place thereof the word: — eighty-one.

Massachusetts Board of Regional Community Colleges.

For the administration, maintenance of and for certain improvements at community colleges with the approval of the board of regional community colleges; provided, that notwithstanding any provisions of the law to the contrary, payments may be allowed for salaries of certain employees earned but not paid for the fiscal year nineteen hundred and sixty-seven:

7502-0000 Item 7502-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by adding the following: — ; provided, that the sum of one thousand five hundred dollars may be expended for the rental of classroom space during the fiscal year nineteen hundred and sixty-eight **$10,246**

8068-33 Item 8068-33 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven is hereby amended by striking out, in lines three and four, the words: — , and including the cost of furnishings and equipment.

7503-0000 Item 7503-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the words "seventy-one permanent positions" and inserting in place thereof the following: — eighty-five permanent positions; provided, that notwithstanding the provisions of section eight A of chapter twenty-nine of the General Laws, the sum of thirty-five thousand five hundred and thirty-six dollars and ninety-eight cents shall be allowed and paid for certain repairs and renovations **53,500**

7504-0000 Item 7504-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the word "forty-six" and inserting in place thereof the word: — forty-nine.

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7505-0000 Item 7505-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the word "forty-three" and inserting in place thereof the word: — fifty-one $4,000

7506-0000 Item 7506-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out, in line two, the word "one" and inserting in place thereof the word: — seventeen.

7508-0000 Item 7508-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the word "sixty-three" and inserting in place thereof the word: — seventy-three.

7509-0000 Item 7509-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the word "fifty-two" and inserting in place thereof the word: — fifty-seven.

7510-0000 Item 7510-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the words "eighty-six permanent positions" and inserting in place thereof the words: — one hundred permanent positions; provided, that the amount of two thousand seven hundred and thirty-three dollars appropriated herein shall be used to reimburse the president's discretionary fund, so-called, for rental of certain classroom space 2,733

7511-0000 Item 7511-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the word "eighty" and inserting in place thereof the word: — ninety-four 7,223

7512-0000 Item 7512-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the word "eighty-four" and inserting in place thereof the word: — eighty-seven 3,000

7514-0000 Item 7514-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the word "institute" and inserting in place thereof the words "community college"; and said item 7514-0000 is hereby further amended by striking out the word "thirty-one" and inserting in place thereof the word: — fifty 66,000

7516-0000 Item 7516-0000 of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby amended by adding the following: — ; appropriation expires June thirtieth, nineteen hundred and seventy.

Division of Youth Service.

7610-0001 For administration of the division, including the expenses of the board, and including not more than ninety-five permanent positions $82,000

For the administration, maintenance of and for certain improvements at the institutions within the division:

7660-2001 Stephen L. French youth forestry camp $4,100

7660-3000 Residential treatment unit in Oakdale, including not more than twenty-five permanent positions 7,000

7660-6000 Judge John J. Connelly youth center in the city of Boston, including not more than sixty-two permanent positions . . . 1,125

7661-0000 Institute of juvenile guidance, including not more than fifty-four permanent positions 18,200

7661-1000 Detention center in Worcester county, including not more than twenty permanent positions. 5,250

Council on the Arts and Humanities.

7700-0000 For the administration of the council, including the expenses of projects and productions of the council, to be in addition to any federal funds available for the purpose $710

Unassigned Accounts.

Miscellaneous.

Item		
9990-0014	World War II Memorial — U.S.S. Massachusetts	$1,250
9990-0035	For the payment of a judgment entered in the Suffolk Superior Court, docket number 600615	6,808
9990-0036	For a certain payment, as authorized by chapter one hundred and twenty-five of the resolves of nineteen hundred and sixty-eight	2,775
9990-0037	For the payment of a judgment entered in the Suffolk Superior Court, docket number 51657	27,937
9990-0038	For a certain payment, as authorized by chapter one hundred and seventeen of the resolves of nineteen hundred and sixty-eight	5,000
9990-0039	For the payment of a judgment entered in the Suffolk Superior Court, docket number 626734	5,143
9990-0040	For a certain payment, as authorized by chapter one hundred and eighteen of the resolves of nineteen hundred and sixty-eight	12,500

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, based upon schedules approved by the joint committee on ways and means:

General Fund	$21,069
Highway Fund	22,128
Mosquito and Greenhead Fly Control Fund	1,022
Metropolitan District Commission Fund	267

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and seventy certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and sixty-nine, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and seventy:

0411-9004	2432-9003	6033-1008	8065-59
0431-9004	2432-9006	6033-1011	8065-63
0451-3905	2432-9007	6111-0012	8065-68
0451-3906	2433-9002	6111-0013	8065-70
0481-9001	2434-9001	6111-0017	8065-71
0526-0001	2434-9005	6999-0002	8065-80
0819-0001	2442-9001	7414-1002	8065-82
1011-0001	2442-9004	8063-21	8065-83
1030-1200	2442-9006	8063-42	8065-92
1070-2204	2442-9008	8063-44	8065-98
2011-9009	2442-9009	8063-50	8065-99
2011-9010	2442-9011	8063-54	8157-66
2112-9001	2442-9012	8064-01	8165-19
2410-9002	2444-9001	8064-10	8165-22
2422-9001	2444-9012	8064-21	8166-22
2425-9001	2444-9013	8064-38	8166-37
2425-9002	2444-9014	8064-49	8260-17
2425-9003	2444-9015	8064-53	8260-21
2425-9004	2532-1011	8065-07	8260-28
2425-9010	2532-2011	8065-09	8260-29
2426-9002	6020-3001	8065-15	8260-50
2426-9005	6032-2011	8065-33	8260-53
2432-9001	6033-1001	8065-45	8261-09

8261–20	8342–02	8465–02	9026–01
8262–05	8342–06	8465–03	9027–01
8262–07	8345–00	8465–07	9027–04
8262–08	8346–00	8465–11	9028–01
8262–19	8347–00	9018–01	9029–01
8262–21	8350–00	9020–01	9030–01
8262–29	8353–00	9022–01	9031–00
8263–20	8365–34	9024–01	9032–01
8342–01	8365–76	9025–01	

SECTION 3. Section 2B of chapter 132 of the acts of 1968 is hereby amended by adding after the word "sixty-seven", in line 7, the following: — ; and, provided further, that said commission shall, from the proceeds of said bonds, construct an artificial ice skating rink in the city of Lynn.

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

Approved May 30, 1969.

Chap. 361. AN ACT INCREASING THE EXCISE UPON CIGARETTES FOR THE PURPOSE OF MEETING THE DEBT SERVICE OBLIGATIONS OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds immediately through an increase in the excise upon cigarettes, in order to meet the debt service obligations 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 6 of chapter 64C of the General Laws is hereby further amended by striking out the second and fourth sentences, as appearing in section 22 of chapter 14 of the acts of 1966, and inserting in place thereof, respectively, the following two sentences: — Such licensee shall, at the time of filing such return, pay to the commissioner an excise equal to six mills for each cigarette so sold during the calendar month covered by the return; provided, that cigarettes with respect to which the excise under this chapter has once been imposed and has not been refunded, if paid, shall not be subject upon a subsequent sale to the excise imposed by this chapter. Each unclassified acquirer shall, upon importation or acquisition of cigarettes into or within the commonwealth, file with the commissioner a return under penalties of perjury, on a form to be furnished by the commissioner, stating the number of cigarettes imported or acquired and such other information as the commissioner shall require, and shall, at the time of filing such return, pay to the commissioner an excise equal to six mills for each cigarette so imported or acquired and held for sale or consumption, and cigarettes, with respect to which such excise has been imposed and has not been refunded if paid, shall not be subject, when subsequently sold, to any further excise under this chapter.

SECTION 2. Every manufacturer, wholesaler, vending machine operator, unclassified acquirer or retailer, as defined in section one of chap-

ter sixty-four C of the General Laws, who, at the commencement of business on the day next following the effective date of this act, has on hand any cigarettes for sale or any unused adhesive or meter stamps, 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 cigarettes and stamps, and shall, at the time he is required to file such return, pay an additional excise at the rate of one mill per cigarette on all cigarettes and all unused adhesive and meter stamps upon which an excise of only five mills has previously been paid. All provisions of said chapter sixty-four C, relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, shall, so far as pertinent, be applicable to the excise imposed by this section. All sums received under this section, including penalties, forfeitures, interest, costs of suits and fines, shall be credited to the General Fund and shall be used solely toward meeting the debt service obligation of the General Fund.

SECTION 3. Section 30 of said chapter 64C, as appearing in section 5 of chapter 435 of the acts of 1966, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph: —

Every such stamper who has complied with the provisions of this chapter and the pertinent rules and regulations made thereunder may withhold and retain from each payment to be made by him for such stamps, as compensation for service rendered in compliance with this chapter, one dollar and sixty cents for each six hundred cigarette excise adhesive or meter stamps purchased, and a proportionate amount for any fraction thereof.

SECTION 4. Section 28 of said chapter 64C is hereby amended by striking out subsection (*a*), as appearing in section 6 of chapter 563 of the acts of 1964, and inserting in place thereof the following subsection: —

(*a*) Four mills of the excise imposed by section six and a proportionate amount of all sums received as penalties, forfeitures, interest, costs of suits and fines shall be credited to the General Fund and shall be used solely toward meeting the debt service obligations of the General Fund.

SECTION 5. Sections one and two of this act shall take effect at the commencement of business on the day next following the passage of this act. Sections three and four shall take effect upon passage of this act.

Approved June 1, 1969.

Chap. 362. AN ACT PROHIBITING TRESPASSING UPON LAND OR PREMISES APPURTENANT TO A PUBLIC INSTITUTION OF HIGHER EDUCATION.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by striking out section 123, as most recently amended by chapter 315 of the acts of 1960, and inserting in place thereof the following section: —

Section 123. Whoever willfully trespasses upon land or premises belonging to the commonwealth, or to any authority established by the general court for purposes incidental to higher education, appurte-

nant to a public institution of higher education, the state prison, state prison colony, Massachusetts reformatory, reformatory for women, state farm, Tewksbury hospital, Soldiers' Home in Massachusetts, Soldiers' Home in Holyoke, any public institution for the care of insane, feeble minded or epileptic persons, any Massachusetts training school or state charitable institution, or upon land or premises belonging to any county and appurtenant to a jail, house of correction or court-house, or whoever, after notice from an officer of any of said institutions to leave said land, remains thereon, shall be punished by a fine of not more than fifty dollars or by imprisonment for not more than three months. *Approved June 2, 1969.*

Chap. 363. AN ACT AUTHORIZING THE TOWN OF SWAMPSCOTT TO GRANT AN ANNUITY TO MARGARET M. DELANO.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the town of Swampscott may grant to Margaret M. Delano, widow of Francis E. Delano, a former member of the police department of said town, an annuity for life in the amount of twelve hundred dollars, said annuity to be paid in equal monthly installments. *Approved June 2, 1969.*

Chap. 364. AN ACT RELATIVE TO COURSES AND TEACHERS IN THE EVENING PRACTICAL ARTS PROGRAMS IN TOWNS.

Be it enacted, etc., as follows:

Section 14 of chapter 74 of the General Laws is hereby amended by adding the following paragraph: —

School committees or trustees for vocational education may in addition to the courses approved by the department of education establish and maintain such evening practical art courses as in their opinion they deem expedient and necessary, and may, upon request to the state board and with its approval, hire provisionally in the absence of certified evening practical arts teachers such teachers who may not be certified but are qualified through experience to teach such practical arts courses until such time as such teachers are certified or certified evening practical arts teachers are available. *Approved June 2, 1969.*

Chap. 365. AN ACT RELATIVE TO FURTHER STAY OF JUDGMENT AND EXECUTION IN ACTIONS OF SUMMARY PROCESS.

Whereas, The deferred operation of this act would tend in part to defeat its purpose, which is to provide the courts with further discretionary authority to prevent serious hardships in eviction cases arising out of the present severe housing shortage in certain cities and towns of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the welfare of the public.

Be it enacted, etc., as follows:

SECTION 1. So long as this act continues in force, a stay or successive stays of judgment and execution may be granted under sections nine to

thirteen, inclusive, of chapter two hundred and thirty-nine of the General Laws, for a period not exceeding six months or for periods not exceeding six months in the aggregate instead of three months as now provided by section nine of said chapter; provided, however, that a stay of judgment and execution in the case of premises occupied by an employee of a farmer conditioned upon his employment by such farmer and which employment has been legally terminated shall not be granted for a longer period than two months, in the aggregate.

SECTION 2. This act shall become inoperative on August thirty-first, nineteen hundred and seventy. *Approved June 3, 1969.*

Chap. 366. AN ACT AUTHORIZING THE COURT TO WAIVE THE REQUIREMENT OF A BOND OR SECURITY IN AN APPEAL FROM A JUDGMENT FOR THE POSSESSION OF LAND OR TENEMENTS.

Be it enacted, etc., as follows:

Section 5 of chapter 239 of the General Laws is hereby amended by adding the following paragraph: —

The court may waive the requirement of such bond or security if it is satisfied that the defendant has a defense which is not frivolous and that he has insufficient funds available to him to furnish the necessary bond or security. *Approved June 3, 1969.*

Chap. 367. AN ACT PROHIBITING THE CHARGING OF TOLLS BY THE MASSACHUSETTS PORT AUTHORITY FOR VEHICLES IN FUNERAL PROCESSIONS OF VIETNAM VETERANS WHO DIED IN SERVICE IN VIETNAM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the Massachusetts port authority shall not charge tolls for vehicles taking part in funeral processions of Vietnam veterans who died in service in Vietnam.

SECTION 2. This act shall take effect upon its acceptance by the Massachusetts port authority. *Approved June 3, 1969.*

Chap. 368. AN ACT PROHIBITING THE CHARGING OF TOLLS BY THE MASSACHUSETTS TURNPIKE AUTHORITY FOR VEHICLES IN FUNERAL PROCESSIONS OF VIETNAM VETERANS WHO DIED IN SERVICE IN VIETNAM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the Massachusetts turnpike authority shall not charge tolls for vehicles taking part in funeral processions of Vietnam veterans who died in service in Vietnam.

SECTION 2. This act shall take effect upon its acceptance by the Massachusetts turnpike authority. *Approved June 3, 1969.*

Chap. 369. AN ACT AUTHORIZING THE USE OF FACSIMILE SIGNATURES OF CERTAIN OFFICERS ON BONDS AND NOTES ISSUED UNDER THE HOUSING AUTHORITY LAW.

Be it enacted, etc., as follows:

SECTION 1. Section 26HH of chapter 121 of the General Laws is hereby amended by inserting after the fifth sentence the following sentence: — In case any officer whose signature or a facsimile thereof appears on any notes, bonds or coupons shall cease to be such officer before the delivery of such notes or bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes as if he had remained in office until such delivery.

SECTION 2. Section 26NN of said chapter 121 is hereby amended by striking out the second sentence and inserting in place thereof the following four sentences: — The guarantee by the commonwealth of the notes and bonds of a housing authority shall be executed on each note and bond by the commissioner of community affairs. It shall be sufficient if the signature of said commissioner upon such instrument is an engraved, printed or stamped facsimile signature, provided, that he has, by a writing bearing his written signature and filed in the office of the commissioner of community affairs, authorized his facsimile signature to be placed thereon. The facsimile signature of said commissioner so engraved, printed or stamped thereon shall have the same validity and effect as his written signature. If any such commissioner shall cease to be such officer before the delivery of such instruments, such signature or facsimile shall nevertheless be valid and sufficient for all purposes as if he had remained in office until such delivery.

Approved June 3, 1969.

Chap. 370. AN ACT AUTHORIZING THE GOVERNOR TO MAKE AWARDS COMMEMORATING THE ONE HUNDREDTH ANNIVERSARY OF THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

The governor, on behalf of the commonwealth, is hereby authorized to make centennial awards for distinguished service, commemorating the one hundredth anniversary of the department of public health, at the World Health Assembly to be convened in Boston, Massachusetts, during the year nineteen hundred and sixty-nine, to individuals who have contributed extraordinary achievements in the field of public health.

Approved June 3, 1969.

Chap. 371. AN ACT REQUIRING EMPLOYMENT AGENCIES TO FURNISH CERTAIN INFORMATION TO THE DEPARTMENT OF LABOR AND INDUSTRIES.

Be it enacted, etc., as follows:

The first paragraph of section 46Q of chapter 140 of the General Laws, as appearing in chapter 729 of the acts of 1966, is hereby amended by adding the following sentence: — The commissioner or any such agent or inspector may make a record of such information, and may require each agency to furnish quarterly, on a form supplied by the department of labor and industries, any or all such information. *Approved June 3, 1969.*

Chap. 372. AN ACT DESIGNATING A CERTAIN BRIDGE OVER INTERSTATE ROUTE I–195 IN THE TOWN OF SWANSEA AS THE JOSEPH PAIVA, JR. BRIDGE.

Be it enacted, etc., as follows:

The bridge on Gardner's Neck road over interstate route I–195 in the town of Swansea shall be known and designated as the Joseph Paiva, Jr. bridge, in memory of Private Joseph Paiva, Jr., who was killed while a member of the armed forces of the United States in the Korean emergency. Suitable markers 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 June 3, 1969.*

Chap. 373. AN ACT EXEMPTING THE SPRAYING OF PESTICIDES FROM THE OPERATION OF THE LAW IMPOSING TORT LIABILITY FOR THE DISCHARGE OF CERTAIN PETROLEUM PRODUCTS INTO OR ON CERTAIN WATERS OR TIDAL FLATS.

Be it enacted, etc., as follows:

Section 59A of chapter 91 of the General Laws, inserted by chapter 507 of the acts of 1967, is hereby amended by adding the following sentence: — The use of oil for the extermination of mosquitoes or other insects on the waters of any lake or river or on tidal waters or flats declared to be a breeding place of mosquitoes or other insects, by a town, city or mosquito control project acting under chapter two hundred and fifty-two or any special law, shall not be deemed to be a violation of the provisions of this section, provided such use of oil conforms to the rules and regulations promulgated by the pesticide board. *Approved June 3, 1969.*

Chap. 374. AN ACT PROVIDING FOR SERVICE OF PROCESS ON FOREIGN CORPORATIONS IN CRIMINAL CASES.

Be it enacted, etc., as follows:

Chapter 181 of the General Laws is hereby amended by inserting after section 4 the following section: —

Section 4A. Service of process upon a foreign corporation for violation of any criminal law of the commonwealth may be made in the manner provided in sections three, three A and four, except that no fee shall be paid to the state secretary. *Approved June 3, 1969.*

Chap. 375. AN ACT FURTHER REGULATING THE MEMBERSHIP OF THE BOARD OF REGISTRATION IN NURSING.

Be it enacted, etc., as follows:

Section 13 of chapter 13 of the General Laws is hereby amended by striking out the last sentence, as appearing in section 1 of chapter 693 of the acts of 1960, and inserting in place thereof the following sentence: — As the term of office of a member expires, his successor shall be appointed for a term of six years, but no member shall be appointed for two successive terms. *Approved June 3, 1969.*

Chap. 376. AN ACT AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN LAND IN THE CITY OF BOSTON NECESSARY FOR THE WIDENING OF HUNTINGTON AVENUE, THE RELOCATION OF EVANS WAY AND THE CONSTRUCTION OF AN ADDITION TO THE STATE COLLEGE AT BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of general or special law, the board of trustees of state colleges, with the approval of the governor but without further authority, may, in the name and behalf of the commonwealth, convey to the city of Boston for public street uses the lands shown as Parcels A and B, and for park road uses the land shown as Parcel C, on Universal Engineering Corporation plan dated January 15, 1969, and entitled "Plan of Land in Boston, Massachusetts, for Property Transfer for State College at Boston, Evans Way Relocation and Huntington Avenue Widening", a copy of which plan is on file with the state secretary.

SECTION 2. Notwithstanding any contrary provision of general or special law or any easement in the public, said city, acting by its public improvement commission with the approval of its mayor but without further authority, may, in the manner provided for laying out and discontinuing public ways in said city, dedicate to public street uses, the parcel of park land owned by said city and shown as Parcel D on said plan.

SECTION 3. Notwithstanding any contrary provision of general or special law, said city, acting by its mayor, may convey to the commonwealth for the purposes of the state college at Boston the parcel of park land owned by said city and shown as Parcel E on said plan; provided, however, that such conveyance shall have been authorized, after two separate readings, by two separate votes of two thirds of all the members of the city council of said city, the first of said readings and votes to be had only after the granting of such authorization shall have been recommended to said city council by the parks and recreation commission of said city, and the second of said readings and votes to be had not less than fourteen days after the first; and provided, further, that such conveyance shall not be made for less than such minimum amount as may be specified in the authorization aforesaid.

Approved June 3, 1969.

Chap. 377. AN ACT TRANSFERRING THE ADMINISTRATION OF THE ABANDONED PROPERTY LAW FROM THE COMMISSIONER OF CORPORATIONS AND TAXATION TO THE STATE TREASURER.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 200A of the General Laws is hereby amended by striking out the definitions of "Commissioner" and "Department", as appearing in chapter 801 of the acts of 1950.

SECTION 2. Said chapter 200A is hereby amended by striking out section 7, as amended by section 1 of chapter 359 of the acts of 1957, and inserting in place thereof the following section: —

Section 7. (*a*) It shall be the duty of all persons, or the agents thereof, holding property within the purview of this chapter, to report

annually under penalties of perjury to the state treasurer as of July first, property held by them declared by this chapter to be presumed abandoned.

(*b*) The report shall be made in duplicate and filed in the office of the state treasurer on or before September first of each year for the preceding July first, and shall give the name of the owner, his last known address and the amount and kind of property. It shall also give such other information as the state treasurer may require for the administration of this chapter. All property contained in said report unless earlier claimed by the owner or his legal representative shall be turned over to the state treasurer on or before November first each year.

(*c*) No person shall be required to report any property on a presumption of abandonment to the state treasurer if the period of time provided by any statute of limitations applicable to the owner's right as against a holder has expired unless the court orders him to do so.

SECTION 3. Paragraph (*b*) of section 8 of said chapter 200A, as amended by section 2 of said chapter 359, is hereby further amended by striking out, in line 4, the word "commissioner" and inserting in place thereof the words: — state treasurer.

SECTION 4. Paragraph (*c*) of said section 8 of said chapter 200A, as appearing in chapter 801 of the acts of 1950, is hereby amended by striking out, in lines 1, 2, 5 and 8, the word "commissioner" and inserting in place thereof, in each instance, the words: — state treasurer.

SECTION 5. Paragraph (*c*) (1) of said section 8 of said chapter 200A, as most recently amended by section 4 of chapter 470 of the acts of 1959, is hereby further amended by striking out, in line 3, the word "commissioner" and inserting in place thereof the words: — state treasurer.

SECTION 6. Paragraph (*d*) of said section 8 of said chapter 200A, as appearing in chapter 801 of the acts of 1950, is hereby amended by striking out, in line 1, the word "commissioner" and inserting in place thereof the words: — state treasurer.

SECTION 7. Paragraph (*a*) of section 9 of said chapter 200A, as so appearing, is hereby amended by striking out, in line 2, the word "commissioner" and inserting in place thereof the words: — state treasurer.

SECTION 8. Paragraph (*b*) of said section 9 of said chapter 200A, as so appearing, is hereby amended by striking out, in line 1, the word "commissioner" and inserting in place thereof the words: — state treasurer.

SECTION 9. Paragraph (*c*) of said section 9 of said chapter 200A, as amended by section 4 of chapter 359 of the acts of 1957, is hereby further amended by striking out, in lines 2, 5 and 12, the word "commissioner" and inserting in place thereof, in each instance the words: — state treasurer, — and by striking out, in line 4, the word "commissioner's" and inserting in place thereof the words: — state treasurer's.

SECTION 10. Said section 9 of said chapter 200A is hereby further amended by striking out paragraph (*d*), as appearing in chapter 801 of the acts of 1950, and inserting in place thereof the following paragraph: —

(*d*) All monies received by the state treasurer from the holder thereof, or from the liquidation of the property under the preceding paragraphs hereof, shall be retained by the state treasurer as provided below, but

the holder shall be entitled to such reasonable expenses for insurance, advertising, storage and compliance with this chapter as the state treasurer may determine, not in excess of the money, or proceeds of property, received from the holder. The amount of such expenses shall be certified by the state treasurer who shall, within three months from such certification, unless an appeal is taken from the state treasurer's determination within that time, pay over to the holder the amount so certified.

SECTION 11. Paragraph (*f*) of said section 9 of said chapter 200A, as so appearing, is hereby amended by striking out, in line 1, the word "commissioner" and inserting in place thereof the words: — state treasurer.

SECTION 12. Said chapter 200A is hereby amended by striking out section 10, as most recently amended by chapter 555 of the acts of 1966, and inserting in place thereof the following section: —

Section 10. (*a*) Any person claiming an interest in property surrendered to the state treasurer under the provisions of this chapter may establish his claim at any time thereafter. In the event that said property has not been liquidated at the time said claim is filed the state treasurer shall, forthwith, delay liquidation proceedings that may be in process until such time as the rights of the claimant have been finally determined.

(*b*) The state treasurer shall possess full and complete authority to determine all such claims and shall, forthwith, send a written notice of such determination to the claimant. At any time within twenty days thereafter such claimant may apply for a hearing and redetermination of his claim. After an appropriate hearing before the state treasurer, or person duly designated by him, the state treasurer shall make a final determination.

(*c*) The state treasurer, or any person duly designated by him, is empowered to take testimony under oath and shall have the power to subpoena and require the attendance of witnesses and the production of books, papers and documents which may be pertinent to such hearing.

(*d*) The state treasurer shall render a decision within thirty days after such hearing. A claimant adversely affected by such decision may appeal to the district, municipal or superior court of the county wherein he resides and shall be entitled to a trial de novo. Such appeal shall be perfected by the claimant within twenty days after receiving notice from the state treasurer. Any party adversely affected by a decree or order of the district, municipal or superior court may appeal to the supreme judicial court within twenty days from the date of the decree.

(*e*) If the validity of a claim shall be determined in favor of the claimant, the state treasurer shall pay over to the claimant only that amount which the state treasurer actually received less all expense incurred by the commonwealth, with interest at the rate of one per cent per annum from the time when it was received by the state treasurer to the time when it was paid by him to the claimant. If the property has not been liquidated and still remains in the hands of the state treasurer he shall forthwith turn it over to the claimant.

(*f*) If the claimant is domiciled in a country or state outside the United States or its territories and the state treasurer determines that there is not a reasonable assurance that the claimant will actually receive the payment to which he is entitled under this section in sub-

stantially full value, the superior court, upon petition of the state treasurer or an interested party, or in its discretion, may order that the state treasurer be permitted to liquidate the property if it has not already been liquidated and to turn over the amount of the payment to a recognized public or private agency for the purchase of goods in the form of necessaries of life, food, clothing and medicines, to be sent to the claimant upon his written request, order or assignment. Such order shall be final and binding upon all the parties in interest.

SECTION 13. Paragraph (*a*) of section 11 of said chapter 200A, as appearing in chapter 801 of the acts of 1950, is hereby amended by striking out, in line 2, the word "department" and inserting in place thereof the words: — state treasurer.

SECTION 14. Paragraph (*a*) of section 12 of said chapter 200A, as so appearing, is hereby amended by striking out, in lines 1, 3, 5 and 6, the word "commissioner" and inserting in place thereof, in each instance, the words: — state treasurer.

SECTION 15. Paragraph (*b*) of said section 12 of said chapter 200A, as so appearing, is hereby amended by striking out, in lines 1 and 2, the word "commissioner" and inserting in place thereof the words: — state treasurer.

SECTION 16. Said chapter 200A is hereby further amended by striking out section 13, as amended by section 99 of chapter 654 of the acts of 1953, and inserting in place thereof the following section: —

Section 13. The state treasurer is hereby empowered to extend the date for the filing of the report required in paragraph (*b*) of section seven for such periods up to six months if, in his opinion, such extension is advisable. Where the state treasurer grants such an extension the requirements with respect to the turning over of the property in paragraph (*b*) of section seven and the filing of the published notice with the state treasurer as required by paragraph (*d*) of section eight shall be extended for an additional two months.

SECTION 17. Section 15 of said chapter 200A, as appearing in chapter 801 of the acts of 1950, is hereby amended by striking out, in line 3, the word "commissioner" and inserting in place thereof the words: — state treasurer.

SECTION 18. All property surrendered to the commissioner of corporations and taxation under the provisions of chapter two hundred A of the General Laws which is in his custody on the effective date of this act, and all books, records and papers used by him in the administration of the abandoned property law shall on said effective date be transferred to the state treasurer.

SECTION 19. This act shall take effect on January first, nineteen hundred and seventy. *Approved June 3, 1969.*

Chap. 378. AN ACT RELATIVE TO CERTAIN CONTRACTS OF RETAIL INSTALLMENT SALES AND SERVICES.

Be it enacted, etc., as follows:

Section 13 of chapter 255D of the General Laws is hereby amended by inserting after paragraph C the following paragraph: —

D. On contracts payable in substantially equal successive monthly installments, commencing two or more months after the date of the

contract, the computational period for refund shall commence with the date of the contract or, if the goods are delivered or services performed ten days or more after the date of the contract, the computational period shall commence with the date of delivery or performance of the services.

Approved June 3, 1969.

Chap. 379. AN ACT AUTHORIZING THE CITY OF LOWELL TO PAY THE AMOUNT AUTHORIZED FOR THE PURCHASE AND MAINTENANCE OF UNIFORMS FOR UNIFORMED MEMBERS OF ITS FIRE DEPARTMENT DIRECTLY TO SAID MEMBERS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of law to the contrary, the city council of the city of Lowell may, by ordinance, provide for the payment of a uniform allowance directly to uniformed members of its fire department.

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

Approved June 5, 1969.

Chap. 380. AN ACT AUTHORIZING THE WELLESLEY HOUSING AUTHORITY TO TAKE BY EMINENT DOMAIN CERTAIN LAND IN THE TOWN OF WELLESLEY FOR THE CONSTRUCTION OF A HOUSING PROJECT FOR ELDERLY PERSONS OF LOW INCOME.

Be it enacted, etc., as follows:

SECTION 1. The Wellesley Housing Authority, subject to the rights of the town of Wellesley in the so-called Cochituate aqueduct, is hereby authorized to take by eminent domain, in order to provide housing for elderly persons of low income, a parcel of land owned and held for park and other purposes by the town of Wellesley, being a portion of the land described in a deed dated August 10, 1916 and recorded with Norfolk Deeds, Book 1358, Page 339, which parcel is shown on a plan entitled "Plan of Land in Wellesley, Mass." by Gleason Engineering Company dated November 1, 1968, a copy of which is on file in the office of the town clerk, and is bounded and described as follows: — Southeasterly by Washington Street, sixty (60) feet; southwesterly by other land of the Town of Wellesley by a line parallel to and sixty (60) feet from the existing southwesterly line of land of the Wellesley Housing Authority, two hundred and seventy-six (276) feet; southeasterly by said other land of the Town of Wellesley by lines parallel to and one hundred and twenty (120) feet southeasterly from the land of The Penn Central Company, five hundred and forty-three (543) feet; southwesterly by other land of the Town of Wellesley, one hundred and twenty (120) feet; northwesterly by said land of The Penn Central Company, six hundred and twenty-four (624) feet; northeasterly by said land of the Wellesley Housing Authority, three hundred and eighty-five (385) feet; and containing eighty-nine thousand, seven hundred (89,700) square feet of land.

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

Approved June 5, 1969.

Chap. 381. AN ACT ERECTING AND CONSTITUTING THE WHITTIER REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The cities of Haverhill and Newburyport and the towns of Amesbury, Georgetown, Groveland, Ipswich, Newbury, Rowley, Salisbury and West Newbury are hereby erected and constituted a vocational regional school district pursuant to the provisions of chapter one hundred and fifty-six of the acts of nineteen hundred and sixty-seven and the agreement signed by the members of the regional school district planning board and dated the twenty-sixth day of July, nineteen hundred and sixty-seven.

SECTION 2. This act shall take effect as of March nineteenth, nineteen hundred and sixty-eight. *Approved June 5, 1969.*

Chap. 382. AN ACT ABOLISHING THE POSITION OF HIGHWAY SUPERINTENDENT IN THE TOWN OF SOUTH HADLEY AND ESTABLISHING THE POSITION OF TOWN ENGINEER THEREIN.

Be it enacted, etc., as follows:

The town of South Hadley is hereby authorized to establish the position of town engineer whose duties shall be to supervise the public works of said town and who shall be subject to the supervision of the board of selectmen and serve at the pleasure of said board. The position of town engineer shall not be subject to the provisions of the civil service law and rules. Upon the appointment and qualification of the town engineer, the position of highway superintendent of the town of South Hadley shall be abolished. *Approved June 5, 1969.*

Chap. 383. AN ACT AUTHORIZING CITIES AND TOWNS OF THE COMMONWEALTH TO ADOPT ORDINANCES AND BY-LAWS TO REGULATE NOISE.

Be it enacted, etc., as follows:

Section 21 of chapter 40 of the General Laws is hereby amended by adding the following clause: —

(22) For controlling and abating noise from whatever source, including, without limiting the generality of the foregoing, the right to restrict or limit the use of automobile horns and the operation of motor vehicles in such a manner as to cause excessive noise.

Approved June 5, 1969.

Chap. 384. AN ACT INCREASING THE PENALTY FOR DISCHARGING CRUDE PETROLEUM AND CERTAIN OTHER SUBSTANCES INTO INLAND WATERS OR TIDAL WATERS.

Be it enacted, etc., as follows:

Section 59 of chapter 91 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 8, the words "five hundred" and inserting in place thereof the words: — one thousand. *Approved June 5, 1969.*

Chap. 385. AN ACT AUTHORIZING THE TOWN OF MATTAPOISETT TO ESTABLISH A BOARD OF PUBLIC WORKS EXERCISING THE POWERS OF CERTAIN OTHER DEPARTMENTS AND TOWN OFFICIALS.

Be it enacted, etc., as follows:

SECTION 1. There shall be established in the town of Mattapoisett a board of public works, hereinafter called the board, consisting of five members. The initial members shall consist of two persons elected by the town to serve for a term of three years and three persons appointed by the board of selectmen. Of the appointive members two shall serve for a term of one year and one shall serve for a term of two years. Thereafter, when the term of any member expires, his successor shall be elected to serve for a term of three years. In all cases, the members of the board shall serve until their successors are qualified. The members of the board shall forthwith, after each annual town election, elect from its members a chairman and a clerk for the ensuing year. In case of a vacancy, the remaining members of the board shall, jointly with the board of selectmen, within thirty days, fill such vacancy until the next town election, when a new member or members shall be elected to fill the unexpired term. No person shall serve on the board who is an employee of any town agency coming under the jurisdiction of the board of public works.

SECTION 2. Upon the qualification of the initial members of the board of public works, the board shall have all the powers and duties now and from time to time vested by general or special laws or town by-laws in the following boards, departments and offices having corresponding powers and duties in the town of Mattapoisett, to wit: water commissioners, sewer commissioners, road commissioners, highway surveyor, tree warden, refuse collection, town dump, drainage engineering, mosquito and moth control department, cemetery maintenance and construction department, building inspector; with respect to construction and maintenance only, wharf and beach properties, town landings, repairs and construction of all town real estate and buildings other than schools. In addition to the foregoing, the board shall assume, on or before the date of the annual town meeting in the year nineteen hundred and seventy-three, all the powers and duties now or hereafter vested in the following offices: wharf commissioners, herring inspectors and, with respect to public parks, maintenance and construction only, and shall assume responsibility for procurement, maintenance and repair of all town owned motor vehicles, construction equipment and machinery, and equipment and machinery of the type normally used by any agency under the jurisdiction of the board of public works; and upon the assumption by said board of public works of the powers of said boards, offices and departments, such boards, offices and departments shall be abolished. No existing contract or license shall be affected by such abolition but the board of public works shall, in all respects, be the lawful successors of the boards, departments and offices so abolished. The board shall have such added powers with respect to public works as the town may, from time to time, by by-law provide, notwithstanding any other provision of the law.

SECTION 3. There shall be established under the department of public works a central purchasing agency which shall be responsible for all

purchasing for said department and shall, upon request of any board, department or agency of the town of Mattapoisett, perform purchasing functions for said board or department.

SECTION 4. The board shall appoint and fix the compensation of a superintendent of public works who shall exercise and perform, under its supervision and direction, such of the powers, rights and duties transferred to it under sections two and three 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 of Mattapoisett upon his selection, but shall, within one year after his employment by the board, become a resident of the town of Mattapoisett. He shall be responsible for the efficient exercise and performance of such powers, rights and duties. He may be removed by a vote of at least four members of the board. He shall be given a written notice at least fourteen days prior to the date of removal which shall specify the reasons for such removal. At his request a public hearing shall be held on the charges brought against him.

During his tenure he shall hold no elective office nor shall he engage in any other business or occupation. He shall, if required by the board, give to the town a bond with a surety company authorized to transact business in the commonwealth as surety for the faithful performance of his duties in such sum and upon such conditions as the board may require and shall, subject to the approval of the board, appoint such assistants, agents and employees as the exercise and performance of his powers, rights and duties may require. He shall keep full and complete records of the doings of his office and 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 shall be transferred to and become an employee of the board of public works and every employee so transferred shall retain all rights to holidays, sick leave and vacations in effect on the effective date of this act.

SECTION 5. This act shall be submitted to the voters of the town of Mattapoisett for acceptance at the annual town election in the year nineteen hundred and seventy, 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-nine, entitled 'An Act authorizing the town of Mattapoisett to establish a board of public works exercising the powers of certain other departments and town officials', be accepted?" If a majority of the votes cast in answer to this question is in the affirmative, this act shall take effect beginning with and for the purposes of the annual town election in the year nineteen hundred and seventy-one, but not otherwise.

SECTION 6. The town of Mattapoisett may after the expiration of five years from the date of acceptance of this act vote at an annual meeting

to revoke such acceptance, and the question of such revocation shall be submitted to the voters in the form of the following question: — "Shall the acceptance by the town of Mattapoisett of an act passed by the General Court in the year nineteen hundred and sixty-nine, entitled 'An Act authorizing the town of Mattapoisett to establish a board of public works exercising the powers of certain other departments and town officials', be revoked?" If a majority of the votes cast in answer to said question is in the affirmative, then, at the next annual town election held after said vote of revocation, the town shall elect such officers as are necessary to exercise and perform the powers, rights and duties transferred to the board of public works by said act. Such action shall not affect any contract or liability then created or existing. All general laws respecting town administration and town officers, and any special laws, relative to said town, the operation of which has been suspended or superseded by the acceptance of this act, shall then be in full force and effect. Any by-law inconsistent with such special or general laws shall be revoked thereby. Any subsequent vote to revoke the acceptance of this act shall not be taken more often than once in three years.

Approved June 5, 1969.

Chap. 386. AN ACT RELATIVE TO THE APPOINTMENT AS SPECIAL POLICE OFFICERS OF EMPLOYEES OF THE DEPARTMENT OF MENTAL HEALTH AND INSTITUTIONS UNDER ITS JURISDICTION.

Be it enacted, etc., as follows:

Section 10B of chapter 147 of the General Laws, inserted by chapter 536 of the acts of 1953, is hereby amended by striking out the first two sentences and inserting in place thereof the following five sentences: — The commissioner may, upon petition of the commissioner of mental health, appoint as special police officers employees of the department of mental health or employees of the various institutions under its jurisdiction, who shall have the same power to make arrests as the state police for any criminal offence committed in or upon lands or structures within the charge of the department of mental health or the various institutions under its jurisdiction. Such special police officers shall be sworn before a justice of the peace or notary public who shall make return thereof to the department upon a form provided by it. Upon receipt of said return the department shall issue a license to each person designated to act as a special police officer, and such license shall, in any court of the commonwealth, be competent evidence of the validity of the appointment of the person named therein and of his authority to act as such special police officer. A special police officer shall hold his office until his license expires or is revoked by the commissioner, or until the petitioner files a notice with the department that the services of such officer are no longer required. The commissioner may provide that the license and any renewal thereof shall expire on the anniversary of the birth of the person named therein not less than one nor more than two years following the date of issue. *Approved June 5, 1969.*

Chap. 387. AN ACT RELATIVE TO THE APPOINTMENT AS SPECIAL POLICE OFFICERS OF EMPLOYEES OF THE SOLDIERS' HOME IN HOLYOKE AND THE SOLDIERS' HOME IN MASSACHUSETTS.

Be it enacted, etc., as follows:

Section 10E of chapter 147 of the General Laws, inserted by chapter 731 of the acts of 1957, is hereby amended by striking out the first two sentences and inserting in place thereof the following five sentences: — The commissioner may, upon petition of the board of trustees of the Soldiers' Home in Holyoke, or the Soldiers' Home in Massachusetts, as the case may be, appoint as special police officers employees of said institutions, who shall have the same power to make arrests as the state police for any criminal offence committed in or upon lands or structures within the charge of said boards of trustees, respectively. Such special police officers shall be sworn before a justice of the peace or notary public who shall make a return thereof to the department upon a form provided by it. Upon receipt of said return the department shall issue a license to each person designated to act as a special police officer, and such license shall, in any court of the commonwealth, be competent evidence of the validity of the appointment of the person named therein and of his authority to act as such special police officer. A special police officer shall hold his office until his license expires or is revoked by the commissioner, or until the petitioner files a notice with the department that the services of such officer are no longer required. The commissioner may provide that the license or any renewal thereof shall expire on the anniversary of the date of birth of the person named therein not less than one nor more than two years following the date of issue. *Approved June 5, 1969.*

Chap. 388. AN ACT RELATIVE TO THE APPOINTMENT AS SPECIAL POLICE OFFICERS OF EMPLOYEES OF THE DEPARTMENT OF PUBLIC HEALTH AND OF INSTITUTIONS THEREUNDER.

Be it enacted, etc., as follows:

Section 10C of chapter 147 of the General Laws, inserted by chapter 231 of the acts of 1956, is hereby amended by striking out the first two sentences and inserting in place thereof the following five sentences: — The commissioner may, upon petition of the commissioner of public health, appoint as special police officers employees of the department of public health or employees of the various institutions under its jurisdiction, who shall have the same power to make arrests as the state police for any criminal offence committed in or upon the lands or structures within the charge of the department of public health or the various institutions under its jurisdiction. Such special police officers shall be sworn before a justice of the peace or notary public who shall make a return thereof to the department upon a form provided by it. Upon receipt of said return the department shall issue a license to each person designated to act as a special police officer, and such license shall, in any court of the commonwealth, be competent evidence of the validity of the appointment of the person named therein and of his authority to act as such special police officer. A special police officer shall hold his office until his license expires or is revoked by the commissioner, or until the petitioner files a notice with the department that the services of such officer are no longer required. The

commissioner may provide that the license and any renewal thereof shall expire on the anniversary of the birth of the person named therein not less than one nor more than two years following the date of issue.
Approved June 5, 1969.

Chap. 389. AN ACT PROVIDING FOR THE PAYMENT OF SHIFT DIFFERENTIALS TO COUNTY EMPLOYEES.

Be it enacted, etc., as follows:

Section 51 of chapter 35 of the General Laws, as most recently amended by chapter 433 of the acts of 1960, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

The board is hereby authorized and directed to establish and administer uniform rules and regulations governing leaves of absence, shift differentials and overtime for officers and employees subject to sections forty-eight to fifty-six, inclusive. *Approved June 5, 1969.*

Chap. 390. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY MAY BORROW FOR THE CONSTRUCTING AND EQUIPPING OF A COURTHOUSE FOR THE FIRST DISTRICT COURT OF NORTHERN MIDDLESEX.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 652 of the acts of 1965, as amended by section 1 of chapter 65 of the acts of 1967, is hereby further amended by striking out the fifth sentence and inserting in place thereof the following sentence: — 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, one million four hundred and fifty thousand dollars.

SECTION 2. Section 2 of said chapter 652, as amended by section 2 of said chapter 65, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — 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 million four 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. *Approved June 5, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 5, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 390 of the Acts of 1969, entitled "AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY MAY BORROW FOR THE CONSTRUCTING AND EQUIPPING OF A COURTHOUSE FOR THE FIRST DISTRICT COURT OF NORTHERN MIDDLESEX." and the enactment of which received my approval on June 5, 1969, 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:

This project is now ready to proceed and to unnecessarily delay the operation of this act for 90 days would defeat its purpose which is to allow for the construction and equipping of this much needed facility.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 6, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at nine o'clock and forty-six 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 ninety of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 391. AN ACT AUTHORIZING CITIES AND TOWNS TO ESTABLISH YOUTH COMMISSIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 40 of the General Laws is hereby amended by inserting after section 8D the following section: —

Section 8E. A city or town which accepts this section may establish a youth commission, hereinafter called the commission, for the purpose of carrying out programs which may be designed or established to meet the opportunities, challenges and problems of youth of said city or town and in conjunction with any similar or related programs of any agency of the commonwealth or any agency of the federal government. It shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the case of towns in the annual town report. The commission may appoint such clerks and other employees as it may from time to time require. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having or operating under a plan D or plan E form of city charter, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns they shall be appointed by the selectmen, excepting towns having a manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen.

When a commission is first established, the terms of the members shall be for one, two or three years and so arranged that the terms of approximately one third of the members will expire each year, and their successors shall be appointed for a term of three years each. Any member of a commission so appointed may, after a public hearing, if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall in a city be filled for the unexpired term in the same manner as the original appointment, and in a town in the manner provided in section eleven of chapter forty-one. Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the selectmen in a town, such gifts to be managed and controlled by the commission for the purposes of this section.

SECTION 2. Section 5 of chapter 40 of the General Laws is hereby amended by inserting after clause 62, added by chapter 330 of the acts of 1969, the following clause: —

(63) For the purpose of establishing and maintaining a youth commission as authorized by the provisions of section eight E of chapter forty.

Approved June 5, 1969.

Chap. 392. AN ACT PROVIDING FOR THE CLARIFICATION OF THE BUSINESS CORPORATION LAW AND GRANTING CERTAIN ADDITIONAL POWERS TO CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 156B of the General Laws is hereby amended by striking out section 3, as amended by section 1A of chapter 685 of the acts of 1965, and inserting in place thereof the following section: —

Section 3. Except so far as such application may be inconsistent with provisions still in force of any special acts of incorporation, enacted before March eleventh, eighteen hundred and thirty-one, and not subject to amendment, alteration or repeal by the general court, this chapter shall apply to:

(*a*) all domestic corporations having capital stock whether established before or after October first, nineteen hundred and sixty-five, either by general or special law, for the purpose of carrying on business for profit except corporations organized for the purpose of carrying on the business of a bank, savings bank, co-operative bank, trust company, credit union, surety or indemnity company, or safe deposit company, or for the purpose of carrying on within the commonwealth the business of an insurance company, railroad, electric railroad, street railway or trolley motor company, telegraph or telephone company, gas or electric light, heat or power company, canal, aqueduct or water company, cemetery or crematory company, any other corporations which on October first, nineteen hundred and sixty-five have or may thereafter have the right to take land within the commonwealth by eminent domain or to exercise franchises in public ways granted by the commonwealth or by any county, city or town, and corporations subject to chapter one hundred and fifty-seven; and

(*b*) notwithstanding anything to the contrary in clause (*a*), all other corporations to which this chapter is made applicable by the express

provisions of any other general or special law to the extent provided thereby.

SECTION 2. Section 5 of said chapter 156B, as appearing in section 1 of chapter 723 of the acts of 1964, is hereby amended by inserting after the word "to", in line 2, the words: — clause (*a*) of.

SECTION 3. Section 7 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 2, the words "after October first, nineteen hundred and sixty-five".

SECTION 4. Section 9 of said chapter 156B, as so appearing, is hereby amended by striking out clause (*l*) and inserting in place thereof the following clause: —

(*l*) To pay pensions, establish and carry out pension, profit-sharing, share bonus, share purchase, share option, savings, thrift and other retirement, incentive and benefit plans, trusts and provisions for any or all of its directors, officers and employees, and for any or all of the directors, officers and employees of any corporation, fifty per cent or more of the shares of which outstanding and entitled to vote on the election of directors are owned, directly or indirectly, by it;.

SECTION 5. Said section 9 of said chapter 156B is hereby further amended by striking out the word "and", which appears after clause (*n*).

SECTION 6. Said section 9 of said chapter 156B is further amended by striking out clause (*o*) and inserting in place thereof the following two clauses: —

(*o*) to be an incorporator of other corporations of any type or kind; and

(*p*) to have and exercise all powers necessary or convenient to effect any or all of the purposes for which the corporation is formed; provided that no such power shall be exercised in a manner inconsistent with this chapter or the general laws of the commonwealth.

SECTION 7. Said chapter 156B is hereby further amended by inserting after section 9 the following section: —

Section 9A. If and to the extent authorized by its articles of organization, a corporation may be a partner in any business enterprise which said corporation would have power to conduct by itself.

SECTION 8. Said chapter 156B is hereby further amended by striking out section 12 and inserting in place thereof the following section: —

Section 12. One or more persons, of the age of twenty-one years or more in the case of natural persons, may act as incorporators of a corporation to be formed under this chapter. Such incorporators shall hold a meeting at which by-laws shall be adopted, and the initial directors, a president, treasurer and clerk elected. At such meeting the incorporators may also elect or appoint any other officers and a resident agent as provided in section forty-nine and take any other action which might be taken by stockholders after the articles of organization have become effective.

Any action required or permitted to be taken at any meeting of the incorporators may be taken without a meeting if all the incorporators consent to the action in writing and the written consents are filed with the records of the corporation. Such consents shall be treated for all purposes as a vote at a meeting.

Articles of organization signed under the penalties of perjury by all of the incorporators shall be submitted to the state secretary. The articles of organization shall become effective when they are filed in accordance with section six, unless the articles of organization specify a later effec-

tive date not more than thirty days after the date of such filing, in which event the articles of organization shall become effective on such later date. The existence of the corporation shall begin when the articles of organization become effective. A certified statement of the fact of incorporation by the state secretary shall be conclusive evidence of incorporation.

SECTION 9. Section 24 of said chapter 156B, as appearing in section 1 of chapter 723 of the acts of 1964, is hereby amended by striking out, in line 1, the words ", under the articles of organization,".

SECTION 10. Section 25 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 1, the words ", under the articles of organization,".

SECTION 11. The first paragraph of section 26 of said chapter 156B, as amended by section 12 of chapter 685 of the acts of 1965, is hereby amended by striking out, in line 9, the words "dividend rate," and by inserting after the word "rights", in line 10, the words: — as to dividends and.

SECTION 12. Said chapter 156B is hereby further amended by striking out section 37, as appearing in section 1 of chapter 723 of the acts of 1964, and inserting in place thereof the following section: —

Section 37. Whenever notice of a meeting is required to be given a stockholder under any provision of this chapter or of the articles of organization or the by-laws, a written waiver thereof, executed before or after the meeting by such stockholder or his attorney thereunto authorized and filed with the records of the meeting, shall be deemed equivalent to such notice.

SECTION 13. Section 42 of said chapter 156B is hereby amended by adding the following paragraph: —

If no record date is fixed and the transfer books are not closed: —

(1) The record date for determining stockholders having the right to notice of or to vote at a meeting of stockholders shall be at the close of business on the day next preceding the day on which notice is given.

(2) The record date for determining stockholders for any other purpose shall be at the close of business on the day on which the board of directors acts with respect thereto.

SECTION 14. Said chapter 156B is hereby further amended by striking out section 43, as amended by section 19 of chapter 685 of the acts of 1965, and inserting in place thereof the following section: —

Section 43. Any action required or permitted to be taken at any meeting of the stockholders may be taken without a meeting if all stockholders entitled to vote on the matter consent to the action in writing and the written consents are filed with the records of the meetings of stockholders. Such consents shall be treated for all purposes as a vote at a meeting.

SECTION 15. Said chapter 156B is hereby further amended by striking out section 59, as amended by section 23 of said chapter 685, 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 all the directors consent to the action in writing and the written consents are filed with the records of the meetings of directors. Such consents shall be treated for all purposes as a vote at a meeting.

SECTION 16. Section 65 of said chapter 156B is hereby amended by adding the following sentence: — In discharging his duties any such person, when acting in good faith, shall be entitled to rely upon the books of account of the corporation or upon written reports made to the corporation by any of its officers, other than such person, or by an independent public accountant.

SECTION 17. Section 67 of said chapter 156B is hereby amended by striking out the first paragraph, as appearing in section 1 of chapter 723 of the acts of 1964, and inserting in place thereof the following paragraph: —

Indemnification of directors, officers, employees and other agents of a corporation, and persons who serve at its request as directors, officers, employees or other agents of another organization in which it owns shares or of which it is a creditor, may be provided by it to whatever extent shall be specified in or authorized by (*i*) the articles of organization or (*ii*) a by-law adopted by the stockholders or (*iii*) a vote adopted by the holders of a majority of the shares of stock entitled to vote on the election of directors. Except as the articles of organization or by-laws otherwise require, indemnification of any persons referred to in the preceding sentence who are not directors of the corporation may be provided by it to the extent authorized by the directors. Such indemnification may include payment by the corporation of expenses incurred in defending a civil or criminal action or proceeding in advance of the final disposition of such action or proceeding, upon receipt of an undertaking by the person indemnified to repay such payment if he shall be adjudicated to be not entitled to indemnification under this section. Any such indemnification may be provided although the person to be indemnified is no longer an officer, director, employee or agent of the corporation or of such other organization.

SECTION 18. Said section 67 of said chapter 156B is hereby further amended by adding the following paragraph: —

A corporation shall have power to purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or other agent of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or other agent of another organization in which it owns shares or of which it is a creditor, against any liability incurred by him in any such capacity, or arising out of his status as such, whether or not the corporation would have the power to indemnify him against such liability.

SECTION 19. Section 78 of said chapter 156B is hereby amended by striking out subsection (*c*), as amended by section 32 of chapter 685 of the acts of 1965, and inserting in place thereof the following subsection:—

(*c*) (1) Except as provided in paragraph (2) of this subsection:

(*i*) The agreement of consolidation or merger shall be submitted to the stockholders of each constituent corporation at a meeting thereof called for the purpose of considering and acting upon the same.

(*ii*) Notice of the time, place and purposes of such meeting shall be given to each stockholder of record, whether or not entitled to vote thereat, of each such corporation in the manner provided in section thirty-six but at least thirty days prior to the date of such meeting.

(*iii*) The vote of two thirds of each class of stock of each constituent corporation outstanding and entitled to vote on the question shall be necessary for the approval of such agreement.

(2) Unless required by its articles of organization, the agreement of merger need not be submitted to the stockholders of a constituent corporation surviving the merger but may be approved by vote of its directors if:

(*i*) The agreement of merger does not change the name, the amount of shares authorized of any class of stock or other provisions of the articles of organization of such corporation;

(*ii*) The authorized unissued shares or shares held in the treasury of such corporation of any class of stock of such corporation to be issued or delivered pursuant to the agreement of merger do not exceed fifteen per centum of the shares of such corporation of the same class outstanding immediately prior to the effective date of the merger; and

(*iii*) The issue by vote of the directors of any unissued stock to be issued pursuant to the agreement of merger has been authorized in accordance with section twenty-one.

SECTION 20. The first paragraph of subsection (*d*) of said section 78 of said chapter 156B, as appearing in section 1 of chapter 723 of the acts of 1964, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Such articles of consolidation or merger shall set forth in full the agreement of consolidation and merger, shall state the effective date of the consolidation or merger determined pursuant to such agreement, and shall be signed by the president or a vice-president and the clerk or an assistant clerk of each constituent corporation, who shall state under the penalties of perjury that the agreement has been duly executed on behalf of such corporation and has been approved in the manner required by this section by the stockholders of such corporation or, if permitted under subsection (*c*), by the directors of such corporation.

SECTION 21. Subsection (*c*) of section 79 of said chapter 156B, as so appearing, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — Such articles of consolidation or merger shall set forth in full the agreement of consolidation or merger, shall state the effective date of the consolidation or merger determined pursuant to such agreement, and shall be signed by the president or a vice-president and the clerk or an assistant clerk of each constituent corporation, or, in the case of a corporation organized under the laws of another state, by officers having corresponding powers and duties, who shall make affidavit or state under the penalties of perjury (1) in the case of each constituent corporation not organized under the laws of Massachusetts, that the agreement has been duly adopted under the laws of the state under which such constituent corporation is organized, and (2) in the case of each constituent corporation organized under the laws of Massachusetts, that the agreement has been duly executed by the officers and has been approved in the manner required by section seventy-eight by the stockholders of such corporation or, if permitted under subsection (*c*) of section seventy-eight, by the directors of such corporation.

SECTION 22. Section 85 of said chapter 156B is hereby amended by adding the following sentence: — This section shall not apply to the holders of any shares of stock of a constituent corporation surviving a merger if, as permitted by subsection (*c*) of section seventy-eight, the merger did not require for its approval a vote of the stockholders of the surviving corporation.

SECTION 23. Clause (2) of paragraph (*b*) of section 99 of said chapter 156B, as appearing in section 44 of chapter 685 of the acts of 1965, is hereby amended by striking out, in lines 2 and 3, the words "for a period which includes at least two consecutive annual meeting dates".

SECTION 24. Section 108 of said chapter 156B is hereby amended by striking out the first sentence, as amended by section 48 of said chapter 685, and inserting in place thereof the following sentence: — If the state secretary finds that the existence of a corporation has terminated in any manner and that such corporation ought to be revived for all purposes or for any specified purpose or purposes with or without limitation of time, he may, upon application by an interested party, file in his office a certificate in such form as he may prescribe reviving such corporation.

SECTION 25. Said chapter 156B is hereby amended by inserting after section 109 the following section: —

Section 109A. Such report of a corporation which shows total assets in excess of five hundred thousand dollars shall be accompanied by a written statement on oath by an auditor which shall be attached to and form a part of such report. The auditor shall state that he has examined the statement of assets and liabilities included in such report, that his examination was made in accordance with generally accepted auditing standards, and that in his opinion said statement of assets and liabilities presents fairly the financial position of the corporation as of the date thereof, in conformity with generally accepted accounting principles. The state secretary may in special circumstances, in his discretion, approve the inclusion of an auditor's statement expressing a qualified opinion or no opinion of the statement of assets and liabilities taken as a whole, provided the auditor states his reasons therefor. The statement by an auditor provided for in this section shall not be required for the report of a corporation which is included as a consolidated subsidiary of another corporation in a report filed by it accompanied by the statement of an auditor as provided in this section.

SECTION 26. Section 111 of said chapter 156B, as appearing in section 1 of chapter 723 of the acts of 1964, is hereby amended by striking out the first three sentences.

SECTION 27. Section 1 of chapter 155 of the General Laws, as most recently amended by section 4 of said chapter 723, is hereby further amended by inserting after the word "chapter", in line 4, the words: — one hundred and fifty-six A or chapter.

SECTION 28. The first sentence of section 2 of chapter 156 of the General Laws is hereby amended by inserting after the word "chapter", the second time it occurs in line 2, as appearing in section 5 of said chapter 723, the words: — one hundred and fifty-six A or chapter.

SECTION 29. Section 3 of chapter 156A of the General Laws, as appearing in section 1 of chapter 654 of the acts of 1963, is hereby amended by inserting after the word "fifty-six", in lines 1 and 7, in each instance, the letter B.

Approved June 5, 1969.

Chap. 393. AN ACT AUTHORIZING THE TOWN OF WEBSTER TO ESTABLISH SALARIES FOR AND PAY SALARIES TO THE MEMBERS OF THE BOARD OF PARK COMMISSIONERS OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section two of chapter forty-five of the General Laws, the town of Webster is hereby authorized to establish salaries for and to pay salaries to the members of the board of park commissioners of said town. *Approved June 5, 1969.*

Chap. 394. AN ACT AUTHORIZING THE TOWN OF SCITUATE TO USE FOR GENERAL TOWN PURPOSES CERTAIN LAND ACQUIRED BY THE TOWN FOR PARK AND OTHER PURPOSES.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the town of Scituate is hereby authorized to use for any municipal purpose, which it deems to be in the best interest of the inhabitants of said town, the land acquired by it for park and other purposes from the court-appointed trustees of the New York, New Haven and Hartford Railroad Company and described in a deed recorded in the Plymouth County Registry of Deeds, Book 3493, Page 78. *Approved June 5, 1969.*

Chap. 395. AN ACT FURTHER REGULATING IMPROVEMENTS BY CREDIT UNIONS OF BUILDINGS OWNED OR OCCUPIED BY THEM FOR THE TRANSACTION OF THEIR BUSINESS.

Be it enacted, etc., as follows:

Section 21 of chapter 171 of the General Laws is hereby amended by adding the following sentence: — In addition to the foregoing authority, a credit union whose shares and deposits aggregate one million dollars or more may during any period of twenty-four consecutive months expend, with the approval of the board of directors only, a sum not exceeding, in the aggregate, five thousand dollars on any one parcel of real estate leased by it and ten thousand dollars on any one parcel of real estate owned by it, for necessary alterations, improvements and additions for the convenient transaction of its business.

Approved June 5, 1969.

Chap. 396. AN ACT CHANGING THE NAME OF THE SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE TO THE SOUTH EASTERN MASSACHUSETTS UNIVERSITY.

Be it enacted, etc., as follows:

SECTION 1. The name of the Southeastern Massachusetts Technological Institute is hereby changed to the South Eastern Massachusetts University.

SECTION 2. Section 1A of chapter 15 of the General Laws, as appearing in section 2 of chapter 572 of the acts of 1965, is hereby amended by striking out, in line 10, the words "Southeastern Massachusetts Tech-

nological Institute" and inserting in place thereof the words: — South Eastern Massachusetts University.

SECTION 3. Section 1B of said chapter 15, as so appearing, is hereby amended by striking out, in lines 4 and 5, the words "Southeastern Massachusetts Technological Institute" and inserting in place thereof the words: — South Eastern Massachusetts University.

SECTION 4. Section 19 of said chapter 15, as most recently amended by section 1 of chapter 543 of the acts of 1960, is hereby further amended by striking out, in line 6, the words "Southeastern Massachusetts Technological Institute" and inserting in place thereof the words: — South Eastern Massachusetts University.

SECTION 5. Said chapter 15 is hereby further amended by striking out the caption preceding section 21A, inserted by section 2 of said chapter 543, and inserting in place thereof the following caption: — SOUTH EASTERN MASSACHUSETTS UNIVERSITY.

SECTION 6. The first sentence of section 21A of said chapter 15, as appearing in said section 2 of said chapter 543, is hereby amended by striking out, in line 2, the words "Southeastern Massachusetts Technological Institute" and inserting in place thereof the words: — South Eastern Massachusetts University.

SECTION 7. Section 1 of chapter 75 of the General Laws, as amended by section 1 of chapter 648 of the acts of 1962, is hereby further amended by striking out, in lines 1 and 2, the words "The state university shall be the University of Massachusetts" and inserting in place thereof the words: — There shall be a University of Massachusetts.

SECTION 8. The third sentence of section 2 of said chapter 75, as appearing in section 31 of chapter 572 of the acts of 1965, is hereby amended by striking out, in lines 1 and 2, the words "shall be the sole public university operated by the commonwealth but it".

SECTION 9. Chapter 75B of the General Laws is hereby amended by striking out the title, as appearing in section 3 of chapter 543 of the acts of 1960, and inserting in place thereof the following title: — SOUTH EASTERN MASSACHUSETTS UNIVERSITY.

SECTION 10. Section 1 of said chapter 75B, as amended by section 34 of chapter 572 of the acts of 1965, is hereby further amended by striking out, in line 2, the words "Southeastern Massachusetts Technological Institute" and inserting in place thereof the words: — South Eastern Massachusetts University, — by striking out, in line 9, the words "said university and of said institute" and inserting in place thereof the words: — each university, — and by striking out, in lines 10 and 19, the word "institute" and inserting in place thereof, in each instance, the word: — university.

SECTION 11. Said chapter 75B is hereby further amended by striking out sections 3 and 4, as appearing in section 1 of chapter 582 of the acts of 1964, and inserting in place thereof the following two sections: —

Section 3. The trustees may delegate their authority or any portion thereof to the president or any officers of the university whenever in their judgment such delegation may be necessary or desirable.

Section 4. All accounts of the university under the direction of the trustees, including the accounts of all property or funds received, held or disbursed by the trustees under any provision of section eight, shall be audited annually by the state auditor.

SECTION 12. Section 6 of said chapter 75B, as so appearing, is hereby amended by striking out, in lines 3, 4 and 11, the word "institute" and inserting in place thereof, in each instance, the word: — university.

SECTION 13. Section 7 of said chapter 75B, as so appearing, is hereby amended by striking out, in line 7, the word "institute" and inserting in place thereof the word: — university.

SECTION 14. Section 8 of said chapter 75B, as so appearing, is hereby amended by striking out, in lines 4, 7, 12, 13, 23, 25 and 26, the word "institute" and inserting in place thereof, in each instance, the word: — university.

SECTION 15. Section 9 of said chapter 75B, as so appearing, is hereby amended by striking out, in lines 2, 9, 13, 14 and 16, the word "institute" and inserting in place thereof, in each instance, the word: — university, — and by striking out, in line 16, the word "institute's" and inserting in place thereof the word: — university's.

SECTION 16. Section 10 of said chapter 75B, as so appearing, is hereby amended by striking out, in lines 8, 15, 30, 33, 37, 39, 45, 49 and 56, the word "institute", and inserting in place thereof, in each instance, the word: — university.

SECTION 17. Said chapter 75B is hereby further amended by striking out sections 11 and 12, as so appearing, and inserting in place thereof the following two sections: —

Section 11. The trustees shall annually as of the end of the fiscal year cause the president to make and publish a report for the university that shall be available to the public, copies of which shall be filed with the governor, state secretary and the general court. Special reports and bulletins may be issued from time to time as determined by the trustees.

Section 12. Employees of the university shall be exempt from civil service laws.

SECTION 18. Section 13 of said chapter 75B, as so appearing, is hereby amended by striking out, in lines 3 and 4, the word "institute" and inserting in place thereof, in each instance, the word: — university.

SECTION 19. Said chapter 75B is hereby further amended by striking out section 16, as so appearing, and inserting in place thereof the following section: —

Section 16. The trustees shall have complete authority in determining the university's travel policy. Such power shall include the right to determine who among the university personnel shall travel within and without the commonwealth at state expense and where such personnel shall travel.

SECTION 20. Section 17 of said chapter 75B, as so appearing, is hereby amended by striking out, in lines 2, 3, 5, 6, 7, 11 and 12, the word "institute" and inserting in place thereof, in each instance, the word: — university.

SECTION 21. When used in any statute, ordinance, by-law, rule or regulation, the phrase "Southeastern Massachusetts Technological Institute", or any words connoting the same, shall mean the South Eastern Massachusetts University unless a contrary intent clearly appears.

Approved June 8, 1969.

Chap. 397. AN ACT RELATIVE TO MINIMUM WAGE RATES FOR CERTAIN SERVICE PEOPLE AND FOR LEARNERS AND APPRENTICES.

Be it enacted, etc., as follows:

SECTION 1. The fifth sentence of the first paragraph of section 7 of chapter 151 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1947, is hereby amended by inserting after the word "occupations", in lines 5 and 6, the words: — , provided that in a retail, merchandising or laundry establishment such scale of learners' and apprentices' rates shall apply only to the first eighty hours during which such learner or apprentice is employed.

SECTION 2. The second paragraph of said section 7 of said chapter 151 is hereby amended by striking out, in lines 5 and 6, as appearing in section 2 of chapter 679 of the acts of 1966, the words "regularly receive gratuities and whose minimum fair wage rates shall not be below ninety-three cents per hour" and by inserting in place thereof the words: — customarily and regularly receive more than twenty dollars a month in tips and in determining whose minimum fair wage rates the amount paid such employee by his employer shall be deemed to be increased on account of tips by an amount determined by the employer, but not by an amount in excess of forty per cent of the applicable minimum wage rate provided in section one, except that in the case of an employee who, by himself or through his representative, shows to the satisfaction of the commission that the actual amount of tips received by him was less than the amount determined by the employer as the amount by which the wage paid him was deemed to be increased under this provision, the amount paid such employee by his employer shall be deemed to have been increased by such lesser amount.

SECTION 3. Minimum wage orders promulgated under the provisions of chapter one hundred and fifty-one of the General Laws and which contain minimum wage requirements for learners, apprentices and service people different from those provided by section seven of said chapter one hundred and fifty-one, as amended by sections one and two of this act, shall automatically be conformed thereto on the effective date of this act, and the commissioner of labor and industries shall issue a mandatory order to that effect.

SECTION 4. This act shall take effect on October first, nineteen hundred and sixty-nine. *Approved June 9, 1969.*

Chap. 398. AN ACT AUTHORIZING THE DESIGNATION OF AN ASSISTANT CLERK IN THE CENTRAL DISTRICT COURT OF WORCESTER AS AN ASSISTANT CLERK IN CHARGE OF THE REMAND LIST.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 218 of the General Laws, as most recently amended by chapter 667 of the acts of 1968, is hereby further amended by adding the following paragraph: —

In the central district court of Worcester the clerk may designate one of his assistant clerks as assistant clerk in charge of the remand list; said list being for the trial of all cases transferred to said court from the superior court under the provisions of section one hundred and two C of chapter two hundred and thirty-one. The salary of said assistant clerk

shall be equal to eighty-seven and one half per cent of the minimum salary of the clerk of said court.

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

Approved June 10, 1969.

Chap. 399. AN ACT GRANTING TENURE OF OFFICE TO CERTAIN ASSISTANT REGISTERS OF DEEDS FOR SUFFOLK COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 36 of the General Laws is hereby amended by striking out section 5, as most recently amended by section 2 of chapter 761 of the acts of 1960, and inserting in place thereof the following section: —

Section 5. The registers of deeds for Suffolk county and the southern district of Middlesex may, by a writing recorded in their respective registries, appoint one of the persons employed in their respective registries as second assistant register, one of such persons as third assistant register and one of such persons as fourth assistant register, all of whom shall serve at the pleasure of such register; provided, however, that any person so appointed by the register of deeds for Suffolk county who has served continuously in any such position for a period of at least ten years shall not be removed therefrom except for cause.

SECTION 2. The provisions of section five of chapter thirty-six of the General Laws, as amended by section one of this act, shall apply to any person, who on the effective date of this act is serving as second, third or fourth assistant register of deeds in the registry of deeds for Suffolk county.

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

Approved June 10, 1969.

Chap. 400. AN ACT RELATIVE TO THE REPRESENTATIVE TOWN MEETING FORM OF GOVERNMENT IN THE TOWN OF FAIRHAVEN.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 285 of the acts of 1930 is hereby amended by striking out the first sentence, as amended by section 1 of chapter 587 of the acts of 1968, and inserting in place thereof the following sentence: — Other than the officers designated in section three as town meeting members at large, the representative town meeting membership shall in each precinct consist of the largest number divisible by three which will not exceed five per cent of the registered voters in the precinct.

SECTION 2. Section 4 of said chapter 285 is hereby amended by striking out the first sentence, as amended by section 2 of said chapter 587, and inserting in place thereof the following sentence: — Nomination of candidates for town meeting members to be elected under this act shall be made by nomination papers signed by not less than ten voters of the precinct in which the candidate resides, and filed with the town clerk at least fifteen days before the election; provided, that any town meeting member may become a candidate for reelection by giving written notice thereof to the town clerk at least forty-two days before election.

SECTION 3. The first sentence of section 2 of said chapter 285, as

amended by section 1 of this act, is hereby further amended by striking out the word "five" and inserting in place thereof the word: — two.

SECTION 4. The first sentence of section 4 of said chapter 285, as amended by section 2 of this act, is hereby further amended by striking out the words "; provided, that any town meeting member may become a candidate for reelection by giving written notice thereof to the town clerk at least forty-two days before election".

SECTION 5. Sections one and two of this act shall take effect upon its passage. Sections three and four of this act shall take effect upon the next precinct revision by the town of Fairhaven, as set forth in chapter two hundred and eighty-five of the acts of nineteen hundred and thirty, as amended. *Approved June 10, 1969.*

Chap. 401. AN ACT AUTHORIZING THE TOWN OF ADAMS TO ACCEPT SEWERAGE FROM THE HOOSAC VALLEY REGIONAL HIGH SCHOOL IN THE TOWN OF CHESHIRE.

Be it enacted, etc., as follows:

SECTION 1. The town of Adams is hereby authorized to enter into an agreement with the Adams-Cheshire regional school district for the tie-in of the sewerage system of the Hoosac Valley regional high school located in the town of Cheshire with the sewerage system of said town of Adams for the purpose of disposing of the waste and sewerage of said school.

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

Approved June 10, 1969.

Chap. 402. AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF YARMOUTH MAY APPROPRIATE FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 225 of the acts of 1946, as most recently amended by chapter 170 of the acts of 1967, is hereby further amended by striking out, in line 2, the word "five" and inserting in place thereof the word: — ten, — so as to read as follows: —

Section 1. The town of Yarmouth may, by a majority vote, appropriate each year a sum not exceeding ten thousand dollars for providing amusements or entertainments of a public character. The money so appropriated by the town shall be expended under the direction of the board of selectmen.

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

Approved June 10, 1969.

Chap. 403. AN ACT AUTHORIZING THE TOWN OF CHATHAM TO APPROPRIATE MONEY FOR THE REIMBURSEMENT OF, AND TO REIMBURSE, NAUSET AIRWAYS, INC.

Be it enacted, etc., as follows:

SECTION 1. The town of Chatham is hereby authorized to appropriate money for the reimbursement of, and after such appropriation the treasurer of said town is hereby authorized to reimburse, Nauset

Airways, Inc. the sum of one thousand seven hundred and ten dollars being the amount paid by said Nauset Airways, Inc. for the construction of an apron in front of the new hangar at the Chatham Airport, said apron having been constructed in nineteen hundred and sixty-four with the approval of the Chatham Airport Commission in accordance with the terms of a lease between said town and said Nauset Airways, Inc.

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

Approved June 10, 1969.

Chap. 404. AN ACT AUTHORIZING THE CITY OF FALL RIVER TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, A CERTAIN UNPAID BILL TO TURNER & BREIVOGEL, INC.

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, an unpaid bill incurred by said city in the amount of five thousand, four hundred ninety-five dollars and fifty cents to Turner & Breivogel, Inc. for work, labor and materials furnished by it under a contract in the year nineteen hundred and sixty-seven, said bill being legally unenforceable against said city by reason of its being incurred in excess of available appropriations.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the services or materials for which said bill was submitted were ordered by an official or an employee of said city, and that such services were rendered to said city or that such materials were delivered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two which is false, and who thereby receives payment for services or materials which were not rendered to or delivered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

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

Approved June 10, 1969.

Chap. 405. AN ACT AUTHORIZING MINORS TO ENTER INTO LEGAL CONTRACTS IN THE MATTER OF THE PURCHASE AND SALE OF MOTOR VEHICLES, PARTS AND ACCESSORIES THEREFOR.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by inserting after section 2B, inserted by chapter 282 of the acts of 1969, the following section: —

Section 2C. A minor eighteen years of age or older, if his parent or guardian assents thereto in writing, shall have full legal capacity to act in his own behalf in the matter of contracts for the purchase, repair, or sale of motor vehicles, parts or accessories therefor, and such contracts or any instrument relative to the financing of such contracts, if otherwise legal, shall have the same legal effect as if no minority existed.

Approved June 10, 1969.

Chap. 406. AN ACT REQUIRING MUNICIPAL AUTHORITIES TO TRANSMIT THEIR RECOMMENDATIONS RELATIVE TO THE FILLING OR DREDGING OF COASTAL WETLANDS TO CERTAIN PERSONS AND TO THE DIRECTOR OF MARINE FISHERIES AND THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

SECTION 1. The second sentence of section 27A of chapter 130 of the General Laws, as appearing in chapter 426 of the acts of 1963, is hereby amended by striking out, in line 1, the word "fourteen" and inserting in place thereof the word: — thirty.

SECTION 2. The fourth sentence of said section 27A, as so appearing, is hereby amended by adding after the word "interest", in line 3, the words: — and shall transmit forthwith to such person, the director and the department of public works a copy of any such recommendations.

Approved June 10, 1969.

Chap. 407. AN ACT EXTENDING THE TIME DURING WHICH THE WAREHAM FIRE DISTRICT MAY LEVY ASSESSMENTS FOR THE COST OF CERTAIN BETTERMENTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the failure of the Wareham fire district to comply with the provisions of sections one and two of chapter eighty and section forty-two I of chapter forty of the General Laws, said district may levy and collect assessments for betterments comprising water extension programs for the years nineteen hundred and sixty-seven and nineteen hundred and sixty-eight.

SECTION 2. The recording by the Wareham fire district of the orders, plans, estimates and assessments required under the provisions of sections one and two of chapter eighty and of section forty-two I of chapter forty of the General Laws is hereby validated and confirmed, notwithstanding the failure of said district to record the same within the time prescribed by said sections. *Approved June 10, 1969.*

Chap. 408. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR VICTOR LEGER, INCUMBENT OF THE OFFICE OF DIRECTOR OF VETERANS' SERVICES IN THE CITY OF LEOMINSTER.

Be it enacted, etc., as follows:

SECTION 1. Victor Leger, incumbent of the office of director of veterans' services in the city of Leominster, shall hold said office until he reaches age seventy, 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 Leominster. *Approved June 10, 1969.*

Chap. 409. AN ACT FURTHER REGULATING THE POWERS AND DUTIES OF THE BUSINESS MANAGER OF THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The second paragraph of section 1 of chapter 318 of the acts of 1906, as appearing in section 2 of chapter 497 of the acts of 1946, is hereby amended by striking out, in lines 17 and 18, the words ", approved by the committee or by any authorized member thereof".

Approved June 10, 1969.

Chap. 410. AN ACT VALIDATING THE ACTION TAKEN BY THE TOWN OF AGAWAM RELATIVE TO THE REIMBURSEMENT OF WALNUT HILL, INC. FOR CERTAIN SANITARY SEWER AND ROAD WORK PERFORMED IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Agawam is hereby authorized to appropriate and pay to Walnut Hill, Inc. the sum of four thousand nine hundred fifty dollars as reimbursement for expenses incurred by said corporation for the installation of a sewer line along a town way and the sum of six hundred fifty dollars as reimbursement for expenses incurred by said corporation for the construction of a road along a town way.

SECTION 2. The action taken by said town at its annual town meeting under article seventy-eight of the warrant for said meeting held in the current year in voting to reimburse said Walnut Hill, Inc. for expenses incurred in the installation of a sewer line and construction of a road in said town is hereby validated and confirmed to the same extent as though this act had been in full force and effect at the time of the posting of the warrant for said meeting. *Approved June 10, 1969.*

Chap. 411. AN ACT RELATIVE TO THE COMPENSATION OF MEMBERS OF THE DETECTIVE BUREAU IN THE POLICE DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The second sentence of the second paragraph of section 10 of chapter 291 of the acts of 1906, as appearing in section 1 of chapter 230 of the acts of 1964, is hereby amended by striking out clause (2) and inserting in place thereof the following clause: —

(2) that lieutenant detectives and sergeant detectives shall receive annual salaries not less than three hundred dollars in excess of the annual salaries of lieutenants and sergeants, respectively, and first grade detectives, second grade detectives and third grade detectives shall receive annual salaries not less than five hundred dollars, four hundred dollars and three hundred dollars, respectively, in excess of the maximum annual salaries of patrolmen, and. *Approved June 10, 1969.*

Chap. 412. AN ACT FURTHER REGULATING THE LIABILITY OF CITIES AND TOWNS ON CONTRACTS FOR THE DISPOSAL OR INCINERATION OF GARBAGE.

Be it enacted, etc., as follows:

The first paragraph of section 4 of chapter 40 of the General Laws, as most recently amended by section 1 of chapter 202 of the acts of 1966, is hereby further amended by inserting after the first sentence the following sentence: — Notwithstanding any contrary provision of any law or the provisions of any charter, cities and towns shall not be exempt from liability on such contracts. *Approved June 10, 1969.*

Chap. 413. AN ACT PERMITTING CITIES AND TOWNS TO INDEMNIFY THEIR MAYORS, COUNCILMEN AND SELECTMEN AND CERTAIN OTHER OFFICIALS AGAINST CERTAIN CLAIMS BROUGHT AGAINST THEM.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 100D the following section: —

Section 100E. A city or town may, subject to appropriation, indemnify the mayor, an alderman or selectman, or any other municipal officers designated by the mayor or the selectmen, for expenses or damages incurred by him in the defense or settlement of a claim against him in an amount not to exceed one hundred thousand dollars which claim arose while such official or officer was acting within the scope of his official duties or employment, provided that the defense or settlement of such claim shall have been made by the city solicitor or town counsel, or by an attorney legally employed for the purpose by a city or town, or by an attorney furnished by an insurer obligated under the terms of a policy of insurance to defend the city or town against such claim.

For the purposes of this section a city or town may appropriate such sums as may be necessary for effecting insurance providing indemnity for any of the foregoing officials or officers.

Approved June 10, 1969.

Chap. 414. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY COMMISSIONERS OF ESSEX COUNTY MAY BORROW FOR THE CONSTRUCTION AND EQUIPPING OF A COURT HOUSE IN THE CITY OF LYNN FOR THE DISTRICT COURT OF SOUTHERN ESSEX.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 490 of the acts of 1966 is hereby amended by striking out, in line 12, the words "one million five" and inserting in place thereof the words: — two million two.

SECTION 2. Section 2 of said chapter 490 is hereby amended by striking out, in line 4, the words "one million five" and inserting in place thereof the words: — two million two.

Approved June 10, 1969.

Chap. 415. AN ACT AUTHORIZING THE CITY OF HOLYOKE TO PAY A PENSION TO JOSEPH JUBINVILLE, JR.

Be it enacted, etc., as follows:

SECTION 1. In consideration of his long and meritorious service, the city of Holyoke may, upon the termination by Joseph Jubinville, Jr. of his office as city clerk of said city, appropriate and pay each year to said Joseph Jubinville, Jr. a pension of six thousand dollars. Said sum shall be payable in equal monthly installments.

SECTION 2. This act shall take effect upon its acceptance by the city of Holyoke. *Approved June 13, 1969.*

Chap. 416. AN ACT AUTHORIZING THE TOWN OF SWAMPSCOTT TO INCREASE THE SCHOLARSHIP FUND.

Be it enacted, etc., as follows:

SECTION 1. Chapter 119 of the acts of 1949 is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 72 of the acts of 1963, and inserting in place thereof the following section: —

Section 1. The town of Swampscott is hereby authorized to raise and appropriate the sum of thirty thousand dollars to provide a scholarship fund the income of which may be used for the higher education of high school or preparatory school graduates who are residents of said town, and said fund shall be dedicated as a memorial to veterans of World War II.

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

Approved June 16, 1969.

Chap. 417. AN ACT MAKING UNIFORM THE LAW WITH RESPECT TO COMMON TRUST FUNDS.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by striking out chapter 203A and by inserting in place thereof the following chapter: —

CHAPTER 203A.

UNIFORM COMMON TRUST FUND ACT.

Section 1. Any individual, corporation or association qualified to act as fiduciary in this state may establish common trust funds for the purpose of furnishing investments to itself as fiduciary or to itself and others, as co-fiduciaries; and may, as such fiduciary or co-fiduciary, invest funds which it lawfully holds for investment in interests in such common trust funds, if such investment is not prohibited by the instrument, judgment, decree or order creating such fiduciary relationship. Each such common trust fund shall be administered in accordance with a written declaration of trust which shall have been filed in the registry of probate in the county in which such individual, corporation or association resides or has his or its principal place of business, and such

written declaration may provide that premiums paid on the purchase of interest bearing securities need not be amortized.

Section 2. If the individual, corporation or association maintaining a common trust fund holds property as a fiduciary together with a co-fiduciary or co-fiduciaries, investment of such property in participations in a common trust fund may be made only with the written consent of such co-fiduciary or co-fiduciaries and shall be withdrawn upon the written request of any such co-fiduciary.

Section 3. An account of the administration of each common trust und shall be filed annually in the registry of probate in which the declaration of trust has been filed and application for its allowance shall be made in accordance with section twenty-four of chapter two hundred and six. The allowance of such an account shall be conclusive as to all matters shown therein upon all persons then or thereafter interested in the funds invested in said common trust fund.

Section 4. This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Section 5. This chapter may be cited as the Uniform Common Trust Fund Act.

Section 6. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

SECTION 2. This act shall apply to fiduciary relationships in existence on or before the effective date of this act as well as those established thereafter. *Approved June 16, 1969.*

Chap. 418. AN ACT DESIGNATING THE INTERSECTION OF THE LYNN FELLS PARKWAY AND ROUTE 1 IN THE TOWN OF SAUGUS AS THE C. F. NELSON PRATT INTERSECTION.

Be it enacted, etc., as follows:

The intersection of the Lynn Fells parkway and route 1 in the town of Saugus shall be designated and known as the C. F. Nelson Pratt intersection, in memory of C. F. Nelson Pratt, a former county commissioner of Essex county and a former member of the house of representatives. The department of public works shall erect a suitable marker thereat bearing said designation. *Approved June 16, 1969.*

Chap. 419. AN ACT PROVIDING THAT ANY CIVIL ACTION ENTERED IN ANY DISTRICT COURT IN ESSEX COUNTY MAY BE TRIED BY A JURY OF SIX IN THE CENTRAL DISTRICT COURT OF NORTHERN ESSEX.

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by inserting after section 19A the following section: —

Section 19B. After the entry of a civil action in any district court in the county of Essex, any party may, within the time provided or allowed for the filing of an answer, claim a trial by a jury of six. Trials

by such juries of six shall be held in the central district court of northern Essex, at Haverhill, and shall proceed in accordance with the provisions of law applicable to trials by jury in the superior court, except that each party shall be entitled to two peremptory challenges. Jurors shall be drawn from the pool of jurors available for the jury sessions in civil cases in the superior court for Essex county, sitting at Lawrence. The chief justice of the district courts shall arrange for such jury sessions in the central district court of northern Essex at a time coterminous with civil jury sessions held in the superior court for Essex county, sitting at Lawrence, and assign justices thereto, to the end that there may be a speedy disposition of cases tried by juries of six in the central district court of northern Essex. Upon the filing of a claim, by either party to a civil action for trial by jury of six, in any district court of Essex county, the clerk of such court shall forthwith forward all papers filed in said case to the clerk's office of the central district court of northern Essex.

In the event of a trial by jury in the central district court of northern Essex, review may be had directly by the supreme judicial court, by a bill of exceptions, appeal or report, in the same manner provided for trials by jury in the superior court. If any party claims a trial by a jury of six, any other party shall have seven days within which to refuse to agree to such trial, and in case of such written refusal filed with the clerk, the party claiming such trial by jury of six may within six days thereafter remove the case for trial before the superior court with or without jury. If any party refuses to agree to a trial by a jury of six and the case is not removed to the superior court under the provisions of this section or section one hundred and four to one hundred and seven, inclusive, of chapter two hundred and thirty-one, the trial shall be in the district court without jury. At any time prior to trial the parties by agreement may have a trial by a jury of six.

SECTION 2. This act shall take effect on October first, nineteen hundred and sixty-nine and shall apply to civil actions entered in any district court in Essex county on or after said date.

Approved June 16, 1969.

Chap. 420. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO APPOINT, AS SPECIAL POLICE OFFICERS, CERTAIN EMPLOYEES OF THE MIDDLESEX COUNTY SANATORIUM.

Be it enacted, etc., as follows:

Chapter 147 of the General Laws is hereby amended by inserting after section 10H the following section: —

Section 10 I. The commissioner of public safety may, upon petition of the board of trustees of the Middlesex County Sanatorium, appoint as special police officers employees of said institution, who 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 said sanatorium. Such special police officers shall be sworn before a justice of the peace or notary public who shall make a return thereof to the department upon a form provided by it. Upon receipt of said return the department shall issue a license to each person designated to act as a special police officer, and such license shall, in any court

of the commonwealth, be competent evidence of the validity of the appointment of the person named therein and of his authority to act as such special police officer. A special police officer shall hold his office until his license expires or is revoked by the commissioner, or until the petitioner files a notice with the department that the services of such officer are no longer required. The commissioner may provide that the license and any renewal thereof shall expire on the anniversary of the birth of the person named therein not less than one nor more than two years following the date of issue. Such special police officer shall report to the commissioner as to his official acts at such times and in such manner as the commissioner may require. Such special police officer shall serve without pay, except his regular compensation as an employee of said institution, and he shall receive no fees for services or return of any criminal process. *Approved June 16, 1969.*

Chap. 421. AN ACT PROVIDING FOR THE ESTABLISHMENT OF CREDIT COUNSELING SERVICE CORPORATIONS AND PROVIDING THAT SUCH SERVICE SHALL NOT BE DEEMED TO CONSTITUTE THE PRACTICE OF LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 221 of the General Laws is hereby amended by inserting after section 46C the following section: —

Section 46D. The provisions of sections forty-six, forty-six A, forty-six B and forty-six C shall not apply to a corporation, or its agents, which has been organized under the provisions of chapter one hundred and eighty for the purpose of providing credit counseling.

SECTION 2. Section 2 of chapter 180 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding after the word "nature", in line 14, the words: — ; for the purpose of providing nonprofit credit counseling services, as defined in section two A.

SECTION 3. Said chapter 180 is hereby further amended by inserting after section 2 the following two sections: —

Section 2A. Credit counseling services as used in this chapter shall mean (*a*) the providing of financial and budgetary advice and judgment to individuals in connection with the creation of a budgetary plan; or (*b*) the creation of a plan whereby an individual turns over an agreed amount of his income to a nonprofit credit counseling corporation which distributes it to his creditors in accordance with a plan which they have approved and which may provide for smaller payments or a longer term than the original contract; or (*c*) the providing of educational services relating to the use of credit; or (*d*) any combination of these.

No person, other than an attorney or a nonprofit charitable corporation organized under the provisions of this chapter, shall render those credit counseling services specified in clause (*b*). Each such corporation shall comply with the provisions of section eight F of chapter twelve.

Section 2B. Any such corporation formed for credit counseling purposes shall not engage in the practice of law. If it appears that an individual receiving credit counseling services needs legal advice or counsel, he shall be referred to an attorney of his own choice, the local bar association referral service, or a local legal aid program, whichever course may seem most appropriate.

SECTION 4. Section 6 of said chapter 180 is hereby amended by inserting after the word "taxation", in line 4, as appearing in section 13 of chapter 602 of the acts of 1952, the words: — or which is formed for the purpose of providing nonprofit credit counseling.

SECTION 5. Section 7 of said chapter 180 is hereby amended by adding the following sentence: — Any corporation formed to provide nonprofit credit counseling services shall provide by its by-laws that no more than thirty-five per cent of its directors may be officers, agents or employees of corporations, trusts or other organizations which are in the business of granting or extending credit in any form.

Approved June 16, 1969.

Chap. 422. AN ACT TO PERMIT ESTATE PLANNING IN THE MANAGEMENT OF ESTATES BY GUARDIANS AND CONSERVATORS.

Be it enacted, etc., as follows:

Section 38 of chapter 201 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following three paragraphs: —

The probate court, upon the application of a conservator or guardian, and after such notice to all other persons interested as it directs, may authorize such conservator or guardian to apply such funds as are not required for the ward's own maintenance and support towards the establishment of an estate plan for the purpose of minimizing current or prospective state or federal income, estate and inheritance taxes in the ward's estate or for gifts to such charities, relatives and friends as would be likely recipients of donations from the ward.

The conservator or guardian in his application shall briefly outline the proposed estate plan, what it may accomplish and the likely tax savings to accrue. The plan may include gifts of the ward's personal property or real estate, but transfers of real estate shall be subject to the requirements of chapter two hundred and two. Gifts may be for the benefit of prospective legatees, devisees or heirs apparent of the ward or may be made to individuals or charities in which the ward is believed to have an interest. The conservator or guardian shall also indicate in the application that any planned disposition is consistent with the intentions of the ward insofar as they can be ascertained, and if the ward's intentions cannot be ascertained, the ward will be presumed to favor reduction in the incidence of the various forms of taxation and the partial distribution of his estate as herein provided. The conservator or guardian shall not, however, be required to include as a beneficiary any person whom he has reason to believe would be excluded by the ward.

The order of the court upon each such application shall be for a period of not longer than the ensuing twelve months, but similar applications in subsequent years may be permitted for a further twelve month period without further notice, in the court's discretion.

Approved June 16, 1969.

Chap. 423. AN ACT FURTHER REGULATING THE PROCEDURE RELATIVE TO THE HIRING OF ATTORNEYS IN CERTAIN MORTGAGE TRANSACTIONS.

Be it enacted, etc., as follows:

Chapter 184 of the General Laws is hereby amended by inserting after section 17A the following section: —

Section 17B. Every application for a mortgage loan on real estate consisting of a dwelling house with accommodations for four or less separate householders and occupied or to be occupied in whole or in part by the obligor on the mortgage debt shall be made on a printed form which shall contain the following two statements in type of at least two points larger than the other type used on said application:

(1) The responsibility of the attorney for the mortgagee is to protect the interest of the mortgagee, notwithstanding the fact that (a) the mortgagor shall be obligated to pay the legal fees of said attorney, and (b) the mortgagor is billed for such legal services by the mortgagee.

(2) The mortgagor may, at his own expense, engage an attorney of his own selection to represent his own interests in the transaction.

The mortgagee in each such mortgage transaction shall bill each mortgagor for the legal services of the attorney for the mortgagee.

Approved June 16, 1969.

Chap. 424. AN ACT AUTHORIZING CERTAIN INSURANCE BROKERS AND AGENTS TO REPRESENT AN ASSURED WHEN SO AUTHORIZED AT HEARINGS ON CERTAIN INSURANCE RATES.

Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 174A of the General Laws is hereby amended by adding the following paragraph: —

An insurance agent holding a license under section one hundred and sixty-three of chapter one hundred and seventy-five and an insurance broker holding a license under section one hundred and sixty-six of said chapter shall have the right to appear on behalf of the assured pursuant to the provisions of this section when so authorized by him in writing.

SECTION 2. Section 11 of chapter 175A of the General Laws is hereby amended by adding the following paragraph: —

An insurance agent licensed under the provisions of section one hundred and sixty-three of chapter one hundred and seventy-five and an insurance broker licensed under the provisions of section one hundred and sixty-six of said chapter shall have the right to appear on behalf of the assured pursuant to the provisions of this section when so authorized by him in writing.

Approved June 16, 1969.

Chap. 425. AN ACT INCREASING THE NOTICE PERIOD PRIOR TO THE CANCELLATION OF CERTAIN FIRE INSURANCE POLICIES AND CONTRACTS.

Be it enacted, etc., as follows:

SECTION 1. The fourteenth paragraph of clause Twelfth of section 99 of chapter 175 of the General Laws, as appearing in section 1 of chap-

ter 478 of the acts of 1951, is hereby amended by striking out, in line 7, the word "ten" and inserting in place thereof the word: — twenty.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy, and shall apply only to policies issued on and after said effective date. *Approved June 16, 1969.*

Chap. 426. AN ACT INCREASING THE EXAMINATION FEES OF APPLICANTS FOR REGISTRATION AND EXAMINATION BY THE BOARD OF REGISTRATION IN MEDICINE.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 112 of the General Laws, as most recently amended by chapter 299 of the acts of 1966, is hereby further amended by striking out, in lines 16 and 33, respectively, the word "seventy-five" and inserting in place thereof, in each instance, the words: — one hundred and twenty-five.

SECTION 2. Said section 2 of said chapter 112 is hereby further amended by striking out the eighth sentence, as appearing in section 1 of chapter 344 of the acts of 1959, and inserting in place thereof the following sentence: — An applicant failing to pass an examination satisfactory to the board shall be entitled to two reexaminations within two years at a meeting of the board called for the examination of applicants upon payment of a further fee of seventy-five dollars for each reexamination; but two such reexaminations shall exhaust his privilege under his original application. *Approved June 18, 1969.*

Chap. 427. AN ACT IMPLEMENTING THE AMENDMENT TO THE CONSTITUTION PROVIDING FOR A REORGANIZATION PLAN PROCEDURE FOR THE EXECUTIVE DEPARTMENT.

Be it enacted, etc., as follows:

Chapter 4 of the General Laws is hereby amended by inserting after section 1 the following section: —

Section 1A. Any plan presented to the general court by the governor, purporting to be a reorganization plan as provided for under Article LXXXVII of the amendments to the constitution, which does not contain a bill in which is incorporated such amendments of general and special laws, or repeals thereof, as will accomplish the desired reorganization, shall not be deemed to be a reorganization plan within the meaning of said Article LXXXVII. *Approved June 18, 1969.*

Chap. 428. AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW MONEY FOR THE INSTALLATION OF TRAFFIC CONTROL DEVICES IN ANTICIPATION OF STATE OR COUNTY REIMBURSEMENT.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 44 of the General Laws, as appearing in chapter 385 of the acts of 1957, is hereby amended by inserting after the word "highway", in line 6, the words: — or installing traffic control devices and other devices appurtenant thereto.

SECTION 2. Section 6A of said chapter 44, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "highway", in line 2, the words: — or installing traffic control devices or other devices appurtenant thereto. *Approved June 18, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 25, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 428 of the Acts of 1969, entitled "AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW MONEY FOR THE INSTALLATION OF TRAFFIC CONTROL DEVICES IN ANTICIPATION OF STATE OR COUNTY REIMBURSEMENT." and the enactment of which received my approval on June 18, 1969, 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:

Town officials would be able to proceed without delay in the letting of contracts for the installation of safety devices to be set up for the protection and welfare of our citizens.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 25, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at ten 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 four hundred and twenty-eight of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 429. AN ACT FURTHER REGULATING THE RESCINDING, SUSPENSION OR MODIFICATION OF SITES FOR DUMPING GROUNDS OR INCINERATORS.

Be it enacted, etc., as follows:

The second paragraph of section 150A of chapter 111 of the General Laws, as appearing in section 1 of chapter 310 of the acts of 1955, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — The assignment of any place as a dumping ground or as a site for a refuse disposal incinerator may be rescinded or suspended, or may be modified through the imposition

or amendment of conditions, at any time after due notice and public hearing, by the board of health of the city or town where it is located, by the department upon its own initiative or upon complaint by any person aggrieved by such assignment, upon determination that the operation of the dumping ground or the refuse disposal incinerator results in a nuisance or a danger to the public health.

Approved June 18, 1969.

Chap. 430. AN ACT REQUIRING THAT SEALED PROPOSALS BE INVITED FOR THE LEASING OF CONCESSIONS IN CERTAIN PUBLIC PARKS.

Be it enacted, etc., as follows:

Chapter 45 of the General Laws is hereby amended by inserting after section 5 the following section: —

Section 5A. Whenever the board or officer having charge of the public parks in a city or town having a population of more than fifty thousand determines to lease concessions in any such park, said board or officer shall invite sealed proposals for such leasing which shall be publicly opened and read and shall award the contract for any such concession to the highest responsible bidder who, in the opinion of said board or officer, would be the most suitable from the standpoint of character, reputation and experience to operate such concession.

Approved June 18, 1969.

Chap. 431. AN ACT MAKING IT A CRIMINAL OFFENSE TO HAVE IN POSSESSION OR CONTROL A CERTAIN DEVICE WHICH WHEN IGNITED AND THROWN WILL CAUSE FIRE OR EXPLOSION.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by inserting after section 102A the following section: —

Section 102B. Whoever makes, sells, uses or has in his possession or under his control a bottle or other breakable container containing a flammable liquid into which has been fixed or placed a wick or similar device, and which bottle or container when ignited and thrown will cause a fire or explosion, shall be punished by a fine of not more than one thousand dollars or imprisonment for not more than two and one half years, or both.

The provisions of this section shall not apply to flares, lanterns, fireworks or other such devices used for signal or illumination purposes, or for any other lawful purpose.

Whoever violates any provision of this section may be arrested without a warrant and held in custody in jail or otherwise until a complaint be made against him for such offense unless previously admitted to bail, which complaint shall be made as soon as practicable and in any case within twenty-four hours, Sundays and legal holidays excepted.

Approved June 18, 1969.

Chap. 432. AN ACT AUTHORIZING THE TOWN OF SWAMPSCOTT TO REPEAL ITS ACCEPTANCE OF THE TENEMENT HOUSE ACT FOR 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 in the town of Swampscott, 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 upon its acceptance by the town of Swampscott within three years from the date of its passage.

Approved June 18, 1969.

Chap. 433. AN ACT AUTHORIZING THE CITY OF CHELSEA TO AWARD CONTRACTS INVOLVING AMOUNTS UP TO ONE THOUSAND DOLLARS WITHOUT INVITING BIDS BY ADVERTISING.

Be it enacted, etc., as follows:

Section 63 of Part II of chapter 680 of the acts of 1911 is hereby amended by striking out, in line 6, the words "five hundred" and inserting in place thereof the words: — one thousand.

Approved June 18, 1969.

Chap. 434. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY TO MAKE ANALYSES OF DRUGS AND TO ISSUE CERTIFICATES WHICH SHALL BE PRIMA FACIE EVIDENCE OF THE RESULTS THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Chapter 147 of the General Laws is hereby amended by inserting after section 4C the following section: —

Section 4D. A certificate by a chemist of the department of the result of an analysis made by him of a drug furnished him by a police officer of the department, signed and sworn to by such chemist, shall be prima facie evidence of the composition and quality of such drug.

A copy of such certificate, together with detailed data relative to the names and addresses of the persons involved in any way, whether as violators of law or otherwise, and the time, place and circumstances surrounding the seizure of such drug, shall be forwarded by the department to the division of food and drugs in the department of public health not later than the bringing of a complaint involving such drug.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy. *Approved June 19, 1969.*

Chap. 435. AN ACT PROVIDING THAT THE CHIEF OF POLICE OF A CITY OR TOWN AND CERTAIN OTHER HEADS OF POLICE DEPARTMENTS SHALL BE GRANTED AN ADDITIONAL DAY'S PAY IF ON DUTY ON CERTAIN HOLIDAYS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 147 of the General Laws is hereby amended by inserting after section 17E the following section: —

Section 17F. If the superintendent of police in the city of Lowell, the city marshal in the cities of Newburyport and Salem, or the chief of police in any other city or town, is on duty at any time on January first, July fourth, October twelfth, November eleventh or Christmas day or the day following when any of the above days occur on a Sunday, or on the third Monday in February, the third Monday in April, the last Monday in May, the first Monday in September or Thanksgiving day, he shall be granted an additional day's pay.

SECTION 2. Section fifty-seven F of chapter forty-eight of the General Laws, inserted by chapter seven hundred and eighty-six of the acts of nineteen hundred and sixty-five, is hereby repealed.

Approved June 19, 1969.

Chap. 436. AN ACT AUTHORIZING THE CITY OF BROCKTON TO ENTER INTO CONTRACTS FOR PERIODS NOT TO EXCEED THREE YEARS WITH PRIVATE COMMON CARRIERS TO PROVIDE PUBLIC TRANSPORTATION IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the city of Brockton may enter into contracts with private common carriers for the furnishing of, or the defraying of the cost of, public transportation in the city of Brockton for periods of time not to exceed three years.

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

Approved June 20, 1969.

Chap. 437. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO USE CERTAIN PARK LAND IN SAID CITY FOR A CIVIC CENTER AND PLANETARIUM.

Be it enacted, etc., as follows:

SECTION 1. The city of Fitchburg is hereby authorized to use for a civic center and planetarium a certain parcel of land in said city now held for park purposes, bounded and described as follows: —

Beginning at the intersection of John Fitch Highway and Pearl Hill Road; thence N 0° 10′ 58″ W by the sideline of Pearl Hill Road ninety-three and ninety-seven hundredths (93.97) feet; thence N 12° 25′ 32″ E by the sideline of Pearl Hill Road one hundred forty-eight and twenty-six hundredths (148.26) feet; thence S 67° 04′ 00″ E two hundred five and sixty-five hundredths (205.65) feet; thence S 26° 51′ 00″ W about twenty (20) feet; thence southeasterly by the centerline of Falulah Brook about eight hundred ninety-five (895) feet; thence S 13° 43′ 33″ W about three hundred fifteen (315) feet; thence S 13° 48′ 50″ W five hundred sixty-one and seventy-one hundredths (561.71) feet; thence S 14° 29′ 30″ W two hundred forty-seven and fifty hundredths (247.50) feet; thence S 10° 19′ 00″ W one hundred thirty-six and eleven hundredths (136.11) feet; thence S 14° 01′ 00″ W one hundred twenty-two and fifty-seven hundredths (122.57) feet; thence northerly by the curve to the right the radius of which is 1,170.00 by the easterly sideline of John Fitch Highway one hundred ninety-five and eighty-three hun-

dredths (195.83) feet; thence N 07° 46′ 20″ W by the easterly sideline of John Fitch Highway one thousand one hundred seventy-one and thirty-one hundredths (1171.31) feet; thence northwesterly by a curve to the left the radius of which is 830.00 feet by the easterly sideline of John Fitch Highway 599.86 feet to the place of beginning. Containing about 14.2 acres of land.

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

Approved June 20, 1969.

Chap. 438. AN ACT FURTHER REGULATING THE ISSUANCE OF BUILDING PERMITS IN THE TOWN OF WILMINGTON.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section five A of chapter forty A of the General Laws, no building permit shall be issued in the town of Wilmington unless the lot upon which the proposed building will be erected corresponds with the minimum area, frontage, width, depth and yard requirements established by the zoning by-laws of the town for the district within which said lot is located. *Approved June 20, 1969.*

Chap. 439. AN ACT AUTHORIZING THE CITY OF SALEM 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 city of Salem is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, unpaid bills incurred by said city in the amount of ninety-one hundred and two dollars to T. G. Driscoll Construction Co., Inc., for the replacement of school windows and in the amount of four hundred and fifty-five dollars and seventy cents to Frates & Fitzpatrick, a partnership doing business in the city of Beverly, for architect's services rendered to the school department of said city in the year nineteen hundred and sixty-eight, said bills being legally unenforceable against said city by reason of their having been incurred in excess of available appropriations.

SECTION 2. No bill shall be approved by the city 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 materials and services for which said bill was submitted were ordered by an official or an employee of said city and that such materials and services were delivered or rendered to said city.

SECTION 3. Any person who knowingly files a certificate required by section two which is false, and who thereby receives payment for materials or services which were not delivered or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

Approved June 20, 1969.

Chap. 440. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO SELL CERTAIN PARK LAND.

Be it enacted, etc., as follows:

The city of Fitchburg is hereby authorized to sell the following three parcels of land now held by said city for park purposes: —

Parcel 1. A certain parcel of land bounded and described as follows: —

Beginning at a point on the westerly sideline of the John Fitch Highway as laid out June 8, 1961, at a point of tangency and at station 90 + 75.40;

Thence by a curved line to the left, radius 1230 feet, a distance of 354.61 feet as measured on the arc to a corner;

Thence S 88°–02′–33″ W along other land of the City of Fitchburg, 282.0 feet more or less to a corner at the easterly sideline of Lincoln St., as laid out July 19, 1892;

Thence N 1°–29′ W along the easterly sideline of Lincoln St. 612.58 feet to an angle;

Thence N 10°–42′ W along the easterly sideline of Lincoln St. 161.22 feet to a corner at land of the City of Fitchburg, Building Department;

Thence S 75°–59′–30″ E along land under the jurisdiction of the City of Fitchburg, Building Dept., 183.97 feet to a corner at the westerly sideline of the John Fitch Highway;

Thence S 7°–46′–20″ E along the westerly sideline of the John Fitch Highway 380.49 feet to the point of beginning;

The above described parcel contains 3.42 acres more or less and is shown on plan number 22–K–9268 at the office of the city engineer;

The above described parcel will be subject to an easement yet to be described by the city engineer. The route of the drainage easement shall be determined by the city engineer and shown on plan 22–K–9268 before any transfer of this parcel takes place.

Parcel 2. A certain parcel of land bounded and described as follows: —

Beginning at a highway bound on the westerly sideline of John Fitch Highway, as laid out June 8, 1961, said bound marking a point of curve opposite centerline station 102+46.71;

Thence S 7°–46′–20″ E along the westerly sideline of John Fitch Highway 207.71 feet to an angle;

Thence N 78°–18′–30″ W by other land of City of Fitchburg 212.93 feet to an angle at the easterly sideline of Lincoln Street;

Thence N 10°–39′–58″ W along the easterly sideline of Lincoln Street 76.63 feet to an angle;

Thence N 6°–07′–58″ W along the easterly sideline of Lincoln Street 230.00 feet to an angle;

Thence N 0°–10′–58″ W along the easterly sideline of Lincoln Street 300.96 feet to the westerly sideline of John Fitch Highway;

Thence by a curve to the right, radius 770 feet, a distance of 502.67 feet as measured along the arc, to the place of beginning.

The above described parcel contains an area of 2.26 acres, more or less, as shown on plan 27–G–8100 & plan 22–K–9268 on file in the office of the city engineer, and will be subject to an easement yet to be described by the city engineer. The route of this sewer easement is shown on plan 22–K–9268. An exact description shall be made before any transfer of this parcel takes place.

Parcel 3. A certain parcel of land bounded and described as follows: —

Beginning at a point on the westerly sideline of the John Fitch Highway, as laid out June 8, 1961, S 30°–57′–22″ E, 155.07 feet from a point of tangency opposite centerline station 79 + 97.72;

Thence N 30°–57′–22″ W by the westerly sideline of the John Fitch Highway 155.07 feet to a point of curve;

Thence by a curve to the right, radius 1230 feet, 143.09 feet as measured on the arc to a corner at other land of the City of Fitchburg;

Thence S 88°–02′–33″ W by other land of the City of Fitchburg, 282.0 feet more or less to a corner on the easterly sideline of Lincoln St. as laid out July 19, 1892;

Thence S 1°–29′–00″ E by the easterly sideline of Lincoln St. 360.00 feet to a corner at the intersection of said Lincoln St. and Rice St. as laid out July 6, 1920;

Thence S 81°–19′–30″ E by the northerly sideline of Rice St. 222.44 feet to a corner at the intersection of said Rice St. and East St. as laid out June 19, 1888;

Thence S 11°–49′–00″ E by the easterly sideline of East St. 8.98 feet to a corner marked by a stone bound "F";

Thence N 53°–02′–30″ E, 252.79 feet to the point of beginning;

The above described parcel contains 3.09 acres more or less and is shown on plan number 27–G–8100 on file in the office of the city engineer.

Approved June 20, 1969.

Chap. 441. AN ACT MAKING THE POSSESSION OF ANY FIREARM IN ANY BUILDING OR ON THE GROUNDS OF ANY COLLEGE OR UNIVERSITY A CRIMINAL OFFENSE.

Be it enacted, etc., as follows:

Section 10 of chapter 269 of the General Laws is hereby amended by adding the following paragraph: —

Whoever, not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of chapter one hundred and forty, carries on his person a firearm as hereinafter defined, loaded or unloaded, in any building or on the grounds of any college or university without the written authorization of the board or officer in charge of said college or university shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year or both. For the purpose of this paragraph "firearm" shall mean any pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet can be discharged by whatever means.

Approved June 20, 1969.

Chap. 442. AN ACT REGULATING THE TRADE PRACTICES OF CREDIT BUREAUS AND SUBSCRIBERS THERETO.

Be it enacted, etc., as follows:

Chapter 93 of the General Laws is hereby amended by adding, under the caption REGULATION OF CREDIT BUREAUS, the following four sections: —

Section 44. As used in this section and sections forty-five and forty-six the following words shall have the following meanings: —

"Consumer", a natural person seeking or obtaining credit for personal, family or household purposes.

"Credit", the right granted by a creditor to a debtor to defer payment of debt or to incur debt and defer its payment.

"Credit bureau", any person who engages in the business of making credit reports.

"Credit grantor", any person engaged in whole or in part in the business of extending or arranging for the extension of credit, whether in connection with loans, sales of property or services, or otherwise.

"Credit report", any written or oral report, recommendation, or representation as to the credit record, standing or capacity of any consumer to pay an obligation, and includes any information which is given as the basis for a judgment as to any of the foregoing factors.

Section 45. Whoever, being a credit grantor, employer or prospective employer, refuses to grant credit to a consumer or refuses to employ an applicant for employment or terminates employment of any employee, and such refusal or termination is based, in whole or in part, upon a report from a credit bureau, shall inform such person that such refusal or termination is because of a credit report from a credit bureau, and shall furnish the name and address of the credit bureau which made said report.

A credit bureau shall, without charge, disclose to a consumer who has been refused credit or a person who has been denied employment on the basis of a credit report, the contents and sources of that report. The consumer may submit a statement or any clarifying data to the credit bureau for inclusion in the credit record if he believes it contains inaccurate or incomplete information. The credit bureau shall reexamine that part of the record to which the statement pertains and make any appropriate changes therein.

Section 46. A credit bureau shall not report information concerning transactions which occurred more than seven years prior to the date on which a credit report is given, except for bankruptcies.

Section 47. Failure to comply with the provisions of sections forty-four, forty-five and forty-six shall constitute an unfair trade practice under the provisions of section two (*a*) of chapter ninety-three A.

Approved June 20, 1969.

Chap. 443. AN ACT AUTHORIZING THE TOWN OF WEST SPRINGFIELD TO BORROW MONEY FOR TOWN HALL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of West Springfield may borrow from time to time a sum or sums not exceeding, in the aggregate, one million one hundred thousand dollars, and may issue bonds or notes therefor, for any or all of the following purposes: (*a*) purchasing the property at number twenty-six Central street, including the parking area across the street, for town hall purposes; (*b*) remodeling, reconstructing or making improvements or extraordinary repairs to such property; (*c*) moving from the existing town hall or other town buildings into the new town hall; and (*d*) demolishing the existing town hall. Each issue

shall constitute a separate loan and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, exclusive of sections seven and eight thereof.

SECTION 2. The property to be purchased pursuant to clause (*a*) of section one shall be more exactly determined by the selectmen and may include equipment and furnishings as well as real property. The work to be done under clause (*b*) may include the acquisition and installation of equipment and furnishings.

SECTION 2A. The project to be undertaken pursuant to this act shall include such office space and other facilities as the selectmen shall determine. Without limiting the generality of the foregoing, the project may include office space for town departments, facilities for the police and fire departments and for civil defense and facilities for civic and recreational purposes.

SECTION 3. The selectmen, on behalf of the town, may enter into party wall agreements and may acquire or convey easements or rights-of-way in regard to the property acquired under this act.

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

Approved June 24, 1969.

Chap. 444. AN ACT INCREASING THE MEMBERSHIP OF THE SCHOOL COMMITTEE OF THE TOWN OF NORTHBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the number of members of the school committee of the town of Northbridge shall be increased from six to nine.

SECTION 2. The three additional members of the school committee of said town shall be elected at a special town election to be held during the current year. The candidate receiving the highest number of votes at said election shall serve until the annual town election to be held in the year nineteen hundred and seventy-two. The candidate receiving the next highest number of votes shall serve until the annual town election to be held in the year nineteen hundred and seventy-one. The candidate receiving the next highest number of votes shall serve until the annual town election to be held in the year nineteen hundred and seventy. Thereafter their successors shall serve for terms of three years.

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

Approved June 24, 1969.

Chap. 445. AN ACT VALIDATING THE PROCEEDINGS AT THE ANNUAL TOWN MEETINGS OF THE TOWN OF REHOBOTH AND ADJOURNED SESSIONS THEREOF HELD IN THE YEARS NINETEEN HUNDRED AND SIXTY-EIGHT AND NINETEEN HUNDRED AND SIXTY-NINE.

Be it enacted, etc., as follows:

SECTION 1. All acts and proceedings of the town of Rehoboth at its annual town meetings, and at adjourned sessions thereof held in the

years of nineteen hundred sixty-eight and nineteen hundred sixty-nine, and all acts done in pursuance thereof are hereby ratified, validated and confirmed to the same extent as if proper notices and publications, in a newspaper printed in the town or circulated therein as a local paper, setting forth a copy or reasonable summary of said warrant in each and every case, had been made by the town clerk as provided in Article One, Section Three and Article One, Section Seven of the by-laws of the town of Rehoboth.

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

Approved June 24, 1969.

Chap. 446. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO USE CERTAIN PARK LAND FOR RECREATIONAL OR OTHER PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield is hereby authorized to use for recreational purposes, and for all other purposes for which a city has the power to hold and convey property, a parcel of land now owned and held by said city under the control of the parks department, bounded and described as follows: — Beginning at an iron bar in the south line of a park road known as South Greeting, so-called, said iron bar being 1813.50 feet distant by a bearing of S 63° 53′ 00″ W from the intersection of the westerly line of Trafton Road and the southerly line of South Greeting, so-called; thence northeasterly along the southerly line of South Greeting, so-called, by a bearing of N 63° 53′ 00″ E a distance of 165.85 feet to a concrete nail set in pavement in the southerly line of South Greeting, so-called; thence southerly by a bearing of S 32° 52′ 00″ E a distance of 229.24 feet to an iron bar; thence southwesterly by a bearing of S 26° 09′ 30″ W by a distance of 138.72 feet to an iron bar; thence northwesterly by a bearing of N 41° 00′ 10′′ W a distance of 323.38 feet to the point of beginning and enclosing 0.908 acres and having a right of way for access and egress in South Greeting, so-called, from the westerly line of Trafton Road westerly 1813.50 feet and 20 feet in parallel to the southerly line of South Greeting, so-called, as shown on plan entitled, "Location Plan of Property in Forest Park, Springfield, Mass. James P. Heady-Kiddieland Zoo as prepared by Springfield Engineering Department Scale 1″ = 40′ Dec. 1968."

SECTION 2. No fee shall be charged a person twelve years old or under for admission to James P. Heady-Kiddieland Zoo or any part of the land described in section one of this act on one Saturday and one Sunday of each month for the first twelve months after the fee system is instituted.

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

Approved June 24, 1969.

Chap. 447. AN ACT AUTHORIZING ASSESSORS TO APPOINT ASSISTANT ASSESSORS WHO ARE NONRESIDENTS OF THE CITY OR TOWN IN WHICH THEY ARE TO SERVE.

Be it enacted, etc., as follows:

Section 25A of chapter 41 of the General Laws, as most recently amended by chapter 107 of the acts of 1968, is hereby amended by

striking out the first sentence and inserting in place thereof the following sentence: — The assessors may appoint as assistant assessors such number of suitable citizens as they deem necessary, and may remove them.

Approved June 24, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 24, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 447 of the Acts of 1969, entitled "AN ACT AUTHORIZING ASSESSORS TO APPOINT ASSISTANT ASSESSORS WHO ARE NON-RESIDENTS OF THE CITY OR TOWN IN WHICH THEY ARE TO SERVE." and the enactment of which received my approval on June 24, 1969, 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:

Because of the intensive revaluation of real estate that is going on in many cities and towns in the Commonwealth, these cities and towns have a great need for competent assessors. In many cases these communities cannot find qualified assessors within their own community. Delay in the availability of non-residents to serve as assessors would result in many communities losing the benefit of qualified assistance.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 25, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at eleven o'clock and fifty-five minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter four hundred and forty-seven of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 448. AN ACT PROHIBITING PROFESSIONAL STRIKEBREAKERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 149 of the General Laws is hereby amended by inserting after section 22 the following section: —

Section 22A. No person shall knowingly employ any professional strikebreaker in the place of an employee involved in a lockout or lawful strike. No professional strikebreaker shall take or offer to take the

place in employment of an employee who is involved in a lockout or lawful strike. A "professional strikebreaker" is defined as a person who regularly and habitually earns a major portion of his livelihood by entering into employment where a lockout or strike exists to take the place of an employee whose work has ceased as a direct consequence of such lockout or strike.

No person shall engage in any activities or employ any person for the purpose of obstructing or interfering by force or threats with (1) peaceful picketing by employees during any labor controversy affecting wages, hours or conditions of labor, or (2) the exercise by employees of any of the rights granted employees under the provisions of chapter one hundred and fifty A or of the federal Labor-Management Relations Act of 1947.

This section shall not apply to the employment of any person whose services are necessary to ensure that the plant or other property of the employer involved in the strike or lockout is properly maintained and protected for the resumption at any time of normal operations.

Whoever violates any provisions of this section shall be punished by a fine of not more than five hundred dollars.

SECTION 2. Chapter one hundred and fifty D of the General Laws is hereby repealed. *Approved June 24, 1969.*

Chap. 449. AN ACT PROVIDING THAT THE INCINERATOR OF THE TOWN OF BRAINTREE BE MAINTAINED AND OPERATED BY THE BRAINTREE MUNICIPAL LIGHT BOARD.

Be it enacted, etc., as follows:

The town of Braintree may, by a majority vote of its limited town meeting, authorize the municipal light board of said town and its manager to operate and maintain the town incinerator in said town.

The municipal light board and its manager shall have such powers and duties in regard to the maintenance and operation of the town incinerator as said town from time to time by by-law shall provide.

For the purpose of operating and maintaining said town incinerator the municipal light board shall, on or before the fifteenth day of December in each year or such other date as the town may prescribe, prepare and submit to the finance committee a budget for the ensuing year and all supplementary information therefor in such form and detail as it may deem necessary or the town may require. Said operating and maintenance expenses shall be subject to a vote of the annual town meeting for the raising and appropriation thereof.

A separate account shall be kept by the municipal light board for the operation of the town incinerator plant and all receipts shall be paid into the town treasury.

The inhabitants of said town shall during the hours prescribed by vote of the town at a town meeting have free access to and use of the town incinerator for all normal domestic disposal of refuse.

Commercial or industrial uses of the town incinerator for refuse disposal shall be permitted upon issuance of a license or permit and at such rates and hours and in such manner as may be voted by the town at a town meeting. *Approved June 24, 1969.*

Chap. 450. AN ACT AUTHORIZING THE LOCAL LICENSING AUTHORITY IN THE CITY OF NEW BEDFORD TO ISSUE AN ALL ALCOHOLIC BEVERAGES CLUB LICENSE TO ST. MICHAEL SOCIAL CLUB, INC.

Be it enacted, etc., as follows:

Notwithstanding any limitation on the number of licenses to be issued under the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws but subject, however, to all other provisions of said chapter, the licensing board of the city of New Bedford is hereby authorized to issue to St. Michael Social Club, Inc. an annual club license to sell all alcoholic beverages to be drunk on its premises to members and to guests introduced by such members and to no others.

Said license shall not be transferable to any other licensee and shall not be included in the number of licenses issued under authority of said section seventeen; provided, however, that if there is an addition to the quota of such licenses in said city under said section seventeen because of an increase in population in said city, then said license shall be included in such new quota.

(This Bill, returned by the acting governor, to the House of Representatives, the branch in which it originated, with his objections thereto, was passed by the House of Representatives, June 18, 1969, and, in concurrence, by the Senate, June 25, 1969, the objections of the acting governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

Chap. 451. AN ACT AUTHORIZING THE LOCAL LICENSING AUTHORITY OF THE TOWN OF MONTAGUE TO ISSUE AN ALL ALCOHOLIC BEVERAGES CLUB LICENSE TO THOMAS MEMORIAL GOLF & COUNTRY CLUB, INC.

Be it enacted, etc., as follows:

Notwithstanding any limitation on the number of licenses to be issued under the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws, but subject, however, to all other provisions of said chapter, the licensing authority of the town of Montague is hereby authorized to issue to Thomas Memorial Golf & Country Club, Inc. an annual club license to sell all alcoholic beverages to be drunk on its premises to its members and to guests introduced by such members and to no others.

Said license shall not be transferable to any other licensee and shall not be included in the number of licenses issued under authority of said section seventeen; provided, however, that if there is an addition to the quota of such licenses in said town under said section seventeen because of an increase in population in said town, then said license shall be included in such new quota.

(This Bill, returned by the acting governor, to the House of Representatives, the branch in which it originated, with his objections thereto, was passed by the House of Representatives, June 18, 1969, and, in concurrence, by the Senate, June 25, 1969, the objections of the acting governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

Chap. 452. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY, 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 General Fund unless specifically designated otherwise in the item, 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 seventy, in this act referred to as the year nineteen hundred and seventy, or for such period as may be specified.

SECTION 2.

Legislature.

Senate.

Item		
0111–0000	For the compensation of senators, prior appropriation continued	$498,750
0111–8000	For expenses of senators, including travel, prior appropriation continued	85,000
0112–0000	For the office of the senate clerk, prior appropriation continued, including not more than seven permanent positions	102,000
0113–0000	For the salary of the chaplain of the senate	6,230
0114–0000	For the office of the senate counsel, prior appropriation continued, including not more than five permanent positions	114,500
0115–0000	For the office of the senate committee on rules, prior appropriation continued, including not more than eight permanent positions	350,000
0115–0010	For clerical and other expenses of the members of the senate	140,000
0117–0000	For the office of the senate committee on ways and means, prior appropriation continued, including not more than four permanent positions	92,590
0118–0000	For traveling and such other expenses of the committees of the senate, as may be authorized by order of the senate	10,000
	Total	$1,399,070

House of Representatives.

0121–0000	For the compensation of representatives, prior appropriation continued	$2,807,750
0121–8000	For expenses of representatives, including travel, prior appropriation continued	570,000
0122–0000	For the office of the clerk of the house of representatives, prior appropriation continued, including not more than nine permanent positions	121,500
0123–0000	For the salary of the chaplain of the house of representatives	6,230
0124–0000	For the office of the house counsel, prior appropriation continued, including not more than eight permanent positions	199,499

Item		
0125-0000	For the office of the house committee on rules, prior appropriation continued, including not more than fourteen permanent positions	$300,000
0126-0000	For the office of the house committee on ways and means, prior appropriation continued, including not more than nine permanent positions	165,000
0127-0000	For clerical and other expenses of the members of the house of representatives, including not more than one permanent position	235,000
0129-0000	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	$4,407,979

Sergeant-at-Arms.

0131-0000	For the office of the sergeant-at-arms, including not more than eleven permanent positions	$119,974
0132-0000	For the salaries of the doorkeepers, assistant doorkeepers, general court officers and pages of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than ninety-four permanent positions	1,068,833
0132-1000	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	86,184
0133-0000	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
0134-0000	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
0135-0000	For the rental and maintenance of an electric roll call system (1964, 536)	12,500
0136-0000	For certain improvements and renovations, including furnishings and equipment, prior appropriation continued.	
0137-0000	For certain electrical improvements and renovations pertaining to the electrical system in the house of representatives	61,000
	Total	$1,448,791

Other Expenses.

0141-0000	For the expenses of the legislative research council	$7,500
0142-0000	For the office of the legislative research bureau	175,000
0145-0000	For the administration of the office of legislative data processing	69,500
0151-0000	For the office of the recodification counsel, including not more than four permanent positions	52,492
0161-0000	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, for printing the manual of the general court, with the approval of the clerks of the respective branches, and for biographical sketches of certain state and federal officials, prior appropriation continued	700,000
0161-1000	For telephone and telegraph service, prior appropriation continued	193,540
0161-2000	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	9,200
0161-3000	For the compilation, indexing, annotating, printing and distribution of veterans laws, as provided by a joint order, and 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, and for printing a descriptive pamphlet of the murals, house of representatives, including not more than two permanent positions	200,000

Item		
0162-0000	For the service of the joint committee on federal financial assistance	$17,490
0163-0000	For clerical and other assistance to the joint committees	33,531
0164-0000	For traveling and such other expenses of joint committees of the general court, as may be authorized by joint order of the general court	10,000
0165-0000	For the annual membership fee of the commonwealth in the national conference of state legislative leaders	1,000
	Total	$1,469,253

Special Investigations.

0181-5000	For the expenses of the revolutionary bicentennial commission, including the preparation of a documentary history of the revolutionary government in Massachusetts, appropriation expires June thirtieth, nineteen hundred and seventy-three (Res. 1965, 49)	$17,510
	Total, Legislature	$8,742,603

Judiciary.

Supreme Judicial Court.

0301-0001	For the salaries, traveling allowances and expenses of the chief justice and of the six associate justices	$212,000
0301-0002	For law clerks and clerical assistance for the justices	144,948
0301-0006	For office supplies, services and equipment	23,150
0301-0101	For the salary of the clerk and the assistant clerk for the commonwealth	38,982
0301-0102	For clerical assistance to the clerk	15,792
0301-0200	For the salaries of the officers and messengers	10,520
0301-0300	For the commonwealth's part of the salaries of the clerk and assistant clerks for the county of Suffolk	13,239
0301-0400	For the use by certain state agencies of the facilities of the social law library; provided, that no payment shall be made for the use of the said facilities other than from funds provided by this item	7,000
0301-0500	For the service of the executive secretary	57,349
0301-0601	For expenses of the Massachusetts defenders committee, including not more than thirty-nine permanent positions	820,164
0301-0603	For the cost of providing certain legal assistance by the Massachusetts defenders committee (1967, 620)	18,392
0301-0700	For the office of the reporter of decisions, including not more than four permanent positions	49,556
	Total	$1,411,092

Superior Court.

0302-0000	For the salaries, traveling allowances and expenses of the chief justice and of the forty-five justices	$1,310,000
0302-0001	For court expenses	195,000
0302-0100	For the commonwealth's part of the salaries and expenses of the clerk and assistant clerks for the county of Suffolk	6,633
0302-0301	For the compensation of justices of district courts while sitting in the superior court, prior appropriation continued	45,000
0302-0302	For expenses of justices of district courts while sitting in the superior court, prior appropriation continued.	
0302-0303	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	35,000
	Local Aid Fund 100.0%	
0302-0304	For expenses of retired justices of the superior court	1,650
0302-0401	For the compensation of probation officers, including not more than fifty-seven permanent positions	579,928

Item		
0302–0402	For personal services and expenses of the office of the supervisor of probation	$14,569
	Total	$2,187,780

Judicial Council.

0303–0001	For the service of the council	$17,500

Administration of District Courts.

0304–0001	For compensation and expenses in connection with the administration of district courts	$23,000

Administration of Probate and Insolvency Courts.

0305–1001	For the compensation of the special judge of probate when acting for other judges of probate	$15,000
0305–2001	For expenses of the special judge of probate when acting for other judges of probate	1,500
0305–3001	For reimbursing officials for premiums paid for procuring sureties on their bonds	800
0305–4001	For expenses of the administrative committee of probate courts	500
0305–5001	For office expenses of the chief judge	29,000
	Total	$46,800

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:	
0305–6011	Barnstable, including not more than eight permanent positions	$67,245
0305–6021	Berkshire, including not more than eight permanent positions	68,095
0305–6031	Bristol, including not more than nineteen permanent positions	157,460
0305–6041	Dukes, including not more than three permanent positions	19,765
0305–6051	Essex, including not more than twenty-eight permanent positions	213,830
0305–6061	Franklin, including not more than five permanent positions	54,144
0305–6071	Hampden, including not more than twenty-seven permanent positions	202,825
0305–6081	Hampshire, including not more than six permanent positions	59,671
0305–6091	Middlesex, including not more than fifty-eight permanent positions	434,000
0305–6101	Nantucket, including not more than three permanent positions	20,294
0305–6111	Norfolk, including not more than twenty-eight permanent positions	262,325
0305–6121	Plymouth, including not more than fourteen permanent positions	135,678
0305–6131	Suffolk, including not more than sixty-four permanent positions	504,935
0305–6141	Worcester, including not more than twenty-four permanent positions	198,800
	Total	$2,399,067

Land Court.

0306–0001	For the office of the land court, including not more than fifty-nine permanent positions	$624,000

Pensions for Certain Retired Justices.

0307–0001	For pensions of retired judges or their widows	$225,000

District Attorneys.

Item		
	For the salaries of district attorneys and assistants for the nine districts:	
0308–0001	Suffolk, including not more than twenty-nine permanent positions	$309,900
0308–0002	Northern, including not more than fifteen permanent positions	147,900
0308–0003	Eastern, including not more than eight permanent positions	70,500
0308–0004	Southern, including not more than seven permanent positions	63,000
0308–0005	Middle, including not more than nine permanent positions	78,000
0308–0006	Western, including not more than six permanent positions	49,000
0308–0007	Northwestern, including not more than three permanent positions	19,900
0308–0008	Norfolk, including not more than seven permanent positions	58,500
0308–0009	Plymouth, including not more than six permanent positions	51,500
0308–0010	For the traveling expenses necessarily incurred by the above district attorneys except in the Suffolk district, including expenses incurred in previous years	7,000
	Total	$855,200

Committee on Probation.

0309–0001	For the office of the commissioner of probation, including not more than sixty-one permanent positions	$536,738
0309–0002	For compensation and expenses of the members of the committee on probation	2,400
	Total	$539,138

Board of Bar Examiners.

0310–0001	For the service of the board, including not more than six permanent positions	$65,100

Suffolk County Court House.

0312–0001	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	$325,000
	Local Aid Fund 100.0%	
	Total, Judiciary	$8,718,677

Executive.

Governor.

0411–1000	For the salaries of the governor and officers and employees in the governor's office	$565,000
0411–1901	For postage, printing, office and other contingent expenses, including travel of the governor	122,000
0411–2000	For the administration of the medical assistance advisory council	23,000
0411–3000	For the commonwealth's share of the expenses of the New England regional commission to coordinate interstate development and planning projects under the economic development act of nineteen hundred and sixty-five	53,750
0411–4000	For the administration of the public safety committee	35,800
0411–5000	For the office of the governor's highway safety committee	1,000
	Highway Fund 100.0%	
	Total	$800,550

Extraordinary Expenses.

Item

0411-8000 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 his written recommendation as to the amount of funds required with facts pertinent thereto $100,000

Governor's Council.

0413-1000 For the salaries and personal services of the council, for the expenses of the governor and council, and for the expenses and travel of the lieutenant-governor and council from and to their homes . $105,803

Civil Defense Agency.

0414-0000 For the service of the civil defense agency, including not more than one hundred and nine permanent positions; 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 funds for the purposes of this item $474,165

0414-0001 For the service of the civil defense agency nonmatching fund program 13,410

0414-3000 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 18,400

0414-4000 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 35,000

Total $540,975

Total, Executive $1,547,328

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.

0431-0000 For the office of the adjutant general, including not more than thirty-seven permanent positions $332,000

0431-0100 For officers' uniform allowances 70,000

0431-0200 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 160,997

0431-0300 For allowances to companies and other administrative units, to be expended under the direction of the adjutant general . 186,000

0431-0400 For compensation for accidents and injuries sustained in the performance of military duty and for small claims for damages to private property 8,300

Item		
0431–0500	For the operation of the war records project, so-called, including not more than ten permanent positions	$65,595
	Total	$822,892

State Quartermaster.

0431–1000	For the office of the state quartermaster	$9,600
0431–1100	For the operation of armories of the first class, including not more than one hundred and three permanent positions	1,195,000
0431–1200	For the reimbursement for rent and maintenance of armories not of the first class	15,000
0431–1300	For the Camp Curtis Guild rifle range, including not more than seven permanent positions	42,430
0431–1400	For certain storage and maintenance facilities, including not more than twenty-eight permanent positions	152,810
0431–1500	For certain national guard aviation facilities, including not more than ten permanent positions	57,095
	Total	$1,471,935

Other Military.

0431–9001	For the military reservation in Barnstable County, including compensation of the commissioner	$1,272
0431–9002	For expenses of maintaining, in the state house, headquarters for the Department of Massachusetts, United Spanish War Veterans, with the approval of the department commander and the adjutant general	1,500
0431–9003	For the compensation of one member and expenses of the armory commission	258
	Total	$3,030
	Total, Military Division	$2,297,857

Massachusetts Commission for the Blind.

0441–0000	For the office of the commissioner, including not more than ten permanent positions	$105,666

Bureau of Medical Care.

0441–1000	For administration of the bureau, including not more than fifty-four permanent positions	$183,095
0441–1010	For aiding the adult blind, prior appropriation continued	3,216,400
0441–1020	For administration of a program of medical assistance, including not more than five permanent positions	141,810
0441–1030	For payments of the state share of certain medical assistance programs, including medical supplies and equipment	1,251,200
	Total	$4,792,505

Bureau of Individual Services.

0441–2000	For administration of a program of individual services, including not more than two permanent positions	$15,655
0441–2010	For administration of a talking book program, including not more than three permanent positions	64,390
0441–2020	For administration of a home teaching program, including not more than nineteen permanent positions	119,475
0441–2030	For administration of a children's services program, including not more than seven permanent positions	54,355
	Total	$253,875

Bureau of Rehabilitation.

Item		
0441-3000	For administration of the bureau, including not more than two permanent positions	$14,360
0441-3010	For a program of vocational rehabilitation of the blind in cooperation with the federal government, prior appropriation continued	267,500
	Total	$281,860

Bureau of Industrial Aid and Workshops.

0441-4000	For the administration of the bureau, including not more than three permanent positions	$27,520
0441-4010	For operation of local shops, including not more than thirteen permanent positions	320,405
0441-4020	For operation of the salesroom and other expenses in connection with the sales of material made by blind persons, including not more than four permanent positions	52,815
0441-4030	For operation of the Cambridge industries for the blind, including not more than eleven permanent positions	601,888
0441-4040	For the administration and operation of the service of piano tuning	37,000
0441-4050	For certain payments to blind persons	62,597
	Total	$1,102,225

Bureau of Research.

0441-5000	For the administration of the bureau, including not more than four permanent positions	$26,675
	Total, Massachusetts Commission for the Blind	$6,562,806

Executive Office for Administration and Finance.

0451-1100	For the office of the commissioner of administration, including not more than thirty-three permanent positions	$510,758
	Highway Fund 30.0%	
	General Fund 70.0%	
0451-1131	For the office of the commissioner of administration for the purpose of designing and implementing management procedures and systems to effect improvements in the administrative organization and operations of the state agencies	600,000
0451-1191	For a reserve for transfers to items of appropriation made specifically in this act for purchase of equipment or repair, alteration or renovation projects by the commissioner of administration with the approval of the governor where the amount appropriated is insufficient for the purpose of said item; provided, that the transfer shall not exceed five per cent of the amount originally appropriated for any such item, appropriation expires with said items, prior appropriation continued.	
0451-1200	For the personal expenses of the governor while living in the vicinity of Boston, with approval of the commissioner of administration	20,000
0451-1601	For personal services and expenses in connection with the administration and operation of highway safety programs with the approval of the commissioner of administration; provided, that the expenditures from this item shall be contingent upon prior approval of the programs by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of said programs shall not be less than fifty per cent; and, further provided, that any federal funds available for this purpose, when received, shall be credited to the Highway Fund	800,000
	Highway Fund 100.0%	
0451-1701	For the administration of the bureau of retardation	36,033
	Total	$1,966,791

Fiscal Affairs Division.

Item		
0451-2100	For the administration of the division, including not more than one hundred and thirty-six permanent positions	$1,352,786
	Highway Fund 30.0%	
	General Fund 70.0%	
0451-2200	For the compensation and expenses of the personnel appeals board, as authorized by section fifty-five of chapter thirty of the General Laws, and including not more than three permanent positions; provided, that notwithstanding the limitations of said section fifty-five, compensation and expenses may be allowed each member for forty additional days	13,500
0451-2400	For the expenses of an in-service training program for engineering employees, as authorized by section twenty-eight A of chapter seven of the General Laws, to be in addition to any amounts paid by cities or towns for the purpose	80,000
	Highway Fund 100.0%	
0451-2500	For other in-service training programs	50,000
	Total	$1,496,286

Central Services Division.

0451-3100	For the administration of the division, including not more than six permanent positions	$71,900
0451-3200	For the administration of the bureau of building construction, including not more than seventy-two permanent positions	1,038,049
0451-3300	For the bureau of state buildings, and for the maintenance of the state house and Ford building, including not more than one hundred and seventy-six permanent positions	1,616,523
0451-3400	For the maintenance of the new state office building, including not more than seventy-four permanent positions	1,363,575
0451-3907	For refurbishing state house elevators, appropriation expires June thirtieth, nineteen hundred and seventy-one	50,000
0451-3908	For the expenses of a plaque, John F. Kennedy, as authorized by chapter two of the resolves of nineteen hundred and sixty-nine	5,000
0451-4000	For the operation of certain central services and the telephone system, including not more than twenty-eight permanent positions	307,140
	Total	$4,452,187

Comptroller's Division.

0452-1000	For the administration of the division, including not more than one hundred and eighty-one permanent positions	$1,861,070
	Highway Fund 30.0%	
	General Fund 70.0%	
0452-2000	For the design, development and installation of a coordinated, automated financial and information system for the comptroller's division and other state agencies; provided, the necessary consultant services may be furnished by an accredited accounting firm	50,000
	Total	$1,911,070

Purchasing Agent's Division.

0453-1000	For the administration of the division, including not more than ninety-three permanent positions	$665,965
	Highway Fund 30.0%	
	General Fund 70.0%	
0453-2000	For the operation of a central mailing room in the new state office building, including not more than four permanent positions	20,660
0453-3000	For the purchase of paper used in the execution of contracts for printing, other than legislative	123,000
	Total	$809,625

Group Insurance Commission.

Item		
0454-1000	For administration of the group insurance program, including not more than forty permanent positions	$553,910
0454-2000	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, agencies 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 contracts for group life and health insurance; and, provided further, that the contract shall provide benefits, when supplemented by benefits authorized by federal legislation, that will be comparable to those at present in effect, prior appropriation continued	13,691,200
0454-3000	For the group insurance premium for certain retired employees and their dependents; provided, that amounts received from cities, towns or districts are to be in addition to this item and to be available for expenditure without further appropriation	260,000
	Total	$14,505,110

Suggestion Awards Board.

0456-0000	For awards to state employees	$1,000

Board of Economic Advisors.

0457-0000	For the expenses of the board	$31,770

Rate Setting Commission.

0458-0000	For the administration of the commission, including not more than thirty-nine permanent positions	$455,027
	Total, Executive Office for Administration and Finance	$25,628,866

Other Boards and Commissions serving under the Governor and Council.

Commission on Uniform State Laws.

0461-1000	For the expenses of the commission	$5,585

George Fingold Library.

0461-2000	For the administration of the library, including not more than thirty-one permanent positions	$282,015

Art Commission.

0461-3000	For expenses of the commission, notwithstanding the limitation of section nineteen of chapter six of the General Laws	$900

Ballot Law Commission.

0461-4000	For compensation and expenses of the commissioners, including not more than three permanent positions	$4,550

Massachusetts Commission against Discrimination.

Item		
0461–5100	For the office of the commission, including not more than fifty-seven permanent positions; provided, that all positions except clerical are exempted from the provisions of chapter thirty-one of the General Laws	$583,330
0461–5110	For administration of the Springfield office	29,748
0461–5120	For administration of the New Bedford office	18,170
	Total	$631,248

State Racing Commission.

0461–6000	For the office of the commission, including not more than ten permanent positions; provided, that fees paid to veterinarians for services in connection with horse racing shall not exceed forty-five dollars per diem, and in connection with dog racing shall not exceed thirty-five dollars per diem	$212,000

Records Conservation Board.

0461–7000	For the expenses of the board	$1,810

Compact for Education.

0461–8000	For the commonwealth's share of the cost of the compact for education	$13,500
0461–8010	For the expenses of the education compact council of Massachusetts	1,000
	Total	$14,500

Old State House.

0462–2000	For the contribution of the commonwealth toward the maintenance of the old provincial state house	$1,500

Alcoholic Beverages Control Commission.

0462–3000	For the office of the commission, including not more than sixty-four permanent positions	$623,169

Contributory Retirement Appeal Board.

0462–4000	For the expenses of the board	$200

Obscene Literature Control Commission.

0462–5000	For the expenses of the commission	$1,000

Mobile Homes Commission.

0462–6000	For the expenses of the commission	$5,000

Metropolitan Area Planning Council.

0462–7100	For personal services and expenses of the council	$134,340

Consumers' Council.

0462–8000	For the administration of the council, including not more than seven permanent positions	$66,940

New England Board of Higher Education.

Item		
0463-0000	For expenses of the board, and for compensation and expenses of the members (1954, 589)	$52,806
0463-1000	For payments to medical or dental schools on acceptance of certain Massachusetts students (1954, 589, Art. V)	175,000
	Total	$227,806

Finance Advisory Board.

0463-2000	For the expenses of the board	$100

Retirement Law Commission.

0463-3000	For the administration of the commission, including not more than two permanent positions	$30,855

Boxers' Fund Board.

0463-4100	For the expenses of the board	$250

Committee on Law Enforcement and Administration of Criminal Justice.

0463-5000	For the expenses of the committee	$500

Commissioner of Veterans' Services.

0463-6100	For the office of the commissioner, including not more than ninety permanent positions	$690,000
0463-6300	For the payment of annuities to certain disabled veterans	200,000
0463-6400	For reimbursing cities and towns for money paid for veterans benefits	15,600,000
	Local Aid Fund 100.0%	
0463-6500	For reimbursing cities and towns for financial aid granted to certain needy dependents of persons in the service of the armed forces	115,000
	Local Aid Fund 100.0%	
	Total	$16,605,000

Massachusetts Police Training Council.

0463-7000	For the administration of the council, including not more than three permanent positions	$68,744

Massachusetts Aeronautics Commission.

0463-8100	For the personal services and expense of the commissioners, including not more than five permanent positions	$8,250
0463-8200	For the administration of the commission, including not more than ten permanent positions	124,505
0463-8400	For the expenses of air navigation facilities	50,000
	Total	$182,755

Health and Welfare Commission.

0464-1000	For the office of the commission, including not more than three permanent positions	$28,730

Advisory Council on Home and Family.

0464-2000	For expenses of the council	$10,000

Commission on Employment of the Handicapped.

0464-3000	For the expenses of the commission	$450

Massachusetts Rehabilitation Commission.

Item		
0464-4010	For the administration of the commission, including not more than one permanent position, prior appropriation continued	$2,300,750

Soldiers' Home in Massachusetts.

0471-0000	For the maintenance of the home, including not more than six hundred and twenty permanent positions	$4,927,000
0471-9003	For the replacement of certain X-ray equipment, appropriation expires June thirtieth, nineteen hundred and seventy-one	38,000
0471-9004	For the construction of an incinerator, appropriation expires June thirtieth, nineteen hundred and seventy-one	20,000
0471-9005	For replacement of wall covering in hospital building, appropriation expires June thirtieth, nineteen hundred and seventy-one	5,000
	Total	$4,990,000

Soldiers' Home in Holyoke.

0481-0000	For the maintenance of the home, including not more than two hundred and twenty-six permanent positions	$1,786,140
	Total, Other Boards and Commissions serving under the Governor and Council	$28,216,837
	Total, Executive Department	$64,253,694

Secretary of the Commonwealth.

0511-0000	For the office of the secretary, including not more than ninety-five permanent positions	$869,850
0513-0000	For the expense of processing certain statistical data	11,000
0514-0000	For the administration of the bureau of corporate organization and registration, including not more than thirteen permanent positions	146,935
0515-0000	For the expense of microfilming certain corporate records	40,000
0516-0000	For the expenses of reproduction of the manuscript collection designated "Massachusetts Archives", and for furnishing copies of corporation papers, election papers and acts and resolves	10,950
0517-0000	For the expense of printing various public documents, prior appropriation continued	74,000
0518-0000	For the purchase and distribution of certain journals of the house of representatives (1920, 413; 1964, 451)	3,000
0521-0000	For preparing, printing and distributing ballots and other miscellaneous expenses for primary and other elections, prior appropriation continued, and including not more than nine permanent positions	175,505
	Total	$1,331,240

Commission on Interstate Co-operation.

0525-0000	For the office of the commission, including not more than two permanent positions; provided, that the position of director, commission on interstate co-operation, and executive secretary, commission on interstate co-operation, shall not be subject to the provisions of chapter thirty-one of the General Laws	$44,890

Massachusetts Historical Commission.

Item		
0526-0000	For the administration of the commission, including not more than one permanent position	$33,438
	Total, Secretary of the Commonwealth	$1,409,568

Treasurer and Receiver-General.

Item		
0610-0000	For the office of the treasurer and receiver-general, including not more than ninety-two permanent positions	$1,091,200
	Highway Fund 30.0%	
	General Fund 70.0%	
0611-2000	For payments to soldiers in recognition of service in World War II	5,000
0611-3000	For payments to soldiers in recognition of service in the Korean conflict	5,000
0611-4000	For the administration of the Vietnam bonus payments	193,100
0611-5000	For compensation to victims of violent crimes, as authorized by chapter two hundred and fifty-eight A of the General Laws	5,000
	Total	$1,299,300

State Board of Retirement.

0612-0000	For the administration of the board, including not more than thirty-nine permanent positions	$305,273
0612-1000	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 appropriations continued; provided, 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	22,000,000
	Highway Fund 15.0%	
	General Fund 85.0%	
0612-2000	For the compensation of veterans who may be retired by the state board of retirement and for the cost of medical examinations in connection therewith	5,703,000
	Highway Fund 22.0%	
	General Fund 78.0%	
0612-3000	For payment of any claims for allowances to families of certain employees killed or fatally injured in the discharge of their duties	14,700
0612-4000	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired	12,000
0612-5000	For retirement allowances of certain employees formerly in the service of the administrative division of the metropolitan district commission; provided, that the metropolitan district commission's share of this item shall be assessed by methods fixed by law	22,000
	MDC Sewerage District Fund 25.0%	
	MDC Water District Fund 25.0%	
	Highway Fund 25.0%	
	MDC Parks District Fund 25.0%	
0612-6000	For retirement allowances of certain veterans and police officers formerly in the service of the metropolitan district commission; provided, that the commission's share of this item shall be assessed by methods fixed by law	666,000
	Highway Fund 60.0%	
	MDC Parks District Fund 39.0%	
	General Fund 1.0%	
0612-7000	For retirement allowances of certain veterans formerly in the service of the metropolitan sewerage district	190,300
	MDC Sewerage District Fund 100.0%	
0612-8000	For retirement of certain veterans formerly in the service of the metropolitan water system	400,400
	MDC Water District Fund 100.0%	

Item		
0612–9000	For annuities for widows of certain former members of the uniformed branch of the state police (1963, 526)	$42,000
	Highway Fund 66.0%	
	General Fund 34.0%	
	Total	$29,355,673

Commissioners on Firemen's Relief.

0620–0000	For the expenses of administration and for relief disbursed by the commissioners	$16,625

Emergency Finance Board.

0630–0000	For administration of the board, including not more than one permanent position	$31,173
	Total, Treasurer and Receiver-General	$30,702,771

Auditor of the Commonwealth.

0710–0000	For the office of the auditor, including not more than ninety-six permanent positions	$1,485,209
	Highway Fund 30.0%	
	General Fund 70.0%	
	Total, Auditor of the Commonwealth	$1,485,209

Department of the Attorney General.

0810–0000	For the office of the attorney general, including not more than fifty-two permanent positions, prior appropriation continued	$1,644,948
0811–0000	For the cost of providing certain legal services in carrying out the provisions of chapters six hundred and nineteen and six hundred and twenty of the acts of nineteen hundred and sixty-seven	10,500
0821–0100	For the settlement of certain claims on account of damages by cars owned by the commonwealth and operated by state employees and for the settlement of certain small claims, as authorized by section three A of chapter twelve of the General Laws; 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	108,000
	Total, Department of the Attorney General	$1,763,448

Department of Agriculture.

0911–1000	For the office of the commissioner, including the expenses of the board of agriculture, and including not more than twenty-nine permanent positions	$210,040
0912–1000	For apiary inspection and for reimbursement of owners of diseased bees, including not more than one permanent position	9,925
	Total	$219,965

Division of Poultry and Poultry Products.

0913–1000	For the office of the division, including not more than six permanent positions	$49,025

Item		
0913-2000	For a program of quality improvement of the production and marketing of eggs; provided, that the sum appropriated herein shall be expended with at least an equivalent amount of federal grants for the purposes of this item	$4,650
	Total	$53,675

Division of Dairying and Animal Husbandry.

0914-1000	For the office of the division, including not more than twenty permanent positions	$162,870
0914-2000	For a program of quality improvement of dairy products; provided, that the sum appropriated herein shall be expended with at least an equivalent amount of federal grants for the purposes of this item	4,500
	Total	$167,370

Division of Animal Health.

0915-1000	For the office of the division, including not more than twenty-eight permanent positions	$260,070
0915-2000	For authorized travel of inspector of animals, incidental expenses of slaughtering and burial of animals, quarantine and emergency services and for laboratory and veterinary supplies and equipment	1,965
0915-3000	For the reimbursement of owners of diseased cattle slaughtered, prior appropriation continued.	
0915-3500	Reimbursement for hogs killed	10,000
	Agricultural Purposes Fund 100.0%	
0915-4000	For the reimbursement of certain towns for compensation paid to inspectors of animals	2,000
	Local Aid Fund 100.0%	
	Total	$274,035

Division of Markets.

0916-1000	For the office of the division, including not more than eleven permanent positions	$126,675
0916-2000	For a program of preparing crop survey reports; provided, that the sum appropriated herein shall be expended with at least an equivalent amount of federal grants for the purposes of this item	5,830
0916-7000	For a program of improving roadside marketing; provided, that the sum appropriated herein shall be expended with at least an equivalent amount of federal grants for the purposes of this item	4,750
	Total	$137,255

Division of Plant Pest Control.

0917-1000	For the office of the division, including not more than four permanent positions	$40,720
0917-1100	For control of European chafer	4,750
	Total	$45,470

Division of Fairs.

0918-1000	For the office of the division and for state prizes and agricultural exhibits, including allotment of funds for the 4-H activities, prior appropriation continued, including not more than three permanent positions	$293,850
	Agricultural Purposes Fund 100.0%	

State Reclamation Board.

Item		
0919–0100	For the office of the board, including not more than three permanent positions	$27,149
0919–0200	For the commonwealth's share of the greenhead fly control program	6,500
	Total	$33,649

For the expenses of the following mosquito control projects:

0919–0300	Cape Cod (1935, 250)	$155,232
	Mosquito and Greenhead Fly Control Fund 100.0%	
0919–1100	Berkshire County (1950, 734)	107,441
	Mosquito and Greenhead Fly Control Fund 100.0%	
0919–1200	Norfolk County (1956, 341)	117,760
	Mosquito and Greenhead Fly Control Fund 100.0%	
0919–1300	Bristol County (1958, 432)	116,090
	Mosquito and Greenhead Fly Control Fund 100.0%	
0919–1400	Plymouth County (1957, 514)	111,895
	Mosquito and Greenhead Fly Control Fund 100.0%	
0919–1500	Essex County, city of Revere and town of Winthrop (1958, 516; 1965, 638)	107,032
	Mosquito and Greenhead Fly Control Fund 100.0%	
	Total	$715,450

Division of Milk Control.

0920–1000	For the office of the division, including not more than thirty-four permanent positions	$247,710
	Total, Department of Agriculture	$2,188,429

Department of Natural Resources.

1000–0000	For the office of the commissioner, including the expenses of the natural resources board, and including not more than thirty-eight permanent positions; provided, that the position of deputy commissioner shall not be subject to the provisions of chapter thirty-one of the General Laws	$363,175
	Inland Fisheries and Game Fund .7%	
	Public Access Fund 2.8%	
	General Fund 96.5%	

Public Access Board.

1000–1491	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 provision 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	$500,000
	Public Access Fund 100.0%	

Division of Forests and Parks.

Item		
1010-0000	For the office of the division, including not more than fourteen permanent positions	$130,300
1011-0000	For the office of the bureau of recreation, including not more than one hundred and thirty-three permanent positions	1,873,265
	State Recreation Areas Fund 100.0%	
1011-1000	For the administration of public beaches, including not more than four permanent positions (1968, 501)	31,882
	State Recreation Areas Fund 100.0%	
1011-1100	For the maintenance of Fort Phoenix Beach	27,375
	State Recreation Areas Fund 100.0%	
1011-1200	For the maintenance of Horseneck Beach, including not more than one permanent position	194,417
	State Recreation Areas Fund 100.0%	
1011-1300	For the maintenance of Salisbury Beach, including not more than three permanent positions	205,686
	State Recreation Areas Fund 100.0%	
1011-1400	For the maintenance of Scusset Beach	48,570
	State Recreation Areas Fund 100.0%	
1011-2000	For the administration and maintenance of swimming pools and skating rinks; provided, that the provisions of chapter thirty-one of the General Laws shall not apply to this item	840,555
	State Recreation Areas Fund 100.0%	
1011-9006	For the improvement of roads in state forests, state parks, and state reservations, prior appropriation continued	150,000
	State Recreation Areas Fund 100.0%	
1012-0000	For the development of forests, including not more than five permanent positions	109,550
1012-9002	For a federal-state cooperative 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 expenditures shall be made under this item for farm forestry projects until the county shall have deposited the sum of twenty-five per cent of the expenses of its projects, as determined by the commissioner of natural resources, in the state treasury	124,835
1013-0000	For the office of the state fire warden and for expenses of the northeastern interstate forest fire protection commission and for compensation of commissioners, including not more than nineteen permanent positions	633,265
1013-0002	For the administration of the forest fire patrol, including not more than eleven permanent positions	123,045
1014-0000	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-two permanent positions	235,180
	Total	$4,727,925

Division of Law Enforcement.

1020-0000	For the office of the division, including not more than seventy-seven permanent positions	$689,600
	Inland Fisheries and Game Fund 26.0%	
	Marine Fisheries Fund 24.0%	
	State Recreation Areas Fund 5.0%	
	General Fund 45.0%	

Item		
1020–0200	For the supervision of public fishing and hunting grounds .	**$11,070**
	Inland Fisheries and Game Fund . 100.0%	
	Total	**$700,670**

Division of Conservation Services.

1030–0000	For the office of the division, including the expenses for the committee for conservation, and including not more than five permanent positions	**$141,950**
1030–1200	For assistance to community conservation commissions in the acquisition of conservation lands	**450,000**
	Local Aid Fund 100.0%	
1030–1241	For the administration of a land and water conservation program, including not more than one permanent position . .	**67,826**
	State Recreation Areas Fund . 100.0%	
1039–8000	For the payment of interest on certain bonded debt of the commonwealth; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the State Recreation Areas Fund	**544,397**
	State Recreation Areas Fund . 100.0%	
1039–9000	For certain serial bonds maturing; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the State Recreation Areas Fund	**1,177,000**
	State Recreation Areas Fund . 100.0%	
	Total	**$2,381,173**

Division of Marine Fisheries.

1040–0000	For the office of the division, and for the administration of the activities provided for under item 1040–1361, including not more than twenty permanent positions	**$245,013**
	Marine Fisheries Fund . . . 100.0%	
1040–0001	For the expenses of the marine fisheries advisory commission	**1,500**
	Marine Fisheries Fund . . . 100.0%	
1040–1311	For a program of estuarine research	**99,853**
	Marine Fisheries Fund . . . 100.0%	
1040–1341	For the operation of the shellfish treatment plant at Newburyport (1961, 506)	**62,560**
	Marine Fisheries Fund . . . 100.0%	
1040–1361	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; provided, that the expenditures by said cities and towns herein provided shall not be subject to appropriation as required by section fifty-three of chapter forty-four of the General Laws	**22,000**
	Marine Fisheries Fund . . . 100.0%	
	Total	**$430,926**

Expenditures from the following items shall be contingent upon the prior approval of the proper federal authorities for reimbursement of at least fifty per cent of the amounts expended:

1040–1372	For the collection, compilation, evaluation and dissemination of commercial fisheries statistics	**$18,945**
	Marine Fisheries Fund . . . 100.0%	

Item		
1040–1373	For a program, in cooperation with the Woods Hole Laboratory of the bureau of commercial fisheries, to increase the knowledge of coastal flounder population	$20,000
	Marine Fisheries Fund 100.0%	
1040–1374	Coordination of commercial fisheries research and development work	35,000
	Marine Fisheries Fund 100.0%	
1040–1375	For consumer education in and the development of Massachusetts fishery products	120,000
	Marine Fisheries Fund 100.0%	
1040–1376	For an investigation of the use of anadromous fish	17,000
	Marine Fisheries Fund 100.0%	
1040–1377	For the improvement of the program for the protection of shellfish	10,000
	Marine Fisheries Fund 100.0%	
1040–1383	Commercial Fisheries Extension Service	50,000
	Marine Fisheries Fund 100.0%	
	Total	$270,945

Division of Mineral Resources.

1050–0000	For the office of the division	$25,000

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.

1070–0000	For the office of the division, including expenses of the fish and game board, including not more than seventeen permanent positions	$199,910
	Inland Fisheries and Game Fund 100.0%	
1070–0093	Repairs to field headquarters building	20,000
	Inland Fisheries and Game Fund 100.0%	
1070–1000	For contributions to the state retirement system for retirement allowances on account of the death or retirement of employees, officers and officials now or formerly employees of the division	39,000
	Inland Fisheries and Game Fund 100.0%	
1070–2204	For the purchase of fish and wildlife lands and waters, prior appropriation continued.	
	Inland Fisheries and Game Fund 100.0%	
1070–2300	For the administration of the fish hatcheries and for the improvement and management of lakes, ponds and rivers, including not more than forty-nine permanent positions	536,340
	Inland Fisheries and Game Fund 100.0%	
1070–2304	For certain construction and improvements to the East Sandwich trout hatchery, prior appropriation continued.	
	Inland Fisheries and Game Fund 100.0%	
1070–2322	For certain anadromous fish restoration programs; provided, that expenditures from this item shall be contingent upon prior approval of the proper federal authorities for reimbursement of at least fifty per cent of the amounts expended	25,000
	Inland Fisheries and Game Fund 100.0%	

Item		
1070–2341	For the contribution of the department of natural resources towards a fisheries cooperative research project, in accordance with a contract with the federal government, to be expended by the University of Massachusetts	$10,000
	Inland Fisheries and Game Fund . 100.0%	
1070–2342	For fish restoration projects, including not more than four permanent positions	49,115
	Inland Fisheries and Game Fund . 100.0%	
1070–2400	For the administration of game farms and for wildlife research and management, including not more than forty-nine permanent positions	489,250
	Inland Fisheries and Game Fund . 100.0%	
1070–2441	For the contribution of the department of natural resources towards a wildlife cooperative research project, in accordance with a contract with the federal government, to be expended by the University of Massachusetts	8,500
	Inland Fisheries and Game Fund . 100.0%	
1070–2451	For the payment of damages caused by wild deer, including not more than one permanent position, prior appropriation continued	9,066
	Inland Fisheries and Game Fund . 100.0%	
1070–2461	For the administration of a program for wildlife restoration projects, including not more than twenty-one permanent positions	186,650
	Inland Fisheries and Game Fund . 100.0%	
1070–2502	For the eastern dove management unit; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities for one hundred per cent reimbursement of the amounts expended	3,500
	Inland Fisheries and Game Fund . 100.0%	
1079–8000	For the payment of interest on certain bonded debt of the commonwealth; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Inland Fisheries and Game Fund	83,600
	Inland Fisheries and Game Fund . 100.0%	
1079–9000	For certain serial bonds maturing; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Inland Fisheries and Game Fund	200,000
	Inland Fisheries and Game Fund . 100.0%	
	Total	$1,859,931

Division of Water Resources.

1080–0000	For the office of the division, including not more than sixteen permanent positions	$166,305
1080–0102	For property surveys for establishment of flood plain limits in Assabet and Chicopee River valleys (1961, 548, 554)	10,000
1080–0200	For water planning, including not more than four permanent positions	45,100
1080–0501	For the administration of the Thames River Valley Flood Control Commission (1957, 616)	600
1080–0502	For the administration of the Connecticut River Valley Flood Control Commission and for reimbursement for loss of taxes (1951, 692)	50,906
1080–0503	For the administration of the Merrimac River Valley Flood Control Commission (1956, 608)	84,100
1080–0506	For expenses of the Ipswich River Watershed District Commission; provided, that the state treasurer shall assess upon the several cities and towns in the district an amount equal to expenditures made in this item, one half of said assessment to be in proportion to the equalized valuation of cities and towns of said district, as established in section ten C of chapter fifty-eight of the General Laws, and one half to be in proportion to their respective population (1966, 682)	38,950

Item		
1080-0507	For a cooperative research agreement on great ponds — university of Massachusetts, prior appropriation continued.	
1080-0801	For the expenses of a certain flood control project in the town of New Marlborough (1959, 496)	$150
1080-0802	For the expenses of the flood control reservoirs on the Clam River watershed (1963, 565)	5,000
1080-0803	For the expenses of the flood control reservoirs on the Quaboag River watershed (1962, 571)	6,000
1080-0804	For the expenses of the flood control reservoirs on the SuAsCo watershed (1960, 669)	10,000
1080-0805	For the commonwealth's share of the cost of a federal-state cooperative water favorability study	96,000
1080-0806	For the commonwealth's share of the cost of a federal-state cooperative water reservoir site study	60,000
1080-0807	For the commonwealth's share of the New England River Basin Commission	10,000
	Total	$583,111

Division of Water Pollution Control.

1085-0000	For the office of the division; provided, that any federal funds available for this purpose, when received, shall be credited to the General Fund, including not more than thirty-seven permanent positions	$623,498
1085-8000	For the compensation and 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; provided, that the limitation contained in Article VIII of said chapter shall be increased to nine thousand seven hundred and fifty dollars	12,075
1085-9000	For reimbursement of the Metropolitan District Commission, any city or town or other political subdivision for the commonwealth's share of water pollution abatement projects	1,220,000
	Local Aid Fund 100.0%	
	Total	$1,855,573
	Total, Department of Natural Resources	$13,698,429

Department of Banking and Insurance.

Division of Banks.

1111-0000	For the office of the commissioner, including not more than two hundred and forty-two permanent positions	$2,171,630

Division of Insurance.

1121-0000	For the office of the division, including expenses of the board of appeal, and certain other costs of supervising motor vehicle liability insurance and the expenses of the fraudulent claims board, and including not more than three hundred and nine 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	$2,702,400
	Highway Fund 30.0%	
	General Fund 70.0%	

Division of Savings Bank Life Insurance.

Item

1131-0000 For the office of the division, including not more than twenty-nine permanent positions $245,615

Total, Department of Banking and Insurance . . $5,119,645

Department of Corporations and Taxation.

1201-0000 For personal services of the department except as otherwise provided, including not more than eighty permanent intermittent positions, and including not more than one thousand two hundred and thirty-two permanent positions $7,790,000

Highway Fund 6.0%
Local Aid Fund 87.0%
General Fund 7.0%

1201-1000 For the expenses of the department except as provided in other items contained in this section; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and twenty-nine thousand dollars from the receipts of the cigarette tax in accordance with the provisions of paragraph (B) of section twenty-eight of chapter sixty-four C of the General Laws . . . 1,878,100

Highway Fund 2.5%
Local Aid Fund 68.0%
General Fund 29.5%

1201-2000 For certain tax audits of foreign corporations . . 71,130

Total $9,739,230

Bureau of Accounts.

1231-0000 For the administration of the bureau, including the expenses of auditing and installing systems of municipal accounts and 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, and including not more than one hundred and thirty-one permanent positions $1,305,700

1231-1000 For the administration of the county personnel board, including not more than six permanent positions 29,085

Total $1,334,785

Bureau of Local Taxation.

1233-1000 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 current calendar year, and for reimbursement of certain towns . $1,625,000

Local Aid Fund 100.0%

1233-2000 For reimbursing cities and towns for abatements granted 580,000

Local Aid Fund 100.0%

1233-3000 For reimbursing the city of Boston for loss of taxes on land for the government center (1960, 635, § 8) 357,575

Local Aid Fund 100.0%

Total $2,562,575

Appellate Tax Board.

Item

1281-0000 For the personal services and expenses of the board, including not more than thirty-two 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 $311,800

Total, Department of Corporations and Taxation . $13,948,390

Department of Civil Service and Registration.

Division of Civil Service.

1411-0000 For the office of the division, including the compensation of the members of the commission, and including the expenses of hearings, including not more than three hundred and forty permanent positions $2,725,577

Highway Fund 15.0%
General Fund 85.0%

Division of Registration.

1421-0000 For the administration of the division, including not more than seventy-two permanent positions; provided, that the position of investigator of radio-television technicians shall not be subject to chapter thirty-one of the General Laws $708,420

For the services of the following agencies in the division.

1421-0100 Board of registration in medicine, including not more than seven permanent positions $12,575

1421-0200 Board of dental examiners, including not more than five permanent positions 7,450

1421-0300 Board of registration in chiropody, notwithstanding the limitations of section twelve C of chapter thirteen of the General Laws, and including not more than five permanent positions . . . 3,400

1421-0400 Board of registration in pharmacy, including not more than nine permanent positions 55,358

1421-0500 Board of registration of nurses, including not more than twelve permanent positions 8,500

1421-0600 Board of registration in embalming and funeral directing, including not more than five permanent positions 13,125

1421-0700 Board of registration in optometry, including not more than five permanent positions 3,750

1421-0800 Board of registration in veterinary medicine, including not more than five permanent positions 3,830

1421-0900 Board of registration of chiropractors, including not more than five permanent positions 13,500

1421-1000 Board of registration of architects, including not more than five permanent positions 10,875

1421-1100 Board of registration of professional engineers and land surveyors 26,950

1421-1200 Board of public accountancy, including not more than nine permanent positions 52,880

1421-1300 State examiners of electricians, including not more than two permanent positions 10,000

1421-1400 State examiners of plumbers, including not more than three permanent positions 10,250

1421-1500 Board of registration of real estate brokers and salesmen, including not more than twenty-nine permanent positions; provided, that persons employed under this item shall not be subject to the civil service law and rules 296,722

Item		
1421–1600	Board of registration of electrologists, including not more than three permanent positions	$3,125
1421–1700	Board of registration of barbers, including not more than ten permanent positions	68,170
1421–1800	Board of registration of hairdressers, including not more than eighteen permanent positions	135,820
1421–1900	Board of registration of dispensing opticians, including not more than five permanent positions	1,375
1421–2000	Board of registration of sanitarians, including not more than four permanent positions	1,500
1421–2100	Board of registration of radio and television technicians, including not more than seven permanent positions	13,200
1421–2200	Board of registration of landscape architects	1,500
	Total	$753,855
	Total, Department of Civil Service and Registration	$4,187,852

Department of Commerce and Development.

1500–0000	For the general administration of the department, including not more than seventy-one permanent positions; provided, that section twenty-five of chapter thirty of the General Laws shall not apply to payments made for the expenses of the New York office Tourism and Industrial Promotion Fund 100.0%	$975,869

Division of Tourism.

1522–1000	For expenses of not more than two tourist information booths Tourism and Industrial Promotion Fund 100.0%	$41,500
1522–9001	For the promotion of vacation travel within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item Tourism and Industrial Promotion Fund 100.0%	$636,200
	Total	$677,700

Division of Economic Development.

1532–9001	For the promotion of industry within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item Tourism and Industrial Promotion Fund 100.0%	$331,200
1532–9003	For expenses of the operation of the Merrimack Valley Industrial Information Center, established by chapter six hundred and ninety-three of the acts of nineteen hundred and sixty-eight Tourism and Industrial Promotion Fund 100.0%	50,000
	Total	$381,200
	Total, Department of Commerce and Development	$2,034,769

Department of Labor and Industries.

1610–1000	For general administration of the department, including not more than fourteen permanent positions	$143,135
	For the personal services and expenses of the following agencies of the department:	
1610–2000	Division of industrial safety, including not more than seventy-nine permanent positions	$737,082

Item		
1610-3000	Division of occupational hygiene, including not more than fifteen permanent positions	$158,870
1610-4000	Division of statistics, including not more than thirty-four permanent positions	219,175
1610-6000	Commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions	253,830
1610-7000	Division of standards, including not more than thirty-eight permanent positions	325,582
1610-8000	Board of conciliation and arbitration, including not more than fourteen permanent positions	167,725
1610-9000	Division of employment agencies, including not more than three permanent positions	31,179
	Total	$1,893,443

Division of Apprentice Training.

1614-9000	For the office of the division, including not more than thirty-six permanent positions; provided, that all of the positions of this division shall not be subject to chapter thirty-one of the General Laws	$250,900

Labor Relations Commission.

1620-1000	For the office of the commission, including not more than twenty-four permanent positions	$236,515

Health, Welfare and Retirement Trust Funds Board.

1630-1000	For the administration of the board, including not more than twenty-eight permanent positions	$261,767

Division of Industrial Accidents.

1650-1000	For the office of the division and for clerical and other assistance for the industrial accident rehabilitation board, including not more than one hundred and eighty-six permanent positions	$1,344,420
1650-1901	For expenses of impartial examinations, including previous fiscal years	47,000
1650-3000	For the compensation of certain public employees for injuries sustained in the course of their employment, including previous fiscal years	1,720,000
	Highway Fund 35.0%	
	General Fund 65.0%	
	Total	$3,111,420

Office of Self-Insurance.

1650-4000	For the service of the office, including not more than six permanent positions	$49,095

Industrial Accident Rehabilitation Board.

1650-5000	For the service of the board, including not more than six permanent positions	$16,764
	Total, Department of Labor and Industries	$5,963,039

Department of Correction.

1801-0000	For administration, including not more than sixty-six permanent positions; provided, that the persons employed under the division of classification of prisoners shall not be subject to the civil service law and rules; and, provided further, that notwithstanding any provision	

Item		
	of 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	$679,390
	For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:	
1810–0000	Correctional institution at Bridgewater, including not more than five hundred and seventy-seven permanent positions .	$6,662,150
1810–0902	For the renewal of certain roofs, appropriation expires June thirtieth, nineteen hundred and seventy-one	20,000
1810–0903	For certain renovations of the addiction center hospital kitchen and dining room, including the necessary furnishings and equipment, appropriation expires June thirtieth, nineteen hundred and seventy-one	32,000
1812–0000	Correctional institution at Walpole, including not more than three hundred and nine permanent positions . . .	2,997,300
1812–2000	Correctional institution at Walpole, industries, including not more than thirty-one 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	1,389,369
1812–2902	For the purchase of an automatic brush machine.	13,500
1814–0000	Correctional institution at Concord, including not more than two hundred and fifty-one permanent positions . . .	2,448,220
1814–2000	Correctional institution at Concord, industries, including not more than fifteen permanent positions	313,470
1816–0000	Correctional institution at Framingham, including not more than one hundred and thirty-two permanent positions . .	1,235,325
1816–2000	Correctional institution at Framingham, industries, including not more than ten permanent positions	196,975
1818–0000	Correctional institution at Norfolk, including not more than two hundred and sixty-three permanent positions	2,968,690
1818–2000	Correctional institution at Norfolk, industries, including not more than thirty permanent positions	574,380
1831–0000	Correctional institution camps, including not more than thirty-six permanent positions.	562,725
	Total	$19,414,104
	Parole Board.	
1880–0000	For the office of the board, including not more than ninety-five permanent positions; provided, that the position of employment officer, parole board, shall not be subject to the provisions of chapter thirty-one of the General Laws	$882,200
	Total, Department of Correction	$20,975,694

Department of Public Welfare.

1900–1000	For the office of the commissioner, including not more than four thousand seven hundred and two permanent positions .	$39,485,456
1900–9600	For assistance to U. S. citizens returned from foreign countries, and for emergency assistance to resettled Cuban refugees, wholly reimbursed by the federal government; provided, that the federal reimbursement shall be credited to this account and may be expended without further appropriation	100,000
	Local Aid Fund 100.0%	
1901–1000	For care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued	16,368,000

Item		
1901–2000	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-nine	**$1,414,000**
	Local Aid Fund 100.0%	
1902–1000	For payments on account of medical assistance and permanent and total disability assistance for recipients at Tewksbury hospital	**27,700**
1902–2000	For payments on account of medical assistance and old age assistance for recipients at Tewksbury hospital	**40,000**
1902–3000	For payments on account of the programs of medical assistance-mental health and old age assistance-mental health (1965, 874)	**17,855,000**
1902–4000	For reimbursement to cities and towns for a medical assistance program provided under Public Law 89–97 Title XIX, including certain (*a*) families with dependent children (*b*) totally and permanently disabled persons (*c*) aged persons and (*d*) certain individuals with insufficient resources to meet the cost of necessary medical services, prior appropriation continued (1965, 874).	
	Local Aid Fund 100.0%	
1902–5000	For a direct medical assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the Local Aid Fund, prior appropriation continued (1965, 874); and provided, further, that no expenditure or commitment made pursuant to this item or to any agreements authorized by said chapter 874, for the purpose of complying with the provisions of Public Law 89–87, Title XIX shall be incurred in excess of available funds which have been appropriated therefor	**207,250,000**
	Local Aid Fund 100.0%	
1903–1000	For the payment of suitable aid to certain dependent children, prior appropriation continued.	
	Local Aid Fund 100.0%	
1903–2000	For a program of direct aid to families with dependent children; provided, that all federal funds received for the purpose of this item shall be credited to the Local Aid Fund, prior appropriation continued	**178,000,000**
	Local Aid Fund 100.0%	
1905–1000	For reimbursement to cities and towns for old age assistance, prior appropriation continued.	
	Local Aid Fund 100.0%	
1905–2000	For a direct old age assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the Local Aid Fund	**101,700,000**
	Local Aid Fund 100.0%	
1906–1000	For reimbursement to cities and towns for general relief and for purposes of items 3019–02, 3019–03, 3019–04 and 3019–05 prior to their inclusion herein, prior appropriation continued.	
	Local Aid Fund 100.0%	
1906–2000	For a program of direct general relief	**22,000,000**
	Local Aid Fund 100.0%	
1907–1000	For reimbursement to cities and towns for total and permanent disability assistance, prior appropriation continued.	
	Local Aid Fund 100.0%	
1907–2000	For a direct totally and permanently disabled persons program; provided, that all federal funds received for the purpose of this item shall be credited to the Local Aid Fund	**29,400,000**
	Local Aid Fund 100.0%	
	Total, Department of Public Welfare . .	**$613,640,156**

Department of Public Health.

Bureau of Administration.

Item		
2010-0100	For the office of the bureau, including not more than fifty-nine permanent positions	$600,688
2010-0200	For the administration of certain research in connection with a health program for children and youth	6,766
2010-0700	For the administration of the medical assistance unit	105,750
	Total	$713,204

Bureau of Environmental Sanitation.

2011-0100	For the office of the bureau, including not more than sixty-six permanent positions	$817,975
2011-0200	For the administration of the Lawrence experiment station, including not more than thirty-one permanent positions	301,965
2011-0300	For the administration of the air pollution control district, 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, to be in addition to any federal funds available for the purpose	137,140
2011-0500	For the administration of the lower Pioneer Valley air pollution control district, including not more than two 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, to be in addition to any federal funds available for the purpose	27,695
2011-9003	For certain improvements at Lake Mahkeenac in the town of Stockbridge, prior appropriation continued (1964, 442).	
2011-9006	For the removal of weeds at Hoosac Lake, Lake Whitehall, Peters pond, Oldham pond and Lake Nipmuc, Forest lake and Pierpont pond, in accordance with the provisions of chapter four hundred and ninety-eight of the acts of nineteen hundred and sixty-one; provided, that the sum of fifty-one thousand dollars shall be transferred to the General Fund from the Recreation Boating Fund; to be in addition to any other public funds available for the purpose, prior appropriation continued.	
2011-9008	For a program to assist cities and towns in the establishment of a rat control program, prior appropriation continued (1967, 754).	
2011-9009	For a program of weed control and removal, including but not limited to White's Pond, Forest Lake, Lake Mattawanakee, Flint's Pond, South Watuppa Pond, Shaw Pond, Upper Porter Pond, Lower Porter Pond, Thirty Acres Pond, Hamilton Reservoir, Waldo Lake, Lake Sherman, Upper Reservoir of the Braintree-Randolph Great Pond, Lowes Pond, Goodrich Pond, Stockbridge Bowl, White Island Pond and Martin's Pond, Studley Pond, Sabbatia Lake, Billington Sea, Lake Boone, Lake Cochituate, Ashfield Lake and Nashawannuck Pond, to be in addition to any other public or private funds available for the purpose, prior appropriation continued.	
	State Recreation Boating Fund 100.0%	
2011-9010	For an investigation and study of solid waste disposal by the bureau of environmental sanitation; provided, that the sum appropriated herein shall be expended with at least an equivalent amount of federal grants for the purposes of this item, prior appropriation continued.	
	Total	$1,284,775

Bureau of Chronic Disease Control.

2012-0100	For the office of the division of communicable and venereal diseases, including not more than twenty-three permanent positions	$677,749
2012-0110	For a poliomyelitis vaccine program (1955, 481)	150,000

Item		
2012-0120	For a measles vaccine program	$250,000
2012-0150	For a mumps vaccine program	400,000
2012-0160	Rubella vaccine program	400,000
2012-0200	For the office of the division of alcoholism, including not more than eleven permanent positions	832,606
2012-0300	For the office of the division of adult health, including not more than fifteen permanent positions	400,500
2012-0400	For the office of the division of nursing home facilities, including not more than fourteen permanent positions	374,900
2012-0500	For the office of the division of dental health, including not more than twelve permanent positions	116,310
2012-0600	For a study of equine encephalitis	38,370
2012-0800	For a chronic renal disease program, including not more than two permanent positions	203,685
	Total	$3,844,120

Bureau of Health Services.

2013-1000	For the office of the bureau, including not more than sixty-seven permanent positions	$1,241,540
2013-2110	For certain comprehensive public health and medical care programs, including research, to be in addition to any federal, city or town or private funds available for the purpose; provided, that the maximum period of state participation shall be four years and the commonwealth's share shall not exceed the following yearly percentages of the cost of any project: seventy-five per cent in the first; sixty per cent in the second; forty per cent in the third and twenty-five per cent in the fourth year of state participation, prior appropriation continued	150,000
2013-2200	For the reimbursement of cities and towns for the care of certain infants	150,000
	Local Aid Fund 100.0%	
2013-2300	For the reimbursement of cities and towns for certain expenses incurred by persons infected with certain diseases dangerous to public health	5,000
	Local Aid Fund 100.0%	
	Total	$1,546,540

Bureau of Hospital Facilities.

2014-0100	For the office of the bureau, including not more than eighteen permanent positions	$165,795

Bureau of Tuberculosis and Institutions.

2015-0100	For the office 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, and including not more than thirty-eight permanent positions	$4,319,450
2015-9001	Replace diagnostic and screening x-ray	60,000
	Total	$4,379,450

Institute of Laboratories.

2016-0100	For the office of the institute, including not more than one hundred and fifty-one permanent positions	$1,280,380

Bureau of Consumer Products Protection.

2017-0100	For the office of the bureau, including not more than seventy permanent positions	$730,520

Item		
2017-0200	For the administration of the pesticide board	$22,830
2017-9001	For the purchase and installation of certain equipment, including accessories	13,000
	Total	$766,350
	For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:	
2031-0000	Lakeville hospital, including not more than three hundred and twenty-nine permanent positions	$2,508,400
2032-0000	Lemuel Shattuck hospital, including not more than eight hundred and twenty-nine permanent positions	6,494,240
2032-9002	For a research program of chronic hepatitis and related diseases, to be in addition to any federal or other funds available	67,000
2032-9004	For the painting of certain trim	16,000
2032-9005	For replacement of the oxygen and suction system	25,000
2033-0000	Massachusetts hospital school, including not more than two hundred and ninety-four permanent positions	1,994,910
2034-0000	Pondville hospital, including not more than two hundred and eighty-four permanent positions	2,460,557
2034-9001	For the administration of a cancer research project	27,835
2034-9002	For the replacement of certain steam and water lines	90,000
2035-0000	Rutland Heights hospital, including not more than three hundred and forty-six permanent positions	2,478,175
2036-0000	Tewksbury hospital, including not more than eight hundred and seven permanent positions	6,668,150
2036-9002	For the purchase of certain laundry equipment	40,000
2037-0000	Western Massachusetts hospital, including not more than two hundred and eighty-eight permanent positions	2,354,745
2037-9002	For certain roof repairs	24,000
2037-9003	For the installation of certain air conditioning	3,500
2037-9004	For the purchase of an x-ray film processor and chest x-ray machine	25,000
2037-9005	For the purchase of a radio-isotope diagnostic laboratory	26,500
2037-9006	For the purchase of a fluoroscopic screen-image intensifier	12,000
	Total	$25,316,012
	Drug Addiction Rehabilitation Board.	
2072-0000	For the office of the board, including not more than six permanent positions	$496,030
	Total, Department of Public Health	$39,792,656

Department of Public Safety.

2111-0000	For the administration of the department, including not more than one hundred and eight permanent positions	$911,250
	Division of State Police.	
2112-0000	For the administration of the division, including the compensation of state police officers formerly in the service of the commonwealth, now retired, including not more than nine hundred and seven permanent positions	$9,028,737
	General Fund 15.0%	
	Highway Fund 85.0%	
	Division of Subversive Activities.	
2113-0000	For the administration of the division, including not more than five permanent positions	$43,862

Division of Fire Prevention.

Item
2114-0000 For the administration of the division, including not more than twenty-five permanent positions $305,700

Division of Inspection.

2115-0000 For the administration of the division, including not more than eighty-three 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 $966,300

Board of Boiler Rules.

2116-0000 For the administration of the board, including not more than four permanent positions $2,000

State Boxing Commission.

2117-0000 For the office of the commission, including not more than six permanent positions $35,600

Board of Elevator Regulations.

2118-0000 For the administration of the board, including not more than seven permanent positions $6,350

Board of Examiners of Elevator Constructors, Maintenance Men and Repairmen.

2119-0000 For the administration of the board, including not more than one permanent position $1,200

Board of Elevator Appeals.

2120-0000 For the administration of the board, including not more than six permanent positions $2,100

Board to Facilitate the use of Public Buildings by the Physically Handicapped.

2121-0000 For the expenses of the board, including not more than seven permanent positions $4,175

Recreational Tramway Board.

2122-0000 For the expenses of the board, including not more than four permanent positions $6,250

Board of Standards.

2130-0000 For the administration of the board, including not more than seven permanent positions $6,350

Board of Fire Prevention Regulations.

2140-0000 For the administration of the board, including not more than eight permanent positions $6,500

Board of Schoolhouse Structural Standards.

2150-0000 For the expenses of the board $2,000

Total, Department of Public Safety . . . $11,328,374

Department of Public Utilities.

2301-0000 For general administration, including not more than seventy-seven permanent positions $722,800

Item		
2311-9001	For hearings and special investigations; provided, that no salaries or expenses of permanent employees shall be chargeable to this item	$26,500
	Total	$749,300

Commercial Motor Vehicle Division.

2321-0000	For the office of the division, including not more than thirty-three permanent positions	$303,988

Securities Division.

2331-0000	For the office of the division, including not more than ten permanent positions	$78,650

Gas Fitting Regulations Board.

2380-0000	For administration of the program of regulating the installation of gas fittings in buildings, including not more than one permanent position	$28,238
	Total, Department of Public Utilities	$1,160,176

Metropolitan District Commission.

Administration.

2410-0000	For general administration, including not more than sixty-nine permanent positions		$649,840
	Highway Fund	25.0%	
	MDC Parks District Fund	25.0%	
	MDC Sewerage District Fund	25.0%	
	MDC Water District Fund	25.0%	

Metropolitan Water System.

2420-0000	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 fourteen permanent positions		$5,502,500
	MDC Water District Fund	100.0%	
2424-9002	For the replacement of certain chlorinators and amoniators		22,000
	MDC Water District Fund	100.0%	
2425-9001	For emergency repairs to water mains, prior appropriation continued		10,000
	MDC Water District Fund	100.0%	
2425-9003	For the purchase of certain pipe and valve stock		30,000
	MDC Water District Fund	100.0%	
2426-9004	For the conversion of a certain engine from steam to diesel power, appropriation expires June thirtieth, nineteen hundred and seventy-one		60,000
	MDC Water District Fund	100.0%	
2429-8000	For the payment of interest on certain bonded debt of the commonwealth; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Metropolitan Water District Fund		3,399,102
	MDC Water District Fund	100.0%	

Item

2429-9000 For certain serial bonds maturing; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Metropolitan Water District Fund $5,363,000
MDC Water District Fund . . 100.0%

Total $14,386,602

Metropolitan Sewerage District.

2430-0000 For the maintenance and operation of a system of sewage disposal for the metropolitan sewerage district, including payments to the state retirement system under the provisions of the General Laws, and including not more than five hundred and fifty-nine permanent positions $5,426,430
MDC Sewerage District Fund . 100.0%

2432-9003 For the replacement of a certain diesel pumping unit, Braintree-Weymouth pumping station, appropriation expires June thirtieth, nineteen hundred and seventy-one 90,000
MDC Sewerage District Fund . 100.0%

2432-9008 For the replacement of certain evaporative coolers . . 10,000
MDC Sewerage District Fund . 100.0%

2439-8000 For the payment of interest on certain bonded debt of the commonwealth; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Metropolitan Sewerage District Fund 2,855,800
MDC Sewerage District Fund . 100.0%

2439-9000 For certain serial bonds maturing; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Metropolitan Sewerage District Fund 3,936,500
MDC Sewerage District Fund . 100.0%

Total $12,318,730

Metropolitan Parks District.

2440-0000 For the maintenance of boulevards and parkways, including Bunker Hill and the adjacent property, 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 three hundred and fifty-six permanent positions; provided, that notwithstanding any provisions of chapter thirty-one of the General Laws, members of the metropolitan district commission police force may be temporarily allocated to special secondary ratings in accordance with the schedule approved by the joint committees on ways and means, a copy of which is on file with the director of personnel and standardization $16,211,290
Highway Fund 60.0%
MDC Parks District Fund . . 39.0%
General Fund 1.0%

2444-9001 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 1,300,000
Highway Fund 100.0%

2444-9002 For the purchase of certain highway maintenance equipment 212,000
Highway Fund 100.0%

Item		
2444-9003	For certain payments for the use of facilities of the museum of science	$115,000
	MDC Parks District Fund . . 100.0%	
2444-9004	For certain payments for the maintenance and use of the Trailside museum	50,000
	MDC Parks District Fund . . 100.0%	
2444-9005	For the cost of suppressing the gypsy moth	5,000
	MDC Parks District Fund . . 100.0%	
2444-9006	For the expenses of holding band concerts	25,000
	MDC Parks District Fund . . 100.0%	
2444-9017	For certain payments to the children's museum	50,000
	MDC Parks District Fund . . 100.0%	
2449-8000	For the payment of interest on certain bonded debt of the commonwealth; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Metropolitan Parks District Fund	1,503,790
	MDC Parks District Fund . . 100.0%	
2449-9000	For certain serial bonds maturing; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Metropolitan Parks District Fund	2,703,000
	MDC Parks District Fund . . 100.0%	
	Total	$22,175,080
	Total, Metropolitan District Commission	$49,530,252

Department of Community Affairs.

Administration.

2500-0000	For the general administration of the department, including not more than seventy-eight permanent positions	$2,022,930

Division of Community Development.

2522-9001	For certain financial assistance for housing projects for the elderly	$4,300,000
	Local Aid Fund 100.0%	
2522-9002	For certain financial assistance for housing projects for veterans	4,450,000
	Local Aid Fund 100.0%	
2522-9003	For a program of financial assistance for certain low income housing, prior appropriation continued.	
	Local Aid Fund 100.0%	
2522-9004	For a program of rental assistance for families of low income; provided, that at least fifty per cent of said appropriation shall be allocated for dwellings containing four or less units; and, provided further, the term commonly referred to as "row housing" shall be considered in the category of nine or more units; and, provided further, that notwithstanding any provision of law to the contrary, first preference for admission shall be granted to the eligible elderly; and, provided further, that not more than ten per cent of the appropriation available in this item may be used for administration of said program, prior appropriation continued.	
	Local Aid Fund 100.0%	
2522-9101	For reimbursement of cities and towns for the commonwealth's share of federally-aided urban renewal projects	2,000,000
	Local Aid Fund 100.0%	

Item		
2522-9102	For reimbursement of cities and towns for the commonwealth's share of certain nonfederally-aided urban renewal projects	$360,000
	Local Aid Fund 100.0%	
	Total	$11,110,000

Division of Community Services.

2532-1011	For the expenses of a community development training program; provided, that state funds shall be expended with at least an equivalent amount of federal funds available for the purposes authorized by the National Housing Act, as amended by the Housing Act of 1964	$230,000
2532-2011	For the expenses of urban information and technical assistance programs relative to community development problems; provided, that state funds shall be expended with at least an equivalent amount of federal funds available for the purpose, as authorized by National Housing Act, as amended by the Model Cities and Metropolitan Development Act of 1966	125,000
2532-3051	For the commonwealth's share of the cost of certain federally-aided planning studies of district planning commissions established under the provisions of chapter forty B of the General Laws and of county and other regional planning agencies except such agencies as are directly financed by state appropriations; provided, that the commonwealth's share of the cost of such planning projects shall not exceed the contribution assessed on the constituent cities and towns within the district	30,000
	Local Aid Fund 100.0%	
	Total	$385,000

Division of Social and Economic Opportunity.

2543-9001	For a demonstration grant program for the elderly	$25,000
	Local Aid Fund 100.0%	
	Total	$25,000
	Total, Department of Community Affairs	$13,542,930

Department of Mental Health.

5011-0000	For administration, except as otherwise provided, for 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, and for the transportation and medical examination of patients and certain mentally retarded persons, including not more than three hundred and thirty-two permanent positions	$5,382,594

Region One.

5111-0000	For administration, including not more than seven permanent positions	$134,000
5121-0000	For mental health and retardation services, including not more than fifty-seven permanent positions	706,725
5181-0000	For the maintenance of the Belchertown state school, including not more than five hundred and ninety-eight permanent positions	4,508,865
5181-9001	For the replacement of certain beds and mattresses, appropriation expires June thirtieth, nineteen hundred and seventy	15,000

Item		
5181-9004	For the installation of roofs and screens and porches, infirmary building, appropriation expires June thirtieth, nineteen hundred and seventy-one	$25,000
5191-0000	For the maintenance of the Northampton state hospital, including not more than eight hundred and ninety-nine permanent positions	6,503,600
	Total	$11,893,190

Region Two.

5211-0000	For administration, including not more than seven permanent positions	$123,685
5221-0000	For mental health and retardation services, including not more than fifty-four permanent positions	790,696
5271-0000	For the maintenance of the Rutland Heights mental health rehabilitation center, including not more than thirty-seven permanent positions	441,405
5291-0000	For the maintenance of the Gardner state hospital, including not more than five hundred and twenty-nine permanent positions	3,939,571
5292-0000	For the maintenance of the Grafton state hospital, including not more than five hundred and eighty-seven permanent positions	4,315,792
5293-0000	For the maintenance of the Worcester state hospital, including not more than one thousand and fifty permanent positions	7,252,260
5293-9001	For the replacement of steam lines at power house, appropriation expires June thirtieth, nineteen hundred and seventy-one	15,000
5293-9002	For the repair of certain roofs, appropriation expires June thirtieth, nineteen hundred and seventy-one	17,000
5294-0000	For the maintenance of the Monson state hospital, including not more than seven hundred and twenty-six permanent positions	4,604,690
5294-9001	For the replacement of steam lines, appropriation expires June thirtieth, nineteen hundred and seventy-one	88,500
	Total	$21,588,599

Region Three.

5311-0000	For administration, including not more than seven permanent positions	$115,845
5321-0000	For mental health and retardation services, including not more than eighty-three permanent positions	1,094,647
5361-0000	For the maintenance of the Dr. Harry C. Solomon mental health center, including not more than one hundred and twenty-seven permanent positions	1,123,080
5362-0000	For staffing a program of mental health and retardation services in the Cambridge-Somerville area; provided, that expenditures from this item shall be contingent upon assurance by the proper federal authorities that the federal allocation for the cost of this program for the first fiscal year of operation will not be less than six hundred sixty-four thousand nine hundred and fifty dollars, said allocation to be in addition to the amount hereby appropriated	184,374
5381-0000	For the maintenance of the Walter E. Fernald state school, including not more than one thousand and eighty-one permanent positions	7,955,940
5381-9005	For the replacement of oven, appropriation expires June thirtieth, mineteen hundred and seventy-one	17,700
5381-9006	For the renovation of the fire alarm system, appropriation expires June thirtieth, nineteen hundred and seventy-one	13,000
5381-9007	For travel tray ovens	22,000
5381-9008	For a bread wrapping and slicing machine	24,000
5391-0000	For the maintenance of the Metropolitan state hospital, including not more than seven hundred and ninety-seven permanent positions	5,962,830

Item		
5391–9005	For the replacement of windows at medical and surgical buildings, appropriation expires June thirtieth, nineteen hundred and seventy-one	$110,000
	Total	$16,623,416

Region Four.

5411–0000	For administration, including not more than seven permanent positions	$116,400
5421–0000	For mental health and retardation services, including not more than seventy-one permanent positions	872,840
5471–0000	For the maintenance of the John T. Berry rehabilitation center, including not more than seventy-eight permanent positions	674,981
5481–0000	For the maintenance of the Hathorne state school, including not more than two hundred and eighty-two permanent positions	2,000,490
5491–0000	For the maintenance of the Danvers state hospital, including not more than eight hundred and eighty-six permanent positions	6,555,700
5491–9003	For the replacement of valves and piping on certain fire mains, appropriation expires June thirtieth, nineteen hundred and seventy-one	15,000
5491–9005	For the waterproofing of outside walls, appropriation expires June thirtieth, nineteen hundred and seventy-one	16,000
	Total	$10,251,411

Region Five.

5511–0000	For administration, including not more than seven permanent positions	$111,200
5521–0000	For mental health and retardation services, including not more than one hundred and six permanent positions	1,249,596
5581–0000	For the maintenance of the Wrentham state school, including not more than six hundred and fifty-seven permanent positions	6,019,010
5581–9004	For the installation of screens, "A" and nursery buildings, appropriation expires June thirtieth, nineteen hundred and seventy-one	10,000
5581–9005	For the replacement of floors, "B", "F" and "G" buildings, appropriation expires June thirtieth, nineteen hundred and seventy-one	15,000
5591–0000	For the maintenance of the Medfield state hospital, including not more than six hundred and eighty-five permanent positions	4,804,975
5591–9001	For the replacement of roofs, appropriation expires June thirtieth, nineteen hundred and seventy-one	90,000
5591–9002	For porch repairs, "R" building, appropriation expires June thirtieth, nineteen hundred and seventy-one	50,000
5592–0000	For the maintenance of the Westborough state hospital, including not more than nine hundred and seven permanent positions	6,020,500
5592–9004	For the replacement of feeder cables, appropriation expires June thirtieth, nineteen hundred and seventy-one	30,000
5593–0000	For the maintenance of the Cushing hospital, including not more than six hundred and eighty-seven permanent positions	4,389,960
5593–9004	For the installation of piped oxygen in wards "201" and "203", appropriation expires June thirtieth, nineteen hundred and seventy-one	25,000
5593–9005	For the renovation of toilet areas, appropriation expires June thirtieth, nineteen hundred and seventy-one	15,000
5593–9006	For the installation of a flatwork folder, appropriation expires June thirtieth, nineteen hundred and seventy-one	12,000
	Total	$22,842,241

Region Six.

5611–0000	For administration, including not more than seven permanent positions	$101,575
5621–0000	For mental health and retardation services, including not more than one hundred and forty permanent positions	1,431,700

Item		
5661-0000	For the maintenance of the Massachusetts mental health center, including not more than three hundred and eighteen permanent positions	$2,668,990
5661-9002	For the replacement of cold water piping, appropriation expires June thirtieth, nineteen hundred and seventy-one	70,000
5662-0000	For certain expenses of the mental health training, treatment and research center; provided, that expenditures from this item shall be contingent upon assurance by the proper federal authorities that the federal allocation for a certain staffing program for the center for the first fiscal year of operation will not be less than two hundred forty-one thousand five hundred dollars, said allocation to be in addition to the amount hereby appropriated	245,772
5691-0000	For the maintenance of the Boston state hospital, including not more than one thousand one hundred and seventy-nine permanent positions	8,891,955
5691-9004	For the modernization of toilets, appropriation expires June thirtieth, nineteen hundred and seventy-one	35,000
5691-9005	For the replacement of lavatories in "H" building, appropriation expires June thirtieth, nineteen hundred and seventy-one	30,000
	Total	$13,474,992

Region Seven.

5711-0000	For administration, including not more than seven permanent positions	$112,785
5721-0000	For mental health and retardation services, including not more than sixty-four permanent positions	736,045
5761-0000	For the maintenance of the Fall River mental health center, including not more than one hundred and twelve permanent positions	842,500
5781-0000	For the maintenance of the Paul A. Dever school, including not more than six hundred and fifty-four permanent positions	5,409,350
5791-0000	For the maintenance of the Foxborough state hospital, including not more than five hundred and seventy permanent positions	4,227,171
5792-0000	For the maintenance of the Taunton state hospital, including not more than seven hundred and twenty-three permanent positions	6,264,900
5792-9002	For the modernization of the fire alarm system, appropriation expires June thirtieth, nineteen hundred and seventy-one	40,000
	Total	$17,632,751
	Total, Department of Mental Health	$119,689,194

Department of Public Works.

Highway Activities.

Personal Services.

6010-0000	For personal services, including not more than four thousand six hundred and three permanent positions; provided, that the salaries of all officers and employees of the department engaged in projects or activities related to highways shall be charged in full to this item, except for services provided for in item 6020-1900 of this act	$38,270,000
	Highway Fund 100.0%	

Administrative and Engineering Expenses.

6020-1509	For telephone service in the public works building	$100,000
	Highway Fund 91.8%	
	General Fund 5.1%	
	Recreational Boating Fund 3.1%	

Item

6020-1900 For the operation and maintenance of the public works building, including not more than eighty-five permanent positions . $636,400
Highway Fund 96.0%
General Fund 3.2%
Recreational Boating Fund . . .8%

6020-2401 For the purchase of all administrative and engineering equipment 300,000
Highway Fund 100.0%

6020-2501 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 2,372,500
General Fund 8%
Highway Fund 99.2%

6020-2801 For the compensation of certain retired employees (1948, 403, as amended) 7,170
Highway Fund 100.0%

6020-2901 For the payment of damages caused by defects in state highways for which the commonwealth is liable, with the approval of the attorney general 3,000
Highway Fund 100.0%

Total $3,419,070

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:

6030-7201 For the expenses of snow and ice control, including the removal of sand, and including the cost of sand, salt and chemicals . $6,000,000
Highway Fund 100.0%

6030-7301 For expenses in connection with traffic line painting, including the cost of materials 971,000
Highway Fund 100.0%

6030-7401 For the purchase of materials and supplies for the maintenance and operation of state highways and bridges, excluding those specifically provided for in items 6030-7201 and 6030-7301 . . 2,070,000
Highway Fund 100.0%

6030-7501 For the purchase of all equipment to be used directly for the maintenance and operation of state highways and bridges . 2,000,000
Highway Fund 100.0%

6030-7601 For the maintenance and operation of state highways and bridges 2,758,000
Highway Fund 100.0%

6031-0131 For a property management program (1966, 427) . . 250,000
Highway Fund 100.0%

Total $14,049,000

Waterways Activities.

The salaries of all officers and employees of the department engaged in waterways projects or activities authorized by bond issue or otherwise shall be charged in full to appropriations authorized under this heading in this act.

Division of Waterways.

6032-0000 For the administration of the division, including not more than sixty-six permanent positions $757,350
Public Access Fund . . . 2.6%
General Fund 97.4%

Item		
6032-2010	For certain improvements to the piles and fenders at the Gloucester fish pier	$30,000
6032-2012	For certain repairs and improvements at the Fall River state pier	63,000
6032-2013	For repairs to a certain wharf at Westport point in the town of Westport and construction of an access bridge thereto	20,000
6032-3001	For the maintenance of property in the town of Plymouth, including not more than two permanent positions	12,757
6032-3002	For the operation and maintenance of the New Bedford state pier, including not more than one permanent position (1914, 693)	25,136
	Total	$908,243

Construction, Reconstruction and Betterments.

The following appropriations are for the costs of projects which come within the purposes of appropriations for the accelerated highway program and are to be in addition to sums appropriated therefor:

6033-1003	For the construction of a highway administration building in district six, including the cost of furnishings and equipment, prior appropriation continued.	
6033-1004	For the acquisition and improvement of maintenance sites; provided, that no payment shall be made for the purchase of land until an independent appraisal of the value of the land has been made by a qualified, disinterested appraiser, prior appropriation continued	$50,000
	Highway Fund 100.0%	
6033-1006	For the construction of foreman's garages, prior appropriation continued	400,000
	Highway Fund 100.0%	
6033-1009	For resurfacing existing state highways with not less than three quarter inch of bituminous aggregate, prior appropriation continued	2,000,000
	Highway Fund 100.0%	
6033-1010	For the cost of improvements on state highways, prior appropriation continued	125,000
	Highway Fund 100.0%	
	Total	$2,575,000

Local Aid.

6034-0001	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 this fiscal year to enter into agreements with officials of cities and towns for projects to be constructed in the next succeeding fiscal year not exceeding, in the aggregate, eight million five hundred thousand dollars, prior appropriation continued	$8,000,000
	Highway Fund 100.0%	
6034-0002	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 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 seventy, the provisions of chapter six hundred and eighty-nine of the acts of nineteen hundred	

Item			
	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		$2,750,000
	Highway Fund	100.0%	
6034-0003	For reimbursing cities and towns for the commonwealth's share of the cost of installation of traffic control devices at high accident locations		1,000,000
	Highway Fund	100.0%	
	Total		$11,750,000
	Total, Department of Public Works		$70,971,313

Registry of Motor Vehicles.

6111-0000	For the office of the registry, including not more than one thousand two hundred and twenty-one permanent positions; provided, that the positions of administrative assistant to the registrar of motor vehicles, legislative assistants, R.M.V., executive secretary, R.M.V., and executive assistant to the registrar of motor vehicles shall not be subject to the civil service law and rules		$11,642,272
	Local Aid Fund	1.2%	
	Highway Fund	98.8%	
6111-0010	For a motor vehicle safety compact with other states (1963, 721)		2,000
	Highway Fund	100.0%	
	Total, Registry of Motor Vehicles		$11,644,272

Division of Motorboats.

6120-0000	For the office of the division, including not more than fifty-one permanent positions		$488,093
	Recreational Boating Fund	100.0%	

Outdoor Advertising Division.

6210-0000	For the office of the division, including not more than eleven permanent positions		$80,300

Government Center Commission.

6300-0000	For the office of the commission (1960, 635)		$225,545

Debt Service.

6980-0000	For the payment of interest on certain bonded debt of the commonwealth; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Highway Fund debt service reserve		$14,193,719
	Highway Fund	100.0%	
6990-0000	For certain serial bonds maturing; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Highway Fund debt service reserve		39,726,000
	Highway Fund	100.0%	
	Total, Debt Service		$53,919,719
	Total, Department of Public Works		$137,329,242

Department of Education.

Advisory Council on Education.

Item		
7001–0000	For the office of the council, including not more than nine permanent positions.	$400,000
	Total, Advisory Council on Education	$400,000

Board of Education.

Board of Education and Commissioner's Office.

7010–0000	For the office of the commissioner, including the expenses of the members of the board, and for the commonwealth's share of the national council of state school officers, including not more than seventeen permanent positions.	$189,565
7010–0006	For assistance to children of certain war veterans, as authorized by section seven B of chapter sixty-nine of the General Laws, including expenses for the current and last two prior fiscal years	300,000
7010–0009	For the administration of the program for the elimination of racial imbalance	100,000
7010–0010	For certain payments for the use of the facilities of the museum of fine arts; provided, that children age sixteen years or under shall be admitted without charge	100,000
7010–0012	For financial assistance to towns for payments of certain costs incurred under plans for the elimination of racial imbalance; provided, that expenditures for tuition from this item shall be made only upon proper certification that said tuition charge must be directly related to participation within this program	1,000,000
	Local Aid Fund 100.0%	
7010–0014	For the administration of the advisory council for experimental schools and the operation of one such school	500,000
	Total	$2,189,565

Division of Administration and Personnel.

7021–0000	For the office of the division, including not more than twenty-nine permanent positions.	$236,210
7021–9003	For the rental and maintenance of the Tremont street property, including not more than five permanent positions	385,695
7025–0000	For the administration of the bureau of teachers' retirement, including not more than thirty-four permanent positions	230,435
7025–9001	For the payment of retirement assessments of teachers formerly in military or naval service	500
7025–9003	For reimbursement of certain cities and towns for pensions to retired teachers	5,400,000
	Local Aid Fund 100.0%	
7025–9004	For the payment of the commonwealth's share in financing the teachers' retirement system	37,600,000
	Local Aid Fund 100.0%	
	Total	$43,852,840

Division of Curriculum and Instruction.

7030–0000	For the office of the division, to be in addition to any federal funds available for the purpose, including not more than ninety-one permanent positions	$868,400
7032–0301	For expenses of holding teachers' institutes	1,000
7032–1001	For printing guides for school curricula	7,000
7033–5001	For the administration of a program of vocational education, including teacher training, to comply with the requirement of federal authorities under the provisions of the Smith-Hughes act, and including not more than thirty-two permanent positions; provided, that such courses may be furnished free of charge to veterans	166,845

Item		
7033–5010	For the administration of a fire fighting academy and training program, including not more than two permanent positions	$45,630
7033–8011	For reimbursement to certain municipalities and regional school districts of expenses for certain approved courses, as defined in section nine of chapter seventy-four of the General Laws, including reimbursements for the prior and current fiscal year	7,125,000
	Local Aid Fund 100.0%	
7033–8012	For reimbursement to certain municipalities for certain tuition fees, as defined in section ten of chapter seventy-four of the General Laws, including reimbursements for the prior and current fiscal year	1,000,000
	Local Aid Fund 100.0%	
7033–8013	For reimbursement to certain municipalities or regional school districts for two thirds of the salaries of certain agricultural instructors, including reimbursements for the prior and current fiscal year	50,000
	Local Aid Fund 100.0%	
7034–0301	For the educational expenses of certain emotionally disturbed children, as defined in section forty-six I of chapter seventy-one of the General Laws, including expenses for the prior and current fiscal year	8,400,000
7034–0701	For the educational expenses of certain deaf, blind and aphasic pupils, as defined in section twenty-six of chapter sixty-nine of the General Laws, including expenses for the prior and current fiscal year	4,940,000
7034–1101	For a program of sight saving classes	2,000
7034–1401	For the reimbursement of certain cities and towns for day classes of the deaf and of the blind, including reimbursements for the prior and current fiscal year	755,000
	Local Aid Fund 100.0%	
7034–2801	For the reimbursement of certain counties for county vocational schools	825,000
	Local Aid Fund 100.0%	
7034–2802	For the expenses of conducting a learning impairment program, as authorized by section forty-six L of chapter seventy-one of the General Laws, including necessary reimbursement of cities and towns	250,000
	Local Aid Fund 100.0%	
7035–0000	For the adult education and extended services program, 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	374,000
7035–0001	For the reimbursement of certain towns and regional school districts for the transportation of pupils	14,000,000
	Local Aid Fund 100.0%	
7035–0002	For the reimbursement of certain towns for the transportation of pupils	280,000
	Local Aid Fund 100.0%	
7036–0101	For the administration of the library bureau, including not more than twenty-five permanent positions	206,520
7036–1401	For state aid to regional public libraries	1,287,458
	Local Aid Fund 100.0%	
7036–1501	For state aid to public libraries	1,270,000
	Local Aid Fund 100.0%	
	Total	$41,853,853

Division of Research and Development.

Item		
7040–1011	For the office of the division, including not more than six permanent positions	$105,100
7044–1801	For certain payments for the use of facilities of the museum of science (1963, 611)	75,000
	State Recreation Areas Fund 100.0%	
	Total	$180,100

Division of School Facilities and Related Services.

7051–0001	For the office of the division, including not more than three permanent positions	$31,090
7051–1908	For printing school registers and other school blanks for cities and towns	8,800
7052–0001	For the administration of the school building assistance bureau	126,460
7052–0002	For reimbursement of certain cities and towns for part of the cost of construction of school projects (1948, 645)	33,000,000
	Local Aid Fund 100.0%	
7053–1905	For the administration of the school lunch 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 (1948, 548; 1951, 538; 1954, 256)	294,800
7053–1907	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 the 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, prior appropriation continued	445,357
7053–1909	For the reimbursement of cities and towns for partial assistance in the furnishing of lunches to school children and for supplementing 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	4,101,056
	Local Aid Fund 100.0%	
	Total	$38,007,563

Division of State and Federal Assistance.

7061–0001	For the office of the division, including not more than eight permanent positions	$80,830
7061–0002	For personal services of the surplus property agency; 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, including not more than two permanent positions	15,700
7065–0001	For the commonwealth's share of a certain assistance program, to be expended with the approval of the commissioner of administration and with at least an equivalent amount of federal funds, as 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 and Public Law 89–10; 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	271,000
	Total	$367,530
	Total, Board of Education	**$126,451,451**

Board of Higher Education.

Item		
7070-0001	For the office of the board, including the salary of the chancellor, including not more than twelve permanent positions	$324,900
7070-0005	For medical, dental and nursing scholarships, as authorized by section one D of chapter fifteen of the General Laws	250,000
7070-0006	For a scholarship program, as provided in section one D of chapter fifteen of the General Laws, other than medical, dental, nursing and merit scholarships, to be awarded during this fiscal year pertaining to the following fiscal year; provided, however, that any funds not used may be reawarded and expended during the same following fiscal year	3,500,000
7070-0007	For special educational scholarships, as authorized by section seven D of chapter sixty-nine of the General Laws	15,000
7070-0008	For the administration of the bureau of immigration and Americanization, including not more than seventeen permanent positions	140,195
7070-0014	For merit scholarships	64,000
	Total	$4,294,095

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.

7101-0000	For expenses of the board of trustees of state colleges	$3,300
7101-0001	For the office of the board, including not more than nineteen permanent positions	229,130
7102-0001	For the purchase of scientific, technological and other educational reference material for the libraries	200,000
7105-0001	For the operation of a data processing system	62,000
7107-0001	For the program of continuing studies and summer schools 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 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 two million dollars with the approval of said trustees.	
7108-0000	State college at Boston, including not more than four hundred and seventy-five permanent positions	4,755,925
7108-4102	For the trimester program at the state college at Boston	225,000
7108-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	75,000
7109-0000	State college at Bridgewater, including not more than three hundred and fifty-two permanent positions	3,377,596
7109-1011	State college at Bridgewater, boarding hall, including not more than thirty-eight permanent positions	398,500
7109-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	41,500
7109-9725	For the installation of campus lighting	17,900
7109-9726	For paving a parking lot on the former Kupchin property	32,500
7110-0000	State college at Fitchburg, including not more than two hundred and seventy-two permanent positions; provided, that said college may expend a sum not to exceed seventy 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	2,736,025
7110-1011	State college at Fitchburg, boarding hall, including not more than nineteen permanent positions	263,400

Item		
7110-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361) and for not more than one hundred scholarships, as authorized by section seven C of chapter sixty-nine of the General Laws	$49,000
7110-9716	For the grading of a parking area at the athletic field	23,000
7110-9717	For the paving of a street and turn around area at the athletic field	10,000
7111-0000	State college at Framingham, including not more than two hundred and thirty-six permanent positions	2,013,628
7111-1011	State college at Framingham, boarding hall, including not more than twenty-one permanent positions	141,000
7111-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	23,000
7111-9716	For improvements to the boiler plant	54,000
7111-9717	For renovations to the tennis courts	10,000
7112-0000	State college at Lowell, including not more than two hundred and twenty-seven permanent positions	2,140,890
7112-1011	State college at Lowell, boarding hall, including not more than four permanent positions	49,600
7112-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	26,000
7112-9715	For repairs to the roof, bricks, ceilings and rooms in the faculty center	19,000
7112-9716	For paving student parking area	30,000
7112-9717	For paving faculty parking area	25,000
7113-0000	State college at North Adams, including not more than one hundred and twenty-six permanent positions	1,229,700
7113-1011	State college at North Adams, boarding hall, including not more than six permanent positions	34,600
7113-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	8,000
7114-0000	State college at Salem, including not more than three hundred and eighty-five permanent positions	3,603,177
7114-2501	For the trimester program at the state college at Salem	32,000
7114-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	51,000
7114-9727	For restoration and repairs to the exterior of the academic building	150,000
7115-0000	State college at Westfield, including not more than two hundred and fifty-nine permanent positions	2,207,450
7115-1011	State college at Westfield, boarding hall, including not more than nine permanent positions	73,300
7115-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	31,500
7115-9715	For the installation of lavatory facilities at Scanlan hall	10,000
7116-0000	State college at Worcester, including not more than two hundred and fifty-eight permanent positions	2,350,912
7116-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	31,000
7116-9715	For regrading, resurfacing and seeding playing field	9,000
7117-0000	Massachusetts college of art, including not more than seventy-three permanent positions	762,800
7117-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	8,460
7118-0000	Massachusetts maritime academy and ship, including not more than sixty-two permanent positions	767,150
	Total	$28,391,943

Lowell Technological Institute of Massachusetts.

7210-0000	For the maintenance of the institute, with the approval of the trustees, including not more than four hundred and forty-four permanent positions; provided that not less than one hundred and eighty thousand dollars shall be for the operating expenses of the Nu-	

Item

clear Center; 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 $5,743,853

7210-9704 For the commonwealth's contribution toward the national defense education act loan program and the office of economic opportunity student work program (1959, 361) and for not more than eighty scholarships, as authorized by section seventeen of chapter seventy-five A of the General Laws 57,000

7210-9705 For the purchase of scientific, technological and other educational reference material for the library 50,000

7211-0103 For a program to encourage students in the field of science 4,000

Total $5,854,853

Southeastern Massachusetts Technological Institute.

7310-0000 For the maintenance of the institute, with the approval of the trustees, including not more than three hundred and fifty-four permanent positions; provided, that the institute is hereby authorized to conduct a summer school at no net expense to the commonwealth, and for said purpose the institute may receive and expend income derived therefrom $3,837,360

7310-9704 For the commonwealth's contribution toward federal student loan programs (1959, 361), and federal work study programs and for not more than forty scholarships, as authorized by section forty-six C of chapter seventy-four of the General Laws 65,000

7310-9705 For the purchase of scientific, technological and other educational reference material for the library 50,000

Total $3,952,360

University of Massachusetts.

7410-0000 For the maintenance of the university, with the approval of the trustees, including not more than three thousand and sixty-eight 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 two hundred and forty-five 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 to 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 $36,755,650

7410-9704 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 the commonwealth's contribution toward the national defense education act loan program and the office of economic opportunity student work program (1959, 361) 850,000

Agricultural Purposes Fund . . 38.0%
General Fund 62.0%

7410-9705 For the purchase of scientific, technological and other educational reference material for the library at Amherst 200,000

Item		
7411–0002	For the payment of the rental fee for the president's house, with the approval of the board of trustees	$1,200
7411–1003	For a senior internship program; provided, that any public or private funds received for this purpose shall be credited to the General Fund	35,000
7411–1004	For a legislative internship program	35,000
7411–1005	For the personal services and expenses of the medical school, prior appropriation continued, including not more than twenty-three permanent positions	750,000
7411–1006	For the commonwealth's contribution, to be expended in conjunction with federal funds authorized for programs of assistance to higher education; provided, that any available public or private funds may also be used in addition to the amount made available in this item	100,000
7411–1012	For the entertainment of distinguished visitors to the campus of the university, with the approval of the board of trustees	1,000
7411–2000	For a program of assistance for students from various racial backgrounds in disadvantaged environments, including but not limited to Negro students; provided, that expenditures may be made for, but not limited to, scholarships, loans, matching federal and private grants, tutorial assistance and programs of cultural enrichment	300,000
7414–1107	For the commonwealth's contribution in matching an equivalent amount of federal funds for the administration of the state technical services act, prior appropriation continued.	
7416–1001	For the maintenance of the facilities of the university in the city of Boston, including not more than three hundred and forty-one permanent positions; provided, that administrative expenses may be incurred for this operation, with the approval of the trustees, from the amounts appropriated for the maintenance of the university at Amherst	5,685,500
7416–2000	For a program of assistance for students from various racial backgrounds in disadvantaged environments, including but not limited to Negro students; provided, that expenditures may be made for, but not limited to, scholarships, loans, matching federal and private grants, tutorial assistance and programs of cultural enrichment	140,000
7416–4011	For the purchase of scientific, technological and other educational reference material for the library at Boston	500,000
	Total	$45,353,350

Massachusetts Board of Regional Community Colleges.

For the administration, maintenance of and for certain improvements at community colleges with the approval of the board of regional community colleges:

7501–1001	For the office of the board, as authorized by section twenty-seven of chapter fifteen of the General Laws, including not more than eighteen permanent positions	$185,000
7501–3004	For the purchase of scientific, technological and other educational reference material	300,000
7502–0000	Berkshire community college, including not more than seventy-eight permanent positions	792,650
7502–9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	16,500
7503–0000	Bristol community college, including not more than one hundred and twenty-four permanent positions	1,177,800
7503–9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	7,500
7504–0000	Cape Cod community college, including not more than sixty-four permanent positions	697,750
7504–9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	4,700
7505–0000	Greenfield community college, including not more than seventy-two permanent positions	737,930

Item		
7505-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	$11,500
7506-0000	Holyoke community college, including not more than one hundred and fifty-one permanent positions	1,503,900
7506-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	9,200
7507-0000	Massachusetts Bay community college, including not more than one hundred and seventeen permanent positions	1,374,100
7507-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	14,000
7508-0000	Massasoit community college, including not more than one hundred and five permanent positions	1,153,000
7508-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	5,000
7509-0000	Mount Wachusett community college, including not more than seventy-five permanent positions	776,650
7509-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	3,200
7510-0000	Northern Essex community college, including not more than one hundred and twenty-eight permanent positions	1,209,350
7510-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	14,000
7511-0000	North Shore community college, including not more than one hundred and twenty-three permanent positions	1,224,400
7511-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	7,000
7512-0000	Quinsigamond community college, including not more than one hundred and fifteen permanent positions	1,131,500
7512-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	3,000
7512-9718	For the construction of two parking areas	60,000
7514-0000	Springfield community college, including not more than one hundred and sixty-six permanent positions	1,549,300
7514-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	10,000
	Total	$13,978,930
	Total, Board of Higher Education	$101,825,531

Division of Youth Service.

7610-0001	For administration of the division, including the expenses of the board, and including not more than ninety-five permanent positions	$1,796,943
7654-0001	For the commonwealth's share of delinquency prevention programs in certain cities	251,298
	Local Aid Fund 100.0%	
7655-0002	For reimbursement of cities and towns for tuition, including transportation to and from school, of children attending public schools	22,000
	Local Aid Fund 100.0%	
	Total	$2,070,241

For the administration, maintenance of and for certain improvements at the institutions within the division:

7660-2001	Stephen L. French youth forestry camp	$122,350
7660-3000	Residential treatment unit in Oakdale, including not more than twenty-five permanent positions	285,405
7660-4000	Industrial school for boys, including not more than one hundred and forty permanent positions	1,149,425

Item		
7660–5000	Industrial school for girls, including not more than ninety-eight permanent positions	$771,340
7660–6000	Judge John J. Connelly youth center in the city of Boston, including not more than sixty-eight permanent positions	593,500
7660–7000	Reception and detention facilities for girls in the city of Boston, including not more than thirty-two permanent positions	303,500
7660–8000	Lyman school for boys, including not more than one hundred and fifty-one permanent positions	1,288,440
7660–8901	For construction of certain recreational facilities, appropriation expires June thirtieth, nineteen hundred and seventy-one	5,000
7660–8902	For construction of a security fence, appropriation expires June thirtieth, nineteen hundred and seventy-one	4,500
7660–9000	Detention center in Hampden county, including not more than nineteen permanent positions (1955, 573)	178,875
7661–0000	Institute of juvenile guidance, including not more than fifty-four permanent positions	481,935
7661–1000	Detention center in Worcester county, including not more than twenty-three permanent positions (1956, 557)	206,395
	Total	$5,390,665
	Total, Division of Youth Service	$7,460,906

Council on the Arts and Humanities.

7700–0000	For the administration of the council, including the expenses of projects and productions of the council, to be in addition to any federal funds available for the purpose	$100,000
	Total, Council on the Arts and Humanities	$100,000
	Total, Department of Education	$236,237,888

Unassigned Accounts.

General Fund Debts Services.

9978–0000	For the payment of interest on certain bonded debt of the commonwealth; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the General Fund debt service reserve	$16,649,086
9979–0000	For certain serial bonds maturing; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the General Fund debt service reserve	31,288,000
	Total	$47,937,086

Miscellaneous.

9990–0001	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves	$12,300
9990–0002	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 no payments shall be made unless the subsidiary account item to which the deficiency is to be charged contained a balance sufficient to meet the required payments on or after July first, nineteen hundred and sixty-nine	25,000
9990–0003	For 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

Item		
9990-0004	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
9990-0020	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 no payments shall be made unless the subsidiary account item to which the deficiency is to be charged contained a balance sufficient to meet the required payments on or after July first, nineteen hundred and sixty-nine . . .	5,000
	Highway Fund 100.0%	
	Total	$48,800
	Total, Unassigned Accounts	$47,985,886

SECTION 2A. Section 1 of chapter 589 of the acts of 1968 is hereby amended by inserting after the word "facilities", in line 8, the words: —, provided that said commission shall construct an artificial ice skating rink in the city of Lynn and a covered year-round swimming pool in the city of Medford from the proceeds of the bonds authorized by section three of this act.

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 committee on ways and means, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the bureau

of personnel, no part of sums so appropriated in section two shall be available for payment of salaries of any additional permanent position, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent position, notwithstanding any special or general act to the contrary; provided, that no vacancy occurring in any classified permanent position included in said schedules of permanent positions may be filled in any manner except upon approval as required by rules and regulations established under the provisions of paragraph six of section forty-five of chapter thirty of the General Laws; and, provided further, that no part of sums appropriated in section two shall be available for the payment of overtime service to any employee of the commonwealth without the prior written approval of such overtime by the commissioner of administration, upon recommendation of the director of personnel and standardization, except where such overtime service is essential to replace the service of an employee necessary for the care of patients or inmates in institutions operated by the commonwealth.

SECTION 6A. Notwithstanding the provisions of paragraph (5A) of section forty-six of chapter thirty of the General Laws, the director of personnel and standardization shall not approve the recruitment of any person at a rate above the minimum of the grade if such proposed employee has been in the service of the commonwealth within a twelve-month period prior to the date of the proposed recruitment.

Notwithstanding the provisions of clause (*d*) of paragraph (5) of section forty-five of chapter thirty of the General Laws, no part of the sums appropriated for the service of any agency or subdivision of a department in section two of this act shall be available for the payment of any temporary or excess quota position if there is a similar position vacant within the quota of permanent positions as established by the appropriation account for the service of such agency or subdivision of a department and, except such temporary positions as may be authorized in connection with the passage of this act, and except as hereinafter provided, no additional temporary positions shall be authorized; provided, however, the provisions of this section shall not apply to positions essential for the care of patients or inmates in institutions or to positions essential for the educational program in all institutions of higher education operated by the commonwealth, nor to the filling of a position under the provisions of section twenty-four B of said chapter thirty nor to a position required to correct an inequity determined, as provided in sections fifty-three and fifty-six of said chapter thirty. The commissioner of administration may, however, upon certification that an emergency exists requiring additional temporary assistance to perform work essential to the public interest, authorize the temporary employment of such additional personnel as may be necessary within the limits of funds available for the purpose; provided, however, that such emergency authorization shall not be extended to the succeeding fiscal year. The commissioner shall forthwith notify the house and senate committees on ways and means of the employment of any such additional temporary personnel.

SECTION 7. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and seventy shall be available for the payment of such other forms of com-

pensation 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 seventy 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 seventy 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 nor any agreement providing for a tenancy-at-will or other space rental shall be signed by the executive or administrative head of a state department, commission or board or approved by the state superintendent of buildings and by the governor and council and by the commissioner of administration unless it is 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 renewals of leases, tenancy-at-will and any other space rentals may be continued at existing rates pending appropriation if the general court has not provided otherwise; and, further provided, that the commissioner of administration, in order to meet unforeseen circumstances may approve, on a tenancy-at-will basis, a change in location, new or additional space, or an increase in rate, if funds are available therefor within the appropriation account from which the costs of such space rentals are to be paid; and, further provided, that every such proposed change is filed by the budget director with the house and senate committees on ways and means prior to the final authorization of any such agreement.

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 seventy, 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 dis-

bursement 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. 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 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 16B. Amounts appropriated in section two of this act under the subsidiary titles "12" — Maintenance Repairs, Replacements and Alterations, and "15" — Equipment, 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 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 seventy as a part of the direct cost of the projects for which they were incurred, the comptroller is hereby directed to transfer to Water System Bond Issue Accounts 9204–09 and 9204–13 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:

8330–00	9107–23	9107–36
8331–00	9107–26	9107–37
8332–00	9107–31	9107–39
9020–01	9107–33	9126–01

SECTION 19. Notwithstanding any provision of law to the contrary, during the entire fiscal year nineteen hundred and seventy, for the payment of classified personal services the fiscal year shall be from July first, nineteen hundred and sixty-nine through June twenty-seventh, nineteen hundred and seventy. Classified personal services for June twenty-eighth, twenty-ninth and thirtieth, nineteen hundred and seventy shall be charged to the next fiscal year.

SECTION 20. The provisions of sections ten, fifteen, sixteen, sixteen A and sixteen B 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 board of regional community colleges and the community colleges under the control of said board; 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; provided, however, that on or before the first of October of the fiscal year nineteen hundred and seventy, each institution of higher education shall file with the board of higher education: (1) a certified list of professional positions and the salaries to be paid for said positions to be used in the staffing of said institution; (2) a certified statement of the salary ranges to be used for all profes-

sional positions; (3) a certified copy of vacant positions; and (4) a list of the last merit increases granted; and, further provided, that the board of higher education shall file forthwith with the house and senate committees on ways and means copies of said lists and statement.

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-nine. However, beginning June first, nineteen hundred and sixty-nine, 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-nine; 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; provided, that during the month of June, nineteen hundred and sixty-nine, the comptroller may prepare warrants and the state treasurer may advance funds appropriated in section two of this act to the department of public welfare for the purpose of making payments on and after July first, nineteen hundred and sixty-nine, as authorized by chapter six hundred and fifty-eight of the acts of nineteen hundred and sixty-seven; provided they are in accordance with law and the amounts thereof do not exceed the amount of the 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-nine. 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-nine.

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-nine and sections twenty-two and twenty-three shall take effect upon the passage of this act.

Approved June 26, 1969.

Chap. 453. AN ACT PROVIDING THAT PARENTS SHALL BE LIABLE FOR INJURIES OR DAMAGES RESULTING FROM WILFUL ACTS OF THEIR MINOR CHILDREN WHO ARE BETWEEN SEVEN AND SEVENTEEN YEARS OF AGE.

Be it enacted, etc., as follows:

Chapter 231 of the General Laws is hereby amended by inserting after section 85F the following section: —

Section 85G. Parents of an unemancipated child under the age of seventeen and over the age of seven years shall be liable in a civil action for any wilful act committed by said child which results in injury or death to another person or damage to the property of another. This section shall not apply to a parent who, as a result of a decree of any court of competent jurisdiction, does not have custody of such a child at the time of the commission of the tort. Recovery under this section shall not exceed three hundred dollars for any such cause of action.

Approved June 26, 1969.

Chap. 454. AN ACT ENLARGING THE PURPOSES OF THE EDUCATIONAL FACILITIES AUTHORITY TO INCLUDE ASSISTANCE TO HOSPITALS AND CHANGING THE NAME OF SAID AUTHORITY TO THE HEALTH AND EDUCATIONAL FACILITIES AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith additional funds for urgently needed facilities for hospitals in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, welfare and convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 614 of the acts of 1968 is hereby amended by striking out sections 1 and 2 and inserting in place thereof the following two sections: —

Section 1. Declaration of Policy. — It is hereby declared that for the benefit of the people of the commonwealth, the increase of their commerce, welfare and prosperity and the improvement of their health and living conditions it is essential that this and future generations of youth be given the fullest opportunity to learn and to develop their intellectual and mental capacities; that it is essential that institutions for higher education within the commonwealth be provided with appropriate additional means to assist such youth in achieving the required levels of learning and development of their intellectual and mental capacities; that it is essential that hospitals within the commonwealth be provided with appropriate additional means to expand, enlarge and establish health care, hospital and other related facilities; and that it is the purpose of this act to provide a measure of assistance and an alternative method to enable institutions for higher education and hospitals in the commonwealth to provide the facilities and structures which are solely needed to accomplish the purposes of this act, all to the public benefit and good, to the extent and manner provided herein.

Section 2. Short Title of Act. — This act may be referred to and cited as the "Health and Educational Facilities Authority Act."

SECTION 2. Section 3 of said chapter 614 is hereby amended by striking out paragraphs (*a*) and (*b*) and inserting in place thereof the following two paragraphs: —

(*a*) "Authority", the Health and Educational Facilities Authority created by section four.

(*b*) "Project", in the case of a participating institution for higher education, a structure or structures suitable for use as a dormitory or other multi-unit housing facility for students, faculty, officers or employees, a dining hall, student union, administration building, academic building, library, laboratory, research facility, classroom, athletic facility, health care facility, maintenance, storage or utility facility and other structures or facilities related to any of the foregoing or required or useful for the instruction of students or the conducting of research or the operation of an institution for higher education, including parking and other facilities or structures essential or convenient for the orderly conduct of such institution for higher education, and shall also include landscaping, site preparation, furniture, equipment and machinery and other similar items necessary or convenient for the operation of a particular facility or structure in the manner for which its use is intended but shall not include such items as books, fuel, supplies or other items the costs of which are customarily deemed to result in a current operating charge, and shall not include any facility used or to be used for sectarian instruction or as a place of religious worship nor any facility which is used or to be used primarily in connection with any part of the program of a school or department of divinity for any religious denomination; and, in the case of a participating hospital, a structure or structures suitable for use as a hospital, clinic, or other health care facility, laboratory, laundry, nurses or interns residence or other multi-unit housing facility for staff, employees, patients or relatives of patients admitted for treatment in such hospital, doctors office building, administration building, research facility, maintenance, storage or utility facility and other structures or facilities related to any of the foregoing or required or useful for the operation of a hospital, including parking and other facilities or structures essential or convenient for the orderly conduct of such hospital, and shall also include landscaping, site preparation, furniture, equipment and machinery and other similar items necessary or convenient for the operation of a particular facility or structure in the manner for which its use is intended but shall not include such items as fuel, supplies or other items the costs of which are customarily deemed to result in a current operating charge; and "project" may include any combination of one or more of the foregoing undertaken jointly by any participating institution for higher education or any participating hospital with one or more other participating institutions for higher education and participating hospitals.

SECTION 3. Paragraph (*c*) of said section 3 of said chapter 614 is hereby amended by inserting after the word "way", in line 5, the words: — , air rights, — and by inserting after the word "additions", in line 13, the words: — , replacements, renovations.

SECTION 4. Said section 3 of said chapter 614 is hereby further amended by striking out paragraph (*d*) and inserting in place thereof the following paragraph: —

(*d*) "Bonds" or "revenue bonds", revenue bonds of the authority issued under the provisions of this act, including revenue refunding

bonds, notwithstanding that the same may be secured by mortgage or by the full faith and credit or by any other lawfully pledged security of either one or more participating institutions for higher education or one or more participating hospitals, or both.

SECTION 5. Said section 3 of said chapter 614 is hereby further amended by adding the following two paragraphs: —

(g) "Hospital", a nonprofit hospital within the commonwealth licensed by the department of public health.

(h) "Participating hospital", a hospital which, pursuant to the provisions of this act, undertakes the financing and construction or acquisition of a project or undertakes the refunding or refinancing of obligations or of a mortgage or of advances as provided in this act.

SECTION 6. Section 4 of said chapter 614 is hereby amended by striking out, in line 1, the caption "*Educational Facilities Authority*" and inserting in place thereof the following caption: — *Health and Educational Facilities Authority,* — and by striking out paragraph (*a*) and inserting in place thereof the following paragraph: —

(*a*) There is hereby created a body politic and corporate to be known as the "Health and Educational Facilities Authority", hereinafter in this act called the authority. Said authority is constituted a public instrumentality and the exercise by the authority of the powers conferred by this act shall be deemed and held to be the performance of an essential public function. Said authority shall consist of nine members, to be appointed by the governor, who shall be residents of the commonwealth, not more than five of whom shall be members of the same political party. At least two of the members shall be trustees, directors, officers or employees of institutions for higher education, at least two shall be trustees, directors, officers or employees of hospitals, at least one shall be a person having a favorable reputation for skill, knowledge and experience in the field of state and municipal finance, either as a partner, officer or employee of an investment banking firm which originates and purchases state and municipal securities, or as an officer or employee of an insurance company or bank whose duties relate to the purchase of state and municipal securities as an investment and to the management and control of a state and municipal securities portfolio, and at least one shall be a person having a favorable reputation for skill, knowledge and experience in the building construction field. The members of the authority first appointed shall serve for terms expiring on July first in the years nineteen hundred and sixty-nine, nineteen hundred and seventy, nineteen hundred and seventy-one, nineteen hundred and seventy-two, nineteen hundred and seventy-three, nineteen hundred and seventy-four and nineteen hundred and seventy-five, respectively, the term of each such member to be designated by the governor; except that of the two members first appointed who are trustees, directors, officers or employees of hospitals, one shall serve until July first, nineteen hundred and seventy-two and one until July first, nineteen hundred and seventy-four. Upon the expiration of the term of any member his successor shall be appointed for a term of seven years. The governor shall fill any vacancy for the remainder of the unexpired term. Any member of the authority may be removed by the governor for misfeasance, malfeasance or wilful neglect of duty or other cause after notice and a public hearing unless such notice and hearing shall be expressly waived in writing.

SECTION 7. Paragraph (*d*) of said section 4 of said chapter 614 is hereby amended by striking out, in line 1, the word "Four" and inserting in place thereof the word: — Five.

SECTION 8. The last paragraph of said section 4 of said chapter 614 is hereby amended by striking out, in line 1, the words "paragraph (8)" and inserting in place thereof the words: — paragraph (g) of, — by inserting after the word "education", in line 6, the words: — or of a participating hospital, — and by inserting after the word "education", in line 12, the words: — or of such participating hospital, — and after the word "education", in line 15, the words: — or such participating hospital.

SECTION 9. Said chapter 614 is hereby further amended by striking out section 5 and inserting in place thereof the following section: —

Section 5. General Grant of Powers. — The purpose of the authority shall be to assist institutions for higher education and hospitals in the acquisition, construction, financing and refinancing of projects, and for this purpose the authority is authorized and empowered:

(a) to adopt by-laws for the regulation of its affairs and the conduct of its business;

(b) to adopt an official seal and alter the same at pleasure;

(c) to maintain an office at such place or places as it may designate;

(d) to sue and be sued in its own name, plead and be impleaded;

(e) to determine the location and character of any project to be financed under the provisions of this act, and to construct, reconstruct, remodel, maintain, manage, enlarge, alter, add to, repair, operate, lease, as lessee or lessor, and regulate the same, to enter into contracts for any or all of such purposes, to enter into contracts for the management and operation of a project, and to designate a participating institution for higher education or a participating hospital as its agent to determine the location and character of a project undertaken by such participating institution for higher education or such participating hospital under the provisions of this act and, as the agent of the authority, to construct, reconstruct, remodel, maintain, manage, enlarge, alter, add to, repair, operate, lease, as lessee or lessor, and regulate the same, and, as the agent of the authority, to enter into contracts for any or all of such purposes, including contracts for the management and operation of such project;

(f) to issue bonds, bond anticipation notes and other obligations of the authority for any of its corporate purposes, and to fund or refund the same all as provided in this act;

(g) generally, to fix and revise from time to time and charge and collect rates, rents, fees and charges for the use of and for the services furnished or to be furnished by a project or any portion thereof and to contract with any person, partnership, association or corporation or other body public or private in respect thereof and to designate a participating institution for higher education or a participating hospital as its agent to fix, revise, charge and collect such rates, rents, fees and charges and to make such contracts;

(h) to establish rules and regulations for the use of a project or any portion thereof and to designate a participating institution for higher education or a participating hospital as its agent to establish rules and regulations for the use of a project in which such participating institution for higher education or such participating hospital is participating;

(i) to employ consulting engineers, architects, attorneys, accountants, construction and financial experts, superintendents, managers, and such other employees and agents as may be necessary in its judgment, and to fix their compensation;

(j) to receive and accept from any public agency loans or grants for or in aid of the construction of a project or any portion thereof, and to receive and accept loans, grants, aid or contributions from any source of either money, property, labor or other things of value to be held, used and applied only for the purposes for which such loans, grants, aid and contributions are made;

(k) to mortgage any project and the site thereof for the benefit of the holders of revenue bonds issued to finance such project;

(l) to make loans to any participating institution for higher education and to any participating hospital for the cost of a project in accordance with an agreement between the authority and one or more participating institutions for higher education or one or more participating hospitals, or both; provided that no such loan shall exceed the total cost of the project as determined by such participating institution or institutions for higher education and such participating hospital or hospitals and approved by the authority;

(m) to make loans to participating institutions for higher education and to participating hospitals to refund outstanding obligations, mortgages or advances issued, made or given by such participating institutions for higher education or such participating hospitals for the cost of a project;

(n) to charge to and equitably apportion among participating institutions for higher education and participating hospitals its administrative costs and expenses incurred in the exercise of the powers and duties conferred by this act;

(o) to do all things necessary or convenient to carry out the purposes of this act.

In carrying out the purposes of this act, the authority may undertake a joint project or projects for two or more participating institutions for higher education or two or more participating hospitals, or for any combination of participating institutions for higher education and participating hospitals, and, thereupon, all other provisions of this act shall apply to and for the benefit of the authority and the participants in such joint project or projects.

SECTION 10. Said chapter 614 is hereby further amended by striking out sections 7 and 8 and inserting in place thereof the following two sections: —

Section 7. Acquisition of Property. — The authority is authorized and empowered, directly or by and through a participating institution for higher education or a participating hospital, as its agent, to acquire by purchase solely from funds provided under the authority of this act, or by gift or devise, such lands, structures, property, real or personal, rights, rights-of-way, air rights, franchises, easements and other interests in lands, including lands lying under water and riparian rights, which are located within the commonwealth as it may deem necessary or convenient for the acquisition, construction or operation of a project, upon such terms and at such prices as may be considered by it to be reasonable and can be agreed upon between it and the owner thereof, and to take title thereto in the name of the authority or in the name of one or more

participating institutions for higher education or participating hospitals as its agent.

Section 8. Title to Projects. — When the principal of and interest on revenue bonds of the authority issued to finance the cost of a particular project or projects for one or more participating institutions for higher education and participating hospitals, including any revenue refunding bonds issued to refund and refinance such revenue bonds, have been fully paid and retired or when adequate provision has been made to fully pay and retire the same, and all other conditions of the resolution or trust agreement authorizing and securing the same have been satisfied and the lien of such resolution or trust agreement has been released in accordance with the provisions thereof, the authority shall promptly do such things and execute such deeds and conveyances as are necessary and required to convey title to such project or projects to such participating institution or institutions for higher education and such participating hospital or hospitals, free and clear of all liens and encumbrances, all to the extent that title to such project or projects is not, at the time, vested in such participating institution or institutions for higher education or in such participating hospital or hospitals.

SECTION 11. Section 10 of said chapter 614 is hereby amended by striking out paragraphs (*b*), (*c*) and (*d*) and inserting in place thereof the following three paragraphs: —

(*b*) The revenue bonds and notes of every issue shall be payable solely out of revenues to the authority, subject only to any agreements with the holders of particular revenue bonds or notes pledging any particular revenues and subject to any agreements with any participating institution for higher education or any participating hospital. Notwithstanding that revenue bonds and notes may be payable from a special fund, they shall be and be deemed to be, for all purposes, negotiable instruments, subject only to the provisions of the revenue bonds and notes for registration.

(*c*) The revenue bonds may be issued as serial bonds or as term bonds, or the authority, in its discretion, may issue bonds of both types. The revenue bonds shall be authorized by resolution of the members of the authority and shall bear such date or dates, mature at such time or times, not exceeding fifty years from their respective dates, bear interest at such rate or rates, payable at such time or times, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in lawful money of the United States of America at such place or places, and be subject to such terms of redemption, as such resolution or resolutions may provide. The revenue bonds or notes may be sold at public or private sale for such price or prices as the authority shall determine. Pending preparation of the definitive bonds, the authority may issue interim receipts or certificates which shall be exchanged for such definitive bonds.

(*d*) Any resolution or resolutions authorizing any revenue bonds or any issue of revenue bonds may contain provisions, which shall be a part of the contract with the holders of the revenue bonds to be authorized, as to:

(1) pledging all or any part of the revenues of a project or projects, any revenue producing contract or contracts made by the authority with any individual, partnership, corporation or association or other

body, public or private, to secure the payment of the revenue bonds or of any particular issue of revenue bonds, subject to such agreements with bondholders as may then exist; (2) the rentals, fees and other charges to be charged, and the amounts to be raised in each year thereby, and the use and disposition of the revenues; (3) the establishment and setting aside of reserves or sinking funds, and the regulation and disposition thereof; (4) limitations on the right of the authority or its agent to restrict and regulate the use of the project; (5) limitations on the purpose to which the proceeds of sale of any issue of revenue bonds then or thereafter to be issued may be applied and pledging such proceeds to secure the payment of the revenue bonds or any issue of the revenue bonds; (6) limitations on the issuance of additional bonds, the terms upon which additional bonds may be issued and secured and the refunding of outstanding bonds; (7) the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given; (8) limitations on the amount of moneys derived from the project to be expended for operating, administrative or other expenses of the authority; (9) defining the acts or omissions to act which shall constitute a default in the duties of the authority to holders of its obligations and providing the rights and remedies of such holders in the event of a default; (10) the duties, obligations and liabilities of any trustee or paying agent; and (11) the mortgaging of a project and the site thereof for the purpose of securing the bondholders.

SECTION 12. Paragraph (*f*) of said section 10 of said chapter 614 is hereby amended by inserting after the word "bonds", in line 3, the words: — or notes.

SECTION 13. Section 13 of said chapter 614 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — Except as may otherwise be provided in such resolution or such trust agreement, such sinking or other similar fund shall be a fund for all such revenue bonds issued to finance a project or projects at one or more participating institutions for higher education or participating hospitals, or both, as the case may be, without distinction or priority of one over another; provided the authority in any such resolution or trust agreement may provide that such sinking or other similar fund shall be the fund for a particular project at an institution for higher education or a hospital and for the revenue bonds issued to finance a particular project and may, additionally, permit and provide for the issuance of revenue bonds having a subordinate lien in respect of the security herein authorized to other revenue bonds of the authority and, in such case, the authority may create separate or other similar funds in respect of such subordinate lien bonds.

SECTION 14. Said chapter 614 is hereby further amended by striking out section 15 and inserting in place thereof the following section: —

Section 15. Remedies. — Any holder of revenue bonds, notes, bond anticipation notes, other notes or other obligations of the authority issued under the provisions of this act or any of the coupons appertaining thereto, and the trustee or trustees under any trust agreement, except to the extent the rights herein given may be restricted by any resolution authorizing the issuance of, or any such trust agreement securing, such bonds or other obligations, may, either at law or in equity,

by suit, action, mandamus or other proceedings, protect and enforce any and all rights under the laws of the commonwealth or granted hereunder or under such resolution or trust agreement, and may enforce and compel the performance of all duties required by this act or by such resolution or trust agreement to be performed by the authority or any officer, employee or agent thereof, including the fixing, charging and collecting of the rates, rents, fees and charges herein authorized and required by the provisions of such resolution or trust agreement to be fixed, established and collected. *Approved June 30, 1969.*

Chap. 455. AN ACT AUTHORIZING THE TOWN OF NORTH ATTLEBOROUGH TO LEASE A CERTAIN PARCEL OF PARK LAND TO THE DEPARTMENT OF NATURAL RESOURCES FOR THE CONSTRUCTION OF A FOREST FIRE TOWER.

Be it enacted, etc., as follows:

SECTION 1. The town of North Attleborough is hereby authorized to lease to the department of natural resources for a nominal consideration and for a term not to exceed twenty years for the purpose of constructing a forest fire tower a certain parcel of land in the World War I Memorial Woodland Park situated east of Woodland road in said town and bounded and described as follows: —

Beginning at a stake near the edge of a Park Road, said stake being 20 feet northeasterly of a spike in said Road, and spike being located 730.56 feet northeasterly of a granite bound at corner of land of Twardzicki; thence from the stake first mentioned, the line runs northeasterly 256.25 feet, a corner; thence westerly at right angle 170.00 feet, a corner; thence southerly at right angle 256.25 feet, a corner; thence westerly at right angle 170.00 feet to the point of beginning. For exact location of above parcel, see plan entitled, "World War I Memorial Park, North Attleborough, Mass. Plan Showing One Acre Parcel to be used for a Fire Tower Feb. 1969, The W. T. Whalen Engineering Co. Scale 1" - 80'", on file in the department of natural resources.

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

Approved June 30, 1969.

Chap. 456. AN ACT AUTHORIZING THE TOWN OF EASTON TO ENTER INTO CONTRACTS FOR PERIODS NOT TO EXCEED THREE YEARS WITH PRIVATE COMMON CARRIERS TO PROVIDE PUBLIC TRANSPORTATION IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the town of Easton may enter into contracts with private common carriers for the furnishing of or the defraying of the cost of public transportation in the town of Easton for periods of time not to exceed three years.

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

Approved June 30, 1969.

Chap. 457. AN ACT PROVIDING INJUNCTIVE RELIEF FOR THE MISAPPROPRIATION OF TRADE SECRETS.

Be it enacted, etc., as follows:

Chapter 93 of the General Laws is hereby amended by inserting after section 42, added by section 3 of chapter 817 of the acts of 1967, the following section: —

Section 42A. Any aggrieved person may file a petition in equity in the supreme judicial court or in the superior court for the county in which either the petitioner or the respondent resides or transacts business, or in Suffolk county, to obtain appropriate injunctive relief including orders or decrees restraining and enjoining the respondent from taking, receiving, concealing, assigning, transferring, leasing, pledging, copying or otherwise using or disposing of a trade secret, regardless of value. The term "trade secret" as used in this section shall have the same meaning as set forth in section thirty of chapter two hundred and sixty-six. *Approved June 30, 1969.*

Chap. 458. AN ACT PROVIDING THAT THE DEPARTMENT OF NATURAL RESOURCES CONSTRUCT TRAILS FOR HORSEBACK RIDING, HIKING AND SNOWMOBILING.

Be it enacted, etc., as follows:

Chapter 132 of the General Laws is hereby amended by inserting after section 38 the following section: —

Section 38A. The department of natural resources shall construct and maintain trails for horseback riding, hiking, ski touring, snowmobiling and other uses on land within its control in accordance with a plan for each area which will minimize conflicting uses. The department is authorized to prepare and publish trail maps and other informational material to inform the public of the location and nature of such trails. To the extent practicable, the voluntary services of trail-using organizations and individuals shall be utilized in carrying out the work authorized hereunder. The commissioner of natural resources shall appoint an advisory committee of fifteen persons which shall include representation from all areas of the commonwealth and representation from major trail-using organizations and which shall meet at least quarterly. The duties of said committee shall include advising said commissioner as to trail use and selection of advantageous areas for trail development, and coordinating the activities of interested private organizations. Expenses authorized by this section and by section thirty-eight, including the acquisition of land or easements therein, surveying and mapping, and the cost of development and construction and expenses incidental thereto, may be paid out of funds heretofore or hereafter made available for the purpose of chapter one hundred and thirty-two A. *Approved June 30, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 30, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 1969, entitled "AN ACT PROVIDING THAT THE DEPARTMENT OF NATURAL RESOURCES CONSTRUCT TRAILS FOR HORSEBACK RIDING, HIKING AND SNOWMOBILING.", and the enactment of which received my approval on June 30, 1969, should take effect forthwith.

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

It would enable the Department of Natural Resources to take advantage of the good weather of the summer months in expediting the planning and construction of these recreation trails.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 1, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at nine o'clock and fifty-four 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-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 459. AN ACT RELATIVE TO THE POWERS AND DUTIES OF CERTAIN OFFICERS OF DOMESTIC INSURANCE COMPANIES CONCERNING CERTAIN INVESTMENTS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 7 of section 63 of chapter 175 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 294 of the acts of 1960, and inserting in place thereof the following sentence: — No loan on such real property or such leasehold estate shall exceed seventy-five per cent of the fair market value thereof at the time of making such loan and a certificate of the value of such property shall be executed before the making of such loan by an officer elected by the board of directors of the company, which certificate shall be recorded on the books of the company.

SECTION 2. Section 64 of said chapter 175 is hereby amended by striking out the second paragraph, as amended by chapter 213 of the acts of 1936, and inserting in place thereof the following paragraph: —

No investment, sale or loan, except loans on its own policies, shall be made which has not first been authorized by the board of directors, or by a committee thereof charged with the duty of investing or loaning the funds of the company; nor shall any deposit be made in a bank or banking institution unless such bank or banking institution has first been approved as a bank of deposit by the board of directors or said committee thereof, and unless the vote authorizing such investment, sale or loan or approval of the place of deposit has been duly recorded in the books

of the company. The board of directors, or committee thereof, referred to above, may authorize by vote duly recorded in the books of the company one or more of the officers of the company or of any subsidiary company in the investment advisory business to acquire or dispose of investments for the company between meetings of said board, or committee, under such restrictions as the board of directors, or committee, shall deem advisable, and a copy of such authorization shall be filed with the commissioner. All such acquisitions and disposals shall be reported to the board of directors, or committee, and recorded in the minutes of their next meeting. *Approved June 30, 1969.*

Chap. 460. AN ACT PROHIBITING THE INTIMIDATION OF PERSONS WHO FURNISH CERTAIN INFORMATION TO A PUBLIC AGENCY CONDUCTING A CRIMINAL INVESTIGATION.

Be it enacted, etc., as follows:

Chapter 268 of the General Laws is hereby amended by inserting after section 13A the following section: —

Section 13B. Whoever, directly or indirectly, willfully endeavors by means of gift, offer, or promise of anything of value, or misrepresentation, intimidation, or force or threats thereof to influence, impede, obstruct, delay, or otherwise interfere with any person furnishing information relating to a violation of the criminal statutes of the commonwealth to a person conducting a criminal investigation, shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than five years, or both. *Approved June 30, 1969.*

Chap. 461. AN ACT RELATIVE TO CERTIFICATION BY THE COMPTROLLER OF CERTAIN ACCOUNTS AND DEMANDS AGAINST THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 13 of chapter 7 of the General Laws, as amended by chapter 272 of the acts of 1950, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence: — The comptroller shall make a certificate specifying the amount due and allowed on each account or demand so examined, the name of the person to whom such amount is payable and the account to which it is chargeable. *Approved June 30, 1969.*

Chap. 462. AN ACT INCREASING THE PENSION PAYABLE BY THE CITY OF BOSTON TO VINCENT H. FLANNERY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 512 of the acts of 1952 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Such pension shall, on and after September first, nineteen hundred and sixty-nine, be equal to the annual rate of regular compensation which would have been payable to said Vincent H. Flannery had he continued in service in the position held by him at the time of his retirement.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved June 30, 1969.*

Chap. 463. AN ACT IMPOSING A MANDATORY SENTENCE OF IMPRISONMENT ON CERTAIN PERSONS WHO WILFULLY AND REPEATEDLY DISTURB SCHOOL OR OTHER ASSEMBLIES AND INCREASING THE PENALTY FOR CRIMINAL TRESPASS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 272 of the General Laws is hereby amended by striking out section 40 and inserting in place thereof the following section: —

Section 40. Whoever wilfully interrupts or disturbs a school or other assembly of people met for a lawful purpose shall be punished by imprisonment for not more than one month or by a fine of not more than fifty dollars; provided, however, that whoever, within one year after being twice convicted of a violation of this section, again violates the provisions of this section shall be punished by imprisonment for one month, and the sentence imposing such imprisonment shall not be suspended.

SECTION 2. The first sentence of section 120 of chapter 266 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 5 and 6, the words "twenty dollars" and inserting in place thereof the words: — one hundred dollars or by imprisonment for not more than thirty days, or both,.

Approved June 30, 1969.

Chap. 464. AN ACT FURTHER INCREASING THE AMOUNT OF THE DEATH BENEFIT PAYABLE UNDER THE STATE-BOSTON RETIREMENT SYSTEM TO THE WIDOW OF JAMES H. SEXTON.

Be it enacted, etc., as follows:

Section 1 of chapter 401 of the acts of 1963 is hereby amended by striking out, in lines 8 and 9, the words "payable to said fire fighter" and inserting in place thereof the words: — which would have been payable to said fire fighter had he continued in service as a fire fighter of said city at the grade held by him. *Approved June 30, 1969.*

Chap. 465. AN ACT PROVIDING THAT TOWNS USING THE LOCKUP FACILITIES OF THE CITY OF WORCESTER SHALL BE LIABLE FOR THE REASONABLE EXPENSES OF THE DETENTION AND SUPPORT OF CERTAIN PERSONS DETAINED THEREIN.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, any town using the lockup facilities of the city of Worcester, for the detention of a person under arrest, shall pay to said city an amount equal to the reasonable expense incurred by said city for the detention and support of each such person, which amount shall not exceed fifty dollars.

Approved June 30, 1969.

Chap. 466. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF DUKES COUNTY TO REIMBURSE CERTAIN SHEEP OWNERS FOR THE DESTRUCTION OF THEIR SHEEP BY DOGS.

Be it enacted, etc., as follows:

The county commissioners of the county of Dukes county are hereby authorized to pay, from available funds, pursuant to section one hundred and sixty-one of chapter one hundred and forty of the General Laws, a sum not exceeding one thousand three hundred and eighty-one dollars to certain sheep owners whose sheep were destroyed by dogs, which sum was not paid because of the absence of available funds in the year nineteen hundred and sixty-eight. *Approved June 30, 1969.*

Chap. 467. AN ACT PROVIDING THAT THE FAILURE TO RETURN CERTAIN LEASED PROPERTY SHALL CREATE A PRESUMPTION THAT THE LESSEE CONVERTED SAID PROPERTY TO HIS OWN USE.

Be it enacted, etc., as follows:

Chapter 231 of the General Laws is hereby amended by inserting after section 85G the following section: —

Section 85H. In any civil action for damages, failure to return any personal property acquired by a person under a lease or contract of hire or rental, other than a hired horse, carriage or other vehicle to which the provisions of section sixty-four of chapter two hundred and sixty-six apply, within thirty days after notice in writing of the termination of such lease or contract shall create a presumption that said person converted such property to his own use. Said notice of termination shall be delivered in hand by a sheriff or constable to the person who hired or rented such personal property as shown in the lease or contract of hire or rental, or shall be sent to him by registered mail, return receipt requested, with delivery restricted to the addressee only.

Approved June 30, 1969.

Chap. 468. AN ACT FURTHER REGULATING THE AMOUNT WHICH THE CITY OF BOSTON IS AUTHORIZED TO PAY TO INDEMNIFY RETIRED FIRE LIEUTENANT JAMES F. FLAHIVE FOR CERTAIN EXPENSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 423 of the acts of 1963 is hereby amended by striking out section 1, as amended by chapter 354 of the acts of 1967, and inserting in place thereof the following section: —

Section 1. For the purpose of promoting the public good, upon requisition of the fire commissioner of the city of Boston, the collector-treasurer of said city, shall, without further authority than such requisition, out of an appropriation for the purposes of clause (32) of section five of chapter forty of the General Laws, indemnify retired fire lieutenant James F. Flahive for reasonable hospital, medical, surgical, nursing, pharmaceutical, prosthetic and related expenses incurred by him or in his behalf within the commonwealth after the effective date of this act as the natural and proximate result of the disability for which he was

pensioned under the provisions of chapter two hundred and ninety-three of the acts of nineteen hundred and forty-nine but only to the extent that such expenses in any month exceed one third of his pension for that month.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty-nine. *Approved June 30, 1969.*

Chap. 469. AN ACT TEMPORARILY SUSPENDING CERTAIN PROVISIONS OF LAW RELATIVE TO DISCLOSURE IN CONSUMER CREDIT TRANSACTIONS.

Whereas, Federal legislation and accompanying regulations covering disclosure in consumer credit transactions, known as the truth-in-lending law, became effective on July one in the current year; and

Whereas, State laws cover the same field; and

Whereas, Until state laws are brought into conformity with the federal law and regulations, or until the state laws are repealed, the burden of compliance with both federal and state laws on the same subject will result in great confusion and uncertainty; and

Whereas, Action on pending legislation on the subject was not completed by the general court prior to said July one; and

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to suspend forthwith the penalty provisions of the state laws for failure to comply with the disclosure provisions relative to "truth-in-lending" until the general court repeals said laws or until the state laws are in substantial conformity with the federal law and regulation; 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:

Compliance with Regulation Z issued pursuant to the federal Consumer Credit Protection Act (Public Law 90-321) shall be deemed compliance with the disclosure requirements of chapters one hundred and forty A, two hundred and fifty-five B, two hundred and fifty-five C and two hundred and fifty-five D of the General Laws until July fifteen, nineteen hundred and sixty-nine or until such time as the laws of the commonwealth are substantially similar to said Regulation Z, whichever is earlier.

Any retail instalment contract, retail instalment sale agreement or revolving credit agreement shall be exempt from the requirements of section nine of chapter two hundred and fifty-five B of the General Laws and sections nine and twenty-seven of chapter two hundred and fifty-five D of the General Laws provided such contract or agreement is in substantial conformity with the requirements of said sections until July fifteen, nineteen hundred and sixty-nine or until such time as the laws of the commonwealth are substantially similar to said Regulation Z, whichever is earlier. *Approved July 1, 1969.*

Chap. 470. AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE BOARD OF TRUSTEES OF THE SOLDIERS' HOME IN HOLYOKE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by striking out section 71, added by section 2 of chapter 476 of the acts of 1948, and inserting in place thereof the following section: —

Section 71. Said board of trustees shall have the management and control of said home and all property, real and personal, of the commonwealth and occupied or used by said home. In the management and control of said home as aforesaid, said board of trustees shall (1) adopt, issue and promulgate reasonable rules and regulations governing outpatient treatment at, admission to, and hospitalization in, said home, and (2) appoint a superintendent and a medical director. The superintendent shall be the administrative head of the home and in charge of the domiciliary facilities but shall not have any control or supervision of the hospital, medical, surgical and outpatient facilities therein. He shall, subject to the approval of the board of trustees, appoint and may remove a treasurer and assistant treasurer, each of whom shall give bond for the faithful performance of his duties. The provisions of section forty-two of chapter thirty-one shall apply to the appointment of such treasurer and assistant treasurer. The superintendent shall also appoint and may remove such other persons as he deems necessary for the proper and efficient operation of the facilities of the home under his charge and supervision. The medical director shall be the head of the hospital and in charge of the medical, surgical and outpatient facilities. He shall appoint and may remove such physicians, nurses and other medical staff as he deems necessary for the proper and efficient operation of the facilities of the home under his charge and supervision. The superintendent and the medical director may be removed by said board of trustees for inefficiency, failure to perform duties properly or other good cause. A superintendent or medical director sought to be so removed shall be notified of the proposed action, shall be furnished with a copy of the reasons therefor and shall be given a hearing before said board of trustees and be allowed to answer the charges preferred against him, either personally or by counsel. Within twenty days after the removal hereinbefore provided for, said superintendent or medical director may bring a petition in the superior court within and for the county wherein he resides, praying that the action of said board of trustees may be reviewed by the court, and, after such notice to said board of trustees as the court deems necessary, it shall review such action, hear the witnesses and shall affirm the decision of said board of trustees unless it shall appear that such decision was made without proper cause or in bad faith, in which case said decision shall be reversed and the petitioner be reinstated in his office without loss of compensation. The decision of the court shall be final and conclusive upon the parties. In addition to the foregoing, said board of trustees shall have the same powers and perform the same duties as are vested and imposed in the trustees of state hospitals under the provisions of sections twenty-seven and twenty-nine of chapter one hundred and twenty-three, so far as applicable.

SECTION 2. All officers and employees of the Soldiers' Home in Holyoke who immediately prior to the effective date of this act hold

positions classified under chapter thirty-one of the General Laws, or have tenure in their positions by reason of sections nine A, nine B and nine D of chapter thirty and section twenty-eight of chapter one hundred and twenty-three of the General Laws, shall continue to be employees of said Soldiers' Home in Holyoke without impairment of civil service status, seniority, retirement and other employment rights, and without interruption of service within the meaning of said chapter thirty-one or section nine A, nine B or nine D of said chapter thirty, and without reduction in his compensation and salary grade, notwithstanding any change in his title or duties made under this act. All officers and employees of said Soldiers' Home in Holyoke who immediately prior to said effective date do not hold positions classified under chapter thirty-one of the General Laws, or do not have tenure in their positions by reason of section nine A, nine B or nine D of chapter thirty and section twenty-eight of chapter one hundred and twenty-three of the General Laws, shall continue to be employees of said Soldiers' Home in Holyoke under this act without impairment of seniority, retirement and other rights and without interruption of service within the meaning of section nine A, nine B or nine D of said chapter thirty, chapter thirty-one and section twenty-eight of chapter one hundred and twenty-three of the General Laws, and without reduction in compensation and salary grade.

Any person serving under appointment for a term at said Soldiers' Home in Holyoke immediately prior to the effective date of this act shall continue so to serve in a position of at least equivalent rank, salary and other benefits until the expiration of the term for which he has been appointed; and any benefits or rights to which such person would have been entitled upon the expiration of such term shall not be impaired by this act. *Approved July 1, 1969.*

Chap. 471. AN ACT AUTHORIZING THE DISPOSITION OF CERTAIN PROPERTY IN THE TOWN OF DEDHAM WHICH WAS GIVEN TO THE COMMONWEALTH FOR USE AS A GOVERNOR'S MANSION AND ABOLISHING THE GOVERNOR'S MANSION COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of administration, on behalf of the commonwealth, is hereby authorized to execute a deed or deeds transferring all interests of the commonwealth in and to the land and buildings thereon located in the town of Dedham known as the Endicott estate, bounded by Sanderson avenue, Mount Vernon street, East street and Walnut street, to the town of Dedham. If said estate or any part thereof is not accepted by the town of Dedham, the commissioner of administration is authorized to execute a deed or deeds transferring and conveying all interests of the commonwealth in said estate, or the part thereof not accepted by said town, to the executors of the will of Katharine Endicott; and if said estate or any part thereof is not accepted either by the town of Dedham or by the executors of the will of Katharine Endicott, the commissioner of administration is authorized to transfer and convey all interests of the commonwealth in said estate, or in the part thereof not accepted, in any manner which he may deem suitable, subject to the approval of a court of appropriate jurisdiction.

SECTION 2. Section one hundred and fifty-five of chapter six of the General Laws is hereby repealed, and the caption preceding said section is hereby stricken out.

SECTION 3. The governor's mansion commission is hereby abolished.

Approved July 1, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 28, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 471 of the Acts of 1969, entitled "AN ACT AUTHORIZING THE DISPOSITION OF CERTAIN PROPERTY IN THE TOWN OF DEDHAM WHICH WAS GIVEN TO THE COMMONWEALTH FOR USE AS A GOVERNOR'S MANSION AND ABOLISHING THE GOVERNOR'S MANSION COMMISSION." and the enactment of which received my approval on July 1, 1969, 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:

This act authorizes the Commissioner of Administration to convey the Endicott estate in the town of Dedham to the town, or, if the town should decline to accept the estate, to certain other persons. The estate was given to the Commonwealth in 1967 for the establishment of a Governor's Mansion, but its use by the Commonwealth for this or any other purpose has proved impractical. The sooner it can be reconveyed the sooner the Commonwealth can be relieved of the financial burden of maintaining and guarding it.

An immediate conveyance of the estate, moreover, will permit the question of its acceptance by the town of Dedham to be voted upon at a special town meeting scheduled for September 8th of this year. Postponement of the operation of this act for 90 days would delay such acceptance until a much later date.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 28, 1969.

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

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 472. AN ACT RELATIVE TO PAYROLL DEDUCTIONS ON ACCOUNT OF DUES PAYABLE TO CERTAIN EMPLOYEE ORGANIZATIONS OF PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

The second paragraph of section 17A of chapter 180 of the General Laws is hereby amended by inserting after the word "treasurer", the second time it appears in line 14, as appearing in chapter 431 of the acts of 1964, the words:— ; and provided, further, that whenever an association or union of state, county, or municipal employees is certified or obtains consent recognition under the provisions of sections one hundred and seventy-eight D to one hundred and seventy-eight N, inclusive, of chapter one hundred and forty-nine, such deductions shall be made for dues only to the certified or recognized association or union,. *Approved July 2, 1969.*

Chap. 473. AN ACT FURTHER DEFINING THE CRIME OF FELONIOUSLY ENTERING THE DWELLING HOUSE OF ANOTHER WHILE ARMED.

Be it enacted, etc., as follows:

Chapter 265 of the General Laws is hereby amended by striking out section 18A, inserted by chapter 408 of the acts of 1956, and inserting in place thereof the following section: —

Section 18A. Whoever, being armed with a dangerous weapon, enters a dwelling house and while therein assaults another with intent to commit a felony shall be punished by imprisonment in the state prison for life, or for a term of not less than ten years. No person imprisoned under this section shall be eligible for parole in less than five years. *Approved July 2, 1969.*

Chap. 474. AN ACT AUTHORIZING THE ASHBURNHAM-WESTMINSTER REGIONAL SCHOOL DISTRICT TO ACQUIRE AND HOLD LAND FOR SCHOOL PURPOSES LOCATED WITHIN THE CITY OF GARDNER.

Be it enacted, etc., as follows:

SECTION 1. The Ashburnham-Westminster Regional School District is hereby authorized to acquire and hold for school purposes a certain parcel of land in the city of Gardner, bounded and described as follows:—

Beginning at the northwesterly corner thereof at a point in the easterly line of land of the Boston and Maine Railroad, at a point on a stone wall on the Ashburnham-Gardner Town Line and at land of F. W. Lombard Co.; thence South 76° East, by a stone wall, along said Town Line, by land of said Lombard Co. and land now or formerly of one Lefebvre, 1059 feet more or less to a stone monument at a corner of walls marking the corner of the townships of Ashburnham, Gardner, and Westminster; thence South 12° East, by a stone wall, being the Town Line of Gardner and Westminster, by land now or formerly of one Lefebvre, 1195 feet to a corner of walls at a corner of land of the Commonwealth of Massachusetts; thence South 59° 40′ West, 413.6 feet to a corner; thence South 19° 15′ East, 272.1 feet to a corner; thence South 36° 31′ East

263.8 feet to a corner; thence South 76° 20′ West, 727.1 feet to the easterly line of land of the Boston and Maine Railroad, the preceding four courses being by land of the Commonwealth of Massachusetts; thence northerly and northwesterly by the easterly and northeasterly line of said Boston and Maine Railroad, 1872 feet, more or less, to the place of beginning. Containing 33 acres, more or less.

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

Approved July 3, 1969.

Chap. 475. AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF BREWSTER MAY APPROPRIATE FOR MUNICIPAL ADVERTISING PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 42 of the acts of 1954 is hereby amended by striking out, in line 2, the word "five" and inserting in place thereof the word: — twenty-five.

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

Approved July 3, 1969.

Chap. 476. AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF WAREHAM MAY APPROPRIATE ANNUALLY FOR ADVERTISING THE ADVANTAGES OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 30 of the acts of 1954 is hereby amended by striking out section 1, as amended by section 1 of chapter 37 of the acts of 1962, and inserting in place thereof the following section:—

Section 1. The town of Wareham is hereby authorized to appropriate annually a sum of money not exceeding ten thousand dollars for the purpose of promoting the interests of the town by advertising its attractions, advantages and other matters tending to advance the interests of the town. The money so appropriated by said town shall be expended under the direction of the board of selectmen.

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

Approved July 3, 1969.

Chap. 477. AN ACT RELEASING CERTAIN RIGHTS OF THE COMMONWEALTH IN AND TO CERTAIN LAND IN THE TOWN OF WINTHROP, WHICH LAND FORMERLY ABUTTED SHIRLEY GUT.

Be it enacted, etc., as follows:

Shirley gut, a waterway between the town of Winthrop and Deer island, having ceased to exist, and the need for dredging the channel of said Shirley gut having ceased to exist, the commonwealth hereby releases to Oliver F. Green of said town all its right, title and interest in and to a certain parcel of land of said Oliver F. Green formerly of one Marcus C. Clark, which parcel, located in said town, was formerly abutted by Shirley gut; and the commonwealth hereby waives its right to entry in said land to dredge the channel of said Shirley gut, which

right it had reserved in a deed dated October twelfth, nineteen hundred and three, and recorded in Suffolk Registry of Deeds, Book 2929, page 158, by which deed the commonwealth had reconveyed said land to said Marcus C. Clark, after having taken it in nineteen hundred and one under authority of chapter three hundred and nine of the acts of nineteen hundred. *Approved July 3, 1969.*

Chap. 478. AN ACT PERMITTING CITY AND TOWN CLERKS OR THE STATE SECRETARY TO OMIT THE COLOR OF A CHILD IN ISSUING COPIES OF CERTIFICATES OF BIRTH.

Be it enacted, etc., as follows:

Section 19 of chapter 46 of the General Laws, as most recently amended by chapter 366 of the acts of 1950, is hereby further amended by adding the following sentence: — Upon the written request of the person to whom the record relates or of either of his parents, the clerk or assistant clerk, or the state secretary or one of his deputies, shall issue a certified copy of a birth record containing no reference relating to the color of said person or his parents. *Approved July 3, 1969.*

Chap. 479. AN ACT EXEMPTING REAL ESTATE FROM THE OPERATION OF THE OMITTED CHILD STATUTE UNLESS A CLAIM IS SEASONABLY FILED AND PROVIDING FOR THE APPOINTMENT OF A GUARDIAN AD LITEM TO REPRESENT CERTAIN CHILDREN OR ISSUE OMITTED FROM WILLS AND REQUIRING THAT A PETITION FOR THE PROBATE OF A WILL STATE WHETHER THE WILL OMITS TO PROVIDE FOR ANY CHILD OR ISSUE, AND WHETHER THE SURVIVING HUSBAND OR WIDOW IS INCOMPETENT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 192 of the General Laws is hereby amended by adding after section 1B the following two sections: —

Section 1C. If it appears in the petition for the probate of a will, or in any paper or document filed in the registry of probate in connection with said petition, that the testator has omitted to provide in his will for any of his children, whether born before or after his death, or for the issue of a deceased child, whether born before or after the testator's death, and if it shall appear that any such child, or the issue of any deceased child is incompetent by reason of mental illness, minority, or is under conservatorship, or is in the military service of the United States or its allies, unless it appears from the will that such omission was intentional and not occasioned by accident or mistake, a guardian ad litem shall be appointed and made a party to the petition for the probate of the will and shall be given notice by the petitioner of all proceedings relative to the probate of the will or granting of letters testamentary.

Section 1D. A petition for the probate of a will shall include or shall have annexed to it a sworn statement signed by the petitioner as to (a) whether or not the surviving husband or widow of the deceased person is incompetent by reason of mental illness, minority, or under con-

servatorship, or is in the military service of the United States or its allies, and if the petitioner is unable to make such a statement, said petitioner shall state that he does not know whether or not such surviving widow or husband is incompetent or in the military service, and (b) whether or not the will omits to provide for any of the testator's children, whether born before or after the testator's death, or for the issue of a deceased child, whether born before or after the testator's death, and, if there are any such, their names and whether they are incompetent by reason of mental illness, minority, or are under conservatorship, or are in the military service; or, if the petitioner cannot make such a statement, a statement that the petitioner does not know whether or not said children, or child, or the issue of any deceased are incompetent or are in the military service, shall be made.

SECTION 2. Section 20 of chapter 191 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "mistake", in line 7, the words: — provided, however, that no such child or issue shall take any share in any real property in the testator's estate unless a claim is filed in the registry of probate by or in behalf of such child or any of such issue within one year after the date of the approval of the bond of the executor.

SECTION 3. Section one of this act shall apply to the estates of all persons dying on or after January first, nineteen hundred and seventy, and section two shall apply to the estates of all persons dying on or after January first, nineteen hundred and seventy-one.

Approved July 3, 1969.

Chap. 480. AN ACT AUTHORIZING THE CITY OF HAVERHILL TO PAY CERTAIN UNPAID BILLS OF BENSON HOSPITAL, INC.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary the city of Haverhill is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, such of the unpaid bills of Benson Hospital, Inc. incurred in the year nineteen hundred and sixty-six and totaling thirteen thousand nine hundred and forty-two dollars and sixty-three cents, as had been certified for payment by the welfare department of said city.

Approved July 3, 1969.

Chap. 481. AN ACT RELATIVE TO BORROWINGS BY CITIES, TOWNS AND DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 44 of the General Laws is hereby amended by striking out clause (1), as appearing in section 1 of chapter 206 of the acts of 1965, and inserting in place thereof the following clause: —

(1) For the construction of surface drains, sewers, sewerage systems and sewage treatment and disposal facilities, thirty years, two per cent.

SECTION 2. Clause (2) of said section 7 of said chapter 44, as so appearing, is hereby amended by striking out, in line 4, the words "last

preceding assessed valuation" and inserting in place thereof the words:— equalized valuation.

SECTION 3. Said section 7 of said chapter 44 is hereby further amended by inserting after clause (20) the following two clauses: —

(21) For the cost of architectural services for plans and specifications for any proposed building for which a city or town is authorized to borrow, if authorized separately from any other debt relating to said building, five years, ten per cent; provided, however, that at the time the loan is authorized the city or town owns the land on which the proposed building would be constructed.

(22) For the cost of engineering services for plans and specifications for any project for which a city or town is authorized to borrow, if authorized separately from any other debt relating to said project, five years, ten per cent.

SECTION 4. Section 8 of said chapter 44 is hereby amended by striking out clause (15), inserted by section 1 of chapter 736 of the acts of 1964, and inserting in place thereof the following clause: —

(15) For the construction of sewers, sewerage systems, and sewage treatment and disposal facilities, or for the lump-sum payment of the cost of a tie-in to such services in a contiguous city or town, such amounts and for such periods of time as may be approved by the emergency finance board but not exceeding thirty years.

Approved July 3, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 3, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 481 of the Acts of 1969, entitled "AN ACT RELATIVE TO BORROWINGS BY CITIES, TOWNS AND DISTRICTS." and the enactment of which received my approval on July 3, 1969, 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:

In many cases where Federal funds are being sought as a contribution towards the cost of a project, final engineering plans must be prepared before the Federal government will approve such a project. Under these circumstances the financial operation of the cities, towns and districts should be allowed to progress without further delay.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 7, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealthof Massa-

chusetts at ten 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 four hundred and eighty-one of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 482. AN ACT AUTHORIZING THE CITY OF MALDEN TO REVOKE ITS ACCEPTANCE OF THE LAW PROVIDING FOR RESERVE POLICE FORCES IN CITIES.

Be it enacted, etc., as follows:

The mayor and city council of the city of Malden are hereby authorized to revoke the acceptance by said city of the provisions of sections eleven to thirteen, inclusive, of chapter one hundred and forty-seven of the General Laws. *Approved July 3, 1969.*

Chap. 483. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE TOWN OF BRAINTREE MAY BORROW FOR THE CONSTRUCTION AND ORIGINAL EQUIPMENT OF AN ADDITION TO ITS MUNICIPAL GOLF COURSE.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 365 of the acts of 1966 is hereby amended by striking out, in line 6, the word "two" and inserting in place thereof the word:—four.

SECTION 2. This act shall take effect as of June thirteenth, nineteen hundred and sixty-six. *Approved July 3, 1969.*

Chap. 484. AN ACT REQUIRING THAT APPLICANTS FOR APPOINTMENT AS POLICE OFFICERS SHALL BE HIGH SCHOOL GRADUATES OR ITS EQUIVALENT.

Be it enacted, etc., as follows:

Section 6A of chapter 31 of the General Laws is hereby amended by inserting after the second paragraph the following paragraph: —

Applicants for appointment as regular police officers in any city or town, the metropolitan district police force, or the Massachusetts Bay Transportation Authority police department or as capitol police officers shall have graduated from high school or possess an equivalency certificate issued by the department of education or have served at least three years in the armed forces of the United States and were last discharged or released therefrom under honorable conditions; provided, however, that the director may waive the foregoing requirements for a subsequent examination at the request of the appointing authority of a city or town if no person possessing such requirements applied for the preceding examination for appointment as a regular police officer in such city or town. *Approved July 3, 1969.*

Chap. 485. AN ACT AUTHORIZING THE CITY OF WESTFIELD TO PAY A CERTAIN SUM OF MONEY TO XEROX CORPORATION OF NEW YORK CITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Westfield is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay to the Xerox Corporation, a corporation organized under the laws of the state of New York, unpaid bills incurred by the mayor's office of said city in the amount of one thousand seven hundred and eighteen dollars and forty-five cents for services and materials rendered to said office during the years nineteen hundred and sixty-six and nineteen hundred and sixty-seven, said bills being legally unenforceable against said city by reason of said bills not having been rendered within the time required by law.

SECTION 2. No bills 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 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.

Approved July 3, 1969.

Chap. 486. AN ACT AUTHORIZING THE COUNTY OF DUKES COUNTY TO CONTRIBUTE TO THE COST OF THE LAGOON POND, TISBURY, MARTHA'S VINEYARD DREDGING PROJECT AND TO BORROW MONEY THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. The county of Dukes County is hereby authorized to contribute ten thousand dollars to the commonwealth as its share of the cost of the Lagoon Pond, Tisbury, Martha's Vineyard Dredging Project.

SECTION 2. For the purpose aforesaid, the county 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, ten thousand dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words, County of Dukes County Lagoon Pond, Tisbury, Martha's Vineyard Dredging Project Loan, Act of 1969. 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 said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws. *Approved July 3, 1969.*

Chap. 487. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY A SUM OF MONEY TO JAMES A. RYAN FOR CERTAIN OVERTIME SERVICES.

Be it enacted, etc., as follows:

Notwithstanding any by-law of the town of Watertown or any general or special law to the contrary, said town is hereby authorized to appropriate the sum of one hundred and six dollars and ninety-eight cents and to pay said sum to James A. Ryan as compensation for twenty-seven and one half hours worked as overtime for the highway department of said town. *Approved July 3, 1969.*

Chap. 488. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY A SUM OF MONEY TO CERTAIN EMPLOYEES OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding any by-law of the town of Watertown or any general or special law to the contrary, said town is hereby authorized to appropriate the sum of three thousand five hundred and sixty-five dollars and to pay as a paid holiday to each hourly wage employee of the park department, cemetery department, water department, tree department and highway department and the parking meter collector and maintenance man a day's wages for October twelfth, nineteen hundred and sixty-eight which occurred on a Saturday and which was agreed upon in the nineteen hundred and sixty-eight collective bargaining agreement of said town as a paid holiday.

Approved July 3, 1969.

Chap. 489. 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 unpaid bills incurred by said city and totalling sixty-four thousand five hundred sixty-one dollars and ninety-five 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, said bills being legally unenforceable against said city, by reason of having been incurred in excess of available appropriations, and as are certified for payment by the following departments, boards or committees wherein the bills were contracted; provided, that the moneys so appropriated to pay such bills shall be raised by taxation or made available from unappropriated surplus funds of the city: housing department, ninety-five cents; juvenile delinquency, five dollars; Springfield municipal hospital, two thousand nine hundred seventeen dollars and fifty-seven cents; off street parking garage, one hundred seventy-five dollars and ninety-five cents; city planning

board, two hundred twenty-nine dollars and eighty-five cents; public buildings, four hundred fifty dollars and fourteen cents; public parks, three thousand six hundred forty-six dollars and thirty-eights cents; purchase department, fifteen dollars and thirty cents; bureau of traffic engineering, one hundred sixty-one dollars and thirty-nine cents; veterans' service, fifty-six thousand nine hundred fifty-nine dollars and forty-two cents.

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 a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which said bill has been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered to and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars.

SECTION 4. This act shall take effect upon its acceptance during the current year by the city of Springfield. *Approved July 3, 1969.*

Chap. 490. AN ACT REQUIRING THE GIVING OF NOTICES OF HEARING TO CERTAIN RECORD OWNERS OF LAND PRIOR TO PROPOSED TAKINGS FOR HIGHWAY PURPOSES BY COUNTY COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 82 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 two sentences: — Fifteen days at least before the time appointed for a view or hearing, the commissioners shall cause notice of the time and place appointed therefor and a copy of such petition to be served upon the clerk of every town wherein such new highway, alteration, specific repair or discontinuance is prayed for and in the event a plan has been prepared for such new highway, alteration, specific repair or discontinuance the commissioners shall, at least seven days before the date for such hearing or view, mail to the recorded owners of land, subject to a taking because of such new highway alteration or specific repair, a notice of the proposed taking and the time and place of such view or hearing. In the event a plan has not been prepared prior to such hearing or view then at least seven days before the final approval of plans for such new highway, alteration, specific repair or discontinuance the commissioners shall provide a hearing for the recorded owners of land subject to taking and mail them notice of such hearing at least seven days before the date set for such hearing.

SECTION 2. Section 5 of said chapter 82, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — If at the time of the view or hearing as pro-

vided in section three when a plan has been prepared no person interested objects, the commissioners may, within six months thereafter, lay out, order specific repairs upon or alter such highway without further notice. *Approved July 3, 1969.*

Chap. 491. AN ACT RELATIVE TO THE MASSACHUSETTS MEDICAL SOCIETY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 15 of the acts of 1781 is hereby amended by inserting after the word "same,", in line 10, the following:—*Section 1.*

SECTION 2. Said chapter 15 is hereby further amended by striking out the second to the ninth enacting clauses and inserting in place thereof the following:—

Section 2. The purposes of The Massachusetts Medical Society shall be to do all things as may be necessary and appropriate to advance medical knowledge, to develop and maintain the highest professional and ethical standards of medical practice and health care, and to promote medical institutions formed on liberal principles for the health, benefit and welfare of the citizens of the commonwealth.

Section 3. In order to carry out, encourage and promote these purposes, the Society shall be empowered: (a) to establish subordinate societies to consist of the fellows of the Society within certain districts of the commonwealth, which subordinate societies shall have the capacity to receive, hold and dispose of personal property and may appoint their own officers and establish regulations for their government not inconsistent with the by-laws of the Society; (b) to engage in the publication and distribution of journals and periodicals to be devoted primarily to the science and practice of medicine and to conduct educational programs; (c) to hold real and personal property, whether acquired by bequest, devise, gift, purchase, lease or otherwise, for the aforesaid purposes, either absolutely or in trust; to convey the same, whenever deemed advisable, by an appropriate form of conveyance; and to manage, invest and reinvest the income and principal of any funds or property which it may from time to time possess; but no part of any such property, or any earnings of the Society, shall inure to the benefit of any private individual, or be appropriated for any purposes other than the purposes set forth in section two; (d) to sue and be sued; and (e) generally, to do all things necessary and proper and have such additional powers as may be required to accomplish the charitable, educational and professional purposes stated herein.

Section 4. The fellows of the Society, being the original incorporators hereunder and their successors, shall prescribe by by-laws of the Society the manner in which, and the officers and agents by whom, its purposes may be accomplished. Notwithstanding the generality of the foregoing, the by-laws shall provide: (a) for the seal of the Society; (b) the requirements and system for the examination and admission of the fellows of the Society and the conferring of such special categories of membership as the fellows may determine; (c) dues; (d) the method

by which meetings shall be called; (e) the titles, terms, duties and election of officers of the Society; (f) the establishment and election of a council or other body with the power of directors; (g) the establishment and appointment of committees; (h) the method for the creation and arrangement of subordinate societies within districts of the commonwealth with such powers as the fellows may grant to them; and (i) the method by which the by-laws may be amended.

SECTION 3. The last enacting clause of said chapter 15 is hereby further amended by striking out, in line 1, the words "*And be it further enacted,*" and inserting in place thereof the following:—*Section 5.*

SECTION 4. Chapter forty-nine of the acts of seventeen hundred and eighty-eight, chapter one hundred and twenty-three of the acts of eighteen hundred and two, chapter one hundred and forty-six of the acts of eighteen hundred and thirty, chapter twenty of the acts of eighteen hundred and fifty, chapter eighty-two of the acts of eighteen hundred and fifty-nine, chapter two hundred and eighty of the acts of eighteen hundred and ninety-seven, chapter one hundred and eighty-one of the acts of nineteen hundred and twenty-one and chapter nineteen of the acts of nineteen hundred and fifty-eight are hereby repealed.

SECTION 5. All by-laws of The Massachusetts Medical Society in effect on the effective date of this act shall remain in full force until such time as the fellows of the Society shall change them.

Approved July 3, 1969.

Chap. 492. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO BORROW MONEY FOR THE PREPARATION OF PLANS AND SPECIFICATIONS AND FOR THE ACQUISITION OF LAND FOR A NEW CENTRALIZED PRISON COLONY FOR SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Essex county are hereby authorized to take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, sufficient land for the construction of suitable and adequate facilities, including parking facilities, for a new centralized prison colony for said county.

After the acquisition of said land, said county commissioners are hereby further authorized to cause plans and specifications to be prepared for the construction of such facilities; provided, that the total cost of such plans and specifications and the cost of acquisition of such land, including legal and appraisal fees, shall not exceed six hundred and fifty thousand dollars; and provided, further, that such plans and specifications shall be so drawn that the total cost of the project including the acquisition of land, the preparation of plans and specifications and the construction and originally equipping of said facilities shall not exceed six million 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, six hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Essex County Prison Colony Loan, Act of 1969. 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 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, 1969.

Chap. 493. AN ACT PROVIDING THAT AN EXECUTOR OR ADMINISTRATOR SHALL BE HELD TO ANSWER TO AN ACTION BY A CREDITOR OF THE DECEASED COMMENCED THREE MONTHS AFTER THE DATE SAID EXECUTOR OR ADMINISTRATOR HAS FILED HIS OFFICIAL BOND.

Be it enacted, etc., as follows:

SECTION 1. Chapter 197 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. An executor or administrator shall not be held to answer to an action by a creditor of the deceased commenced within three months after his giving bond for the performance of his trust, unless such action is brought for the recovery of a demand which would not be affected by the insolvency of the estate, or, after the estate has been represented insolvent, for the purpose of ascertaining a contested claim.

SECTION 2. This act shall apply only to estates of persons dying on or after January first, nineteen hundred and seventy.

Approved July 7, 1969.

Chap. 494. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR CERTAIN INCUMBENTS OF THE OFFICE OF ASSESSOR IN THE CITY OF LOWELL.

Be it enacted, etc., as follows:

SECTION 1. Raymond F. Barrows and Arthur J. Keenan, incumbents of the office of assessor in the city of Lowell, shall hold their respective offices during good behavior until they reach the age of seventy, unless incapacitated by physical or mental disability from performing the duties thereof, but each may be removed therefrom for cause, after hearing, in the manner provided by section forty-three of chapter thirty-one of the General Laws.

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

Approved July 8, 1969.

Chap. 495. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC UTILITIES TO ISSUE CERTAIN LICENSES UPON APPROVAL OF THE MAYOR OF BOSTON.

Be it enacted, etc., as follows:

Notwithstanding any provision of chapter one hundred and fifty-nine A or any other general or special law to the contrary, the department of public utilities is hereby authorized upon approval of the mayor of the city of Boston to issue licenses for the operation of an express bus-type service between Park square in the city of Boston and the city of Lawrence and the towns of Andover and North Andover.

Approved July 8, 1969.

Chap. 496. AN ACT EXTENDING THE ORIGINAL JURISDICTION OF THE DISTRICT COURTS TO INCLUDE ENTERING A DWELLING HOUSE IN THE NIGHT TIME WITHOUT BREAKING OR BREAKING AND ENTERING A BUILDING, SHIP OR VESSEL IN THE DAY TIME AND THEFT AND OTHER MOTOR VEHICLE OFFENSES.

Be it enacted, etc., as follows:

Chapter 218 of the General Laws is hereby amended by striking out section 26, as most recently amended by chapter 140 of the acts of 1964, and inserting in place thereof the following section:—

Section 26. District courts shall have original jurisdiction, concurrent with the superior court, of the following offenses committed within their respective district or otherwise made punishable therein: all violations of by-laws, orders, ordinances, rules and regulations, made by cities, towns and public officers, all misdemeanors, except libels, all felonies punishable by imprisonment in the state prison for not more than five years, the crimes mentioned in sections seventeen, eighteen, nineteen and twenty-eight of chapter two hundred and sixty-six, and the crimes of forgery of a promissory note, or of an order for money or other property, and of uttering as true such a forged note or order, knowing the same to be forged, if in either case the sum of money or the value of the property named in such note or order does not exceed one hundred dollars. They shall have jurisdiction of proceedings referred to them under the provisions of section four A of chapter two hundred and eleven. *Approved July 9, 1969.*

Chap. 497. AN ACT PROVIDING THAT NO REGISTER OF DEEDS SHALL ACCEPT ANY DEED FOR RECORDING UNLESS IT CONTAINS RECITAL OF AMOUNT OF CONSIDERATION PAID FOR THE PROPERTY CONVEYED, OR, IF NOT FOR MONETARY CONSIDERATION, THE NATURE OF THE CONSIDERATION.

Be it enacted, etc., as follows:

Chapter 183 of the General Laws is hereby amended by striking out section 6, as amended by chapter 381 of the acts of 1967, and inserting in place thereof the following section:—

Section 6. Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the

grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

Approved July 9, 1969.

Chap. 498. AN ACT EXEMPTING FOLK AND SQUARE DANCING FROM THE PROVISIONS OF THE SUNDAY LAWS.

Be it enacted, etc., as follows:

Chapter 136 of the General Laws is hereby amended by striking out section 2, as appearing in section 2 of chapter 616 of the acts of 1962, and inserting in place thereof the following section:—

Section 2. Whoever on Sunday is present at or engages in dancing, except folk or square dancing, or any game, sport, fair, exposition, play, entertainment or public diversion for which a charge in the form of the payment or collection of money or other valuable consideration is made for the privilege of being present thereat or engaging therein, and for which a license has not been granted, as provided in section four, shall be punished by a fine of not more than fifty dollars.

Approved July 9, 1969.

Chap. 499. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY TO USE THE POSTWAR REHABILITATION FUND FOR THE PURPOSE OF REMODELING, ALTERING OR RENOVATING THE BASEMENT OF THE COURT HOUSE OF THE DISTRICT COURT OF CENTRAL BERKSHIRE.

Be it enacted, etc., as follows:

The county commissioners of Berkshire county are hereby authorized to sell the bonds held in the postwar rehabilitation fund of said county, established under the provisions of chapter five of the acts of nineteen hundred and forty-three, and to use the proceeds thereof to remodel, alter and renovate the basement of the court house of the district court of central Berkshire for the purpose of providing suitable office space for county offices. *Approved July 10, 1969.*

Chap. 500. AN ACT AUTHORIZING THE TOWN OF MARBLEHEAD TO CONSTRUCT, RECONSTRUCT, RESURFACE AND REPAIR CERTAIN PRIVATE WAYS.

Be it enacted, etc., as follows:

The town of Marblehead may construct, reconstruct, resurface and repair any private way in said town which has been used by the public for fifty years or more, provided that all owners of land

abutting on any such way shall petition such town to do such work, and in such cases the provisions of section twenty-five of chapter eighty-four of the General Laws shall not apply and the town shall not be liable on account of any damage whatever caused by such repairs or other work. *Approved July 10, 1969.*

Chap. 501. AN ACT ELIMINATING THE WAITING PERIOD FOR APPLICANTS FOR OPEN CONTINUOUS EXAMINATIONS UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

The second paragraph of section 8A of chapter 31 of the General Laws, as appearing in section 1 of chapter 110 of the acts of 1967, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—Applications for any such examination shall be received at any time after the posting of the notice, and applicants shall be given notice in writing or by oral instruction of the date of such examination.

Approved July 10, 1969.

Chap. 502. AN ACT RELATIVE TO PROVISIONAL APPOINTMENTS IN THE CIVIL SERVICE.

Be it enacted, etc., as follows:

Chapter 31 of the General Laws is hereby amended by striking out section 25, as most recently amended by chapter 407 of the acts of 1948, and inserting in place thereof the following section: —

Section 25. Whenever a provisional appointment is authorized by the director under section fifteen, no person other than a veteran shall be appointed unless the appointing authority cannot find a veteran qualified for the position who will accept and so certifies to the director. Before certifying that he is unable to find a veteran who is qualified for, and will accept, the position, the appointing authority shall obtain from the director a list of all veterans who have filed, within the preceding year, applications for the kind of work called for by such provisional appointment, and shall notify by mail each of said veterans.

Approved July 10, 1969.

Chap. 503. AN ACT RELATING TO THE CONSTRUCTING AND FINANCING OF WASTEWATER TREATMENT FACILITIES BY THE CITY OF FITCHBURG.

Be it enacted, etc., as follows:

SECTION 1. In addition to all powers heretofore conferred upon the city of Fitchburg, hereinafter called the city, by general or special laws, with respect to the construction, operation and maintenance of sewers, sewerage systems and sewage treatment and disposal facilities, and the financing thereof, said city is hereby authorized to construct, maintain, operate, enlarge and improve wastewater treatment facilities. For the purposes of this act, the words "wastewater treatment facilities" shall

mean facilities which can be used for treating, neutralizing or stabilizing sewage, sanitary wastes, industrial wastes and storm water either separately or together, may include sewers for carrying wastewater or treated wastewater to or from the treatment facilities, and shall be deemed to be "water pollution abatement facilities" under chapter twenty-one of the General Laws.

SECTION 2. The city, acting by its mayor with the approval of the city council, may contract with any party who is or may be a substantial user of wastewater treatment facilities constructed or to be constructed by the city. Contracts entered into under this section may be for a term not exceeding fifty years, may provide for payments by such user to the city and set forth the method for securing such payments. Any such contract may also provide for cooperation between the city and the user with respect to the planning, construction, maintenance and operation of the wastewater treatment facilities. Provisions of contracts securing payments to the city thereunder may include mortgages of real property or pledges of, or the creation of security interests in, personal property, either directly between the user and the city or with the aid of one or more other persons acting as trustees or agents for either party. To the extent necessary, such users are hereby authorized to enter such contracts with the city and take such actions from time to time as may be necessary to carry out their obligations thereunder.

SECTION 3. For the purpose of financing the construction of wastewater treatment facilities pursuant to section one of this act, the city may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, twenty million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, City of Fitchburg, Wastewater Treatment Facilities Loan, Act of 1969. 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 statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of any limitation or requirement contained in section seven or eight thereof, and also except that, notwithstanding the provisions of section seventeen of said chapter forty-four, temporary notes issued in anticipation of the money to be derived from the sale of bonds or notes authorized under this act may mature not more than two years from their dates.

SECTION 4. The city by ordinance may establish a sewer commission consisting of either three or five commissioners to be appointed by the mayor with the approval of the city council and to serve for terms of not more than four years. The ordinance may provide that one commissioner, if there are three commissioners, or two commissioners, if there are five commissioners, shall be a representative or representatives of one or more parties who have, or may have, a contract with the city entered into under section two of this act. The ordinance shall set forth the powers and duties of the commission which shall not be inconsistent with the provisions of the General Laws or the provisions of this act. Notwithstanding any other provisions of law, no person shall be disqualified from serving, or acting on any matter, as a sewer

commissioner of the city by reason of a direct or indirect financial interest in, or employment by, a user of the wastewater treatment facilities; and no sewer commissioner shall be disqualified from serving or acting on any matter as an employee of such a user.

SECTION 5. For the purpose of constructing and maintaining its sewerage system and sewage or wastewater treatment or disposal facilities, the city may acquire, by gift or by purchase, any necessary land or easements located in the city of Leominster in the vicinity of Forest and Hamilton streets; and the city of Fitchburg may thereafter construct and maintain thereon such systems or facilities as may be required.

SECTION 6. This act shall take effect upon its acceptance by the city of Fitchburg. *Approved July 10, 1969.*

Chap. 504. AN ACT FURTHER REGULATING THE BASIS OF ASSESSMENT ON THE TOWNS WITHIN THE CAPE COD MOSQUITO CONTROL PROJECT.

Be it enacted, etc., as follows:

Section 1 of chapter 379 of the acts of 1930 is hereby amended by striking out the second sentence, as amended by section 1 of chapter 463 of the acts of 1964, and inserting in place thereof the following sentence: — Beginning with the fiscal year commencing on July first, nineteen hundred and sixty-nine, to meet the expenses incurred under this act, there shall annually be expended from the state treasury, subject to appropriation, sums equal, in the aggregate, to fifteen cents on each one thousand dollars of the equalized valuations of all such towns as most recently reported by the state tax commission to the general court under the provisions of section ten C of chapter fifty-eight of the General Laws, and the state treasurer shall issue his warrant requiring the assessors of said towns to assess a tax to the amount so expended in proportion to their said valuation, and such amount shall be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine of the General Laws; provided, that any such town may in any year anticipate in whole or in part its assessment, and appropriate, raise and deposit the amount thereof with the state treasurer, and any sum so deposited shall be credited against such assessment.

Approved July 11, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 15, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 504 of the Acts of 1969, entitled "AN ACT FURTHER REGULATING THE BASIS OF ASSESSMENT ON THE TOWNS WITHIN THE CAPE COD MOSQUITO CONTROL PROJECT." and the enactment of which received my approval on July 11, 1969, should take effect forthwith.

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

This law provides for a new formula in assessments to the towns within the Cape Cod Mosquito Control Project and is based upon the equalized valuation of cities and towns. Postponement of the operation of this law for 90 days would defeat its intended purpose which is to allow the towns to participate in this project by taking advantage of the summer months now upon us.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 15, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting 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 five hundred and four of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 505. AN ACT FURTHER DEFINING THE WORD "DISTRICT" AS USED IN CERTAIN LAWS.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 14 of chapter 39 of the General Laws, as amended by section 2 of chapter 453 of the acts of 1943, is hereby further amended by striking out, in line 1, the words "fire, water, light or improvement".

SECTION 2. Said section 14 of said chapter 39 is hereby further amended by adding the following paragraph:—

The word "district", as used in this section, so far as apt, shall be construed as it is defined in section one A of chapter forty.

SECTION 3. Chapter 40 of the General Laws is hereby amended by striking out section 1A, inserted by section 1 of chapter 44 of the acts of 1967, and inserting in place thereof the following section:—

Section 1A. Except as otherwise expressly provided, the word "district" as used in this chapter shall mean a fire, water, sewer, water pollution abatement, refuse disposal, light, or improvement district, or any other district, howsoever named, formed for the purpose of carrying out any of the aforementioned functions, whether established under general law or special act.

SECTION 4. Chapter 41 of the General Laws is hereby amended by striking out section 1A, inserted by section 1 of chapter 45 of the acts of 1967, and inserting in place thereof the following section:—

Section 1A. Except as otherwise expressly provided, the word "district", as used in this chapter, shall mean a fire, water, sewer, water pollution abatement, refuse disposal, light, or improvement district, or any other district, howsoever named, formed for the

purpose of carrying out any of the aforementioned functions, whether established under general law or special act.

SECTION 5. Section 1 of chapter 44 of the General Laws is hereby amended by striking out the definition of "District", added by section 1 of chapter 46 of the acts of 1967, and inserting in place thereof the following definition:—

"District" shall mean a fire, water, sewer, water pollution abatement, refuse disposal, light, or improvement district, or any other district, howsoever named, formed for the purpose of carrying out any of the aforementioned functions, whether established under general law or special act.

SECTION 6. Section thirty-one B of said chapter forty-four, inserted by chapter one hundred and seventy-three of the acts of nineteen hundred and fifty, is hereby repealed.

SECTION 7. Section 31 of said chapter 44 is hereby amended by adding the following paragraph:—

The provisions of this section, so far as apt, shall apply to districts, and the prudential committee, if any, otherwise the commissioners, shall act in place of the members of the city council or selectmen.

SECTION 8. Section 64 of said chapter 44 is hereby further amended by striking out the last paragraph, as amended by section 5 of chapter 592 of the acts of 1960, and inserting in place thereof the following paragraph:—

This section shall not apply to cities but, so far as apt, shall apply to districts.

Approved July 11, 1969.

Chap. 506. AN ACT RELATIVE TO APPROPRIATIONS FOR THE CELEBRATION OF THE ANNIVERSARY OF THE SETTLEMENT OR OF THE INCORPORATION OF ANOTHER TOWN.

Be it enacted, etc., as follows:

Section 5 of chapter 40 of the General Laws is hereby amended by inserting after clause (27) the following clause:—

(27A) For the expenses of participating in the celebration of the anniversary of the settlement or of the incorporation of another town, as provided for in clause (27), any appropriation hereunder to be by a two thirds vote. Appropriations under this clause may be made only by towns which were formerly a part of the town holding the celebration, by towns which are contiguous to the town holding the celebration and by towns adjoining such contiguous towns.

Approved July 11, 1969.

Chap. 507. AN ACT RELATIVE TO THE RESTRAINT OF ILLEGAL APPROPRIATIONS AND EXPENDITURES BY CERTAIN DISTRICTS.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by striking out section 53, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 53. If a town, regional school district, or a district as defined in section one A, or any of its officers or agents are about to raise or expend money or incur obligations purporting to bind said town, regional school district, or district for any purpose or object or in any manner other than that for and in which such town, regional school district, or district has the legal and constitutional right and power to raise or expend money or incur obligations, the supreme judicial or superior court may, upon petition of not less than ten taxable inhabitants of the town, or not less than ten taxable inhabitants of any town in the regional school district, or not less than ten taxable inhabitants of that portion of a town which is in the district, determine the same in equity, and may, before the final determination of the cause, restrain the unlawful exercise or abuse of such corporate power. *Approved July 11, 1969.*

Chap. 508. AN ACT RELATIVE TO THE EXPENSES OF THE BOARD OF REGISTRATION IN CHIROPODY (PODIATRY).

Be it enacted, etc., as follows:

Section 12C of chapter 13 of the General Laws, as most recently amended by section 17 of chapter 801 of the acts of 1963, is hereby further amended by striking out, in line 7, the words ", and the expenses of the board,". *Approved July 11, 1969.*

Chap. 509. AN ACT AUTHORIZING THE RETIREMENT BOARD OF THE CITY OF LAWRENCE TO ACCEPT A LATE NOTICE OF A PERSONAL INJURY SUSTAINED BY MICHAEL J. REID.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the retirement board of the city of Lawrence is hereby authorized and directed to accept written notice from the head of the health department of said city of the time, place, cause and nature of the personal injury to Michael J. Reid, a former employee of said department. Such notice shall have the same force and effect and be considered on the same basis as if it had been seasonably filed in accordance with the provisions of paragraph (*b*) of subdivision (3) of section seven of chapter thirty-two of the General Laws. *Approved July 11, 1969.*

Chap. 510. AN ACT REPEALING THE LAW PLACING THE OFFICE OF SUPERINTENDENT OF STREETS OF THE TOWN OF CHESHIRE UNDER CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Chapter twenty-five of the acts of nineteen hundred and fifty-seven is hereby repealed. *Approved July 11, 1969.*

Chap. 511. AN ACT AUTHORIZING THE TOWN OF WINCHESTER TO PAY AN ORDINARY RETIREMENT ALLOWANCE TO JOHN S. PEARSON, A FORMER FIRE FIGHTER OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the town of Winchester is hereby authorized to pay to John S. Pearson, a former fire fighter of said town, an ordinary disability retirement allowance effective as of June third, nineteen hundred and sixty-one, under the provisions of section six of chapter thirty-two of the General Laws. Said allowance shall be computed on the basis of the law applicable as of June third, nineteen hundred and sixty-one and the retirement benefits applicable as of that date which would have applied had said John S. Pearson then filed for such an allowance and had the same been approved by the retirement board of the town of Winchester.

Approved July 11, 1969.

Chap. 512. AN ACT AUTHORIZING THE CITY OF FALL RIVER TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The city of Fall River is hereby authorized to appropriate and pay to Everett Lafleur, doing business as Lafleur's Oil Company, the sum of three hundred and eighty-eight dollars and ninety-six cents for diesel oil delivered to the highway division of the department of public works of said city in the year nineteen hundred and sixty-eight.

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 a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which said bill was 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.

Approved July 11, 1969.

Chap. 513. AN ACT PROVIDING THAT MEMBERS OF THE JUDICIARY MAY, AFTER TWENTY YEARS SERVICE, RETIRE ON PENSION AFTER ATTAINING AGE SIXTY-FIVE.

Be it enacted, etc., as follows:

SECTION 1. Section 65A of chapter 32 of the General Laws is hereby amended by striking out the second paragraph, as most recently

amended by chapter 702 of the acts of 1968, and inserting in place thereof the following paragraph:—

A chief justice, justice, associate justice, judge or associate judge of any such court or courts appointed to any judicial office on or before July thirty-first, nineteen hundred and fifty-six, who, after having served in any such office or offices at least ten years continuously, notwithstanding that this continuous service may involve one or more appointments made subsequent to July thirty-first, nineteen hundred and fifty-six, and having attained the age of seventy years, or who, after having served in any such office or offices at least twenty years continuously, notwithstanding that this continuous service may involve one or more appointments made subsequent to July thirty-first, nineteen hundred and fifty-six, and having attained the age of sixty-five years, and a chief justice, justice, associate justice, judge or associate judge of any such court or courts appointed to any judicial office after July thirty-first, nineteen hundred and fifty-six who after having served in any such office or offices at least fifteen years continuously and having attained the age of sixty-five years but not after having attained the age of seventy years, shall resign his office, shall thereupon be entitled to receive a pension for life at an annual rate equal to three fourths of the annual rate of salary payable to him at the time of such resignation, to be paid from the same source and in the same manner as the salaries of like judicial officers of his court are paid. For the purposes of this paragraph a year of previous service as a special justice shall be computed by dividing the number of days of actual sittings in such capacity by three hundred, whether or not such sittings occurred in one calendar or fiscal year. A chief justice, justice, associate justice, judge or associate judge of any such court or courts shall be deemed to have served continuously, although a period not in excess of thirty days shall have intervened between the holding of one judicial office and the holding of another judicial office.

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

Approved July 14, 1969.

Chap. 514. AN ACT INCREASING THE AMOUNT OF MONEY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY MAY BORROW TO CONSTRUCT AND EQUIP A NEW COURT HOUSE FOR THE SECOND DISTRICT COURT OF SOUTHERN WORCESTER IN THE TOWN OF UXBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 342 of the acts of 1968 is hereby amended by striking out, in line 11, the word "seven" and inserting in place thereof the word: — nine.

SECTION 2. Section 3 of said chapter 342 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — For the purposes authorized by section two, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, nine hundred thousand dollars

and may issue bonds or notes of the county therefor, which shall bear on their face the words, Second District Court of Southern Worcester Court House Loan, Act of 1968.

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

Approved July 15, 1969.

Chap. 515. AN ACT FURTHER REGULATING THE LOCATION OF DUMPS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the location of dumps at a reasonable distance from the nearest dwelling house, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and safety.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 150A of chapter 111 of the General Laws, as appearing in section 1 of chapter 310 of the acts of 1955, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — No place in any city or town shall be established or maintained by any person, including any political subdivision of the commonwealth, as a dumping ground for garbage, rubbish or other refuse or as a site for a refuse disposal incinerator unless such place has been assigned by the board of health of such city or town as a dumping ground or as a site for a refuse disposal incinerator subject to the provisions of any ordinance or by-law adopted therein under chapter forty A or corresponding provisions of earlier law, and unless such dumping ground or site is located more than three hundred feet from any dwelling house.

SECTION 2. The three hundred foot limitation contained in section one hundred and fifty A of chapter one hundred and eleven of the General Laws, as amended by section one of this act, shall not apply to any dumping ground or site which has been maintained by a municipality for a period of at least one year during the five years preceding the effective date of this act.

Approved July 16, 1969.

Chap. 516. AN ACT PROVIDING FOR THE CONSTRUCTION OF NEW AND ENLARGED INTERCEPTING SEWERS, SEWAGE TREATMENT FACILITIES, PUMPING STATIONS AND OTHER WORKS FOR THE SOUTH ESSEX SEWERAGE DISTRICT TO ABATE POLLUTION OF NORTH AND DANVERS RIVERS AND SALEM AND BEVERLY HARBORS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the construction of new and enlarged sewers, sewage treatment plants, pumping stations and other works for the South Essex sewerage district to abate pollution in certain rivers and in order to obtain financial assistance from the commonwealth and the United States, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience and health.

Be it enacted, etc., as follows:

SECTION 1. The South Essex sewerage board, hereinafter called the board, acting in behalf of the South Essex sewerage district, hereinafter

called the district, is hereby granted full and complete power and authority to construct, maintain and operate intercepting sewers, pumping stations, sewage treatment facilities and other works, in addition to the present intercepting sewers, outfall sewers, pumping stations, grease and grit chambers and other works authorized by chapter three hundred and thirty-nine of the acts of nineteen hundred and twenty-five and chapter four hundred and thirty-one of the acts of nineteen hundred and forty-five, and amendments to said acts, to reconstruct and rehabilitate the present intercepting sewers and outfall sewers, and to relocate and construct new and enlarged intercepting sewers and outfall sewers in the cities of Salem, Beverly and Peabody and the town of Danvers and such pumping stations, sewage treatment facilities and other works and facilities as may be necessary to handle efficiently the increased volume of sewage in the sewage disposal system of said district, in order to abate pollution of the North river and Danvers river and their tributaries and the waters of Salem and Beverly harbors.

No sewers, sewage treatment facilities or other works shall be constructed under the authority of this act and no expense shall be incurred therefor until plans therefor have been approved by the state division of water pollution control.

The powers and duties hereby conferred and imposed upon the board shall be in addition to those conferred and imposed upon it by chapter three hundred and thirty-nine of the acts of nineteen hundred and twenty-five and amendments thereof, which shall remain in full force except as modified by this act.

SECTION 2. The board shall, under like direction and subject to like approval, design or cause to be designed and construct or cause to be constructed the intercepting sewers, pumping stations, sewage treatment facilities and other related sewage works herein authorized and make such contracts and enter into such other arrangements as it may deem necessary therefor. Every contract calling for an expenditure of more than two thousand dollars shall be in writing, and no such contract, except for legal, engineering, appraisal and other professional services, shall be awarded unless invitations for bids therefor shall previously have been published once a week for three successive weeks in two daily papers published in Essex county. Such bids shall be opened publicly at the time and place announced in such newspaper publications.

SECTION 3. The cost of construction and other work authorized by this act shall not exceed the sum of forty-eight million five hundred thousand dollars, exclusive of interest on bonds and notes issued under the provisions of this act.

SECTION 4. To meet the cost of such construction and other works, the board shall file application for grants from the government of the United States of America and from the commonwealth, in accordance with federal and state laws.

SECTION 5. To meet the cost of such construction and other works, including such interest, less the amount received for such purposes from the federal and state governments, and to fund temporary loans issued to meet such cost as hereinafter authorized, the treasurer of the South Essex sewerage district, with the approval of the board, may issue serial bonds of the district to an amount not exceeding, in the aggregate, the sum of fifteen million dollars. Said bonds shall bear on their face the

words South Essex Sewerage District Loan, Act of 1969, shall bear the district seal, shall be authorized by vote of two thirds of the board, shall bear such rate or rates of interest as shall be fixed by the treasurer with the approval of the board, shall be signed by the treasurer of said district and countersigned by at least a majority of the board, and shall be payable in not more than twenty years from their dates. Each issue of bonds herein authorized shall constitute a separate issue. Until such construction and other work is completed and the total cost thereof ascertained, to meet the cost of such construction and other work, said treasurer, with the approval of the board, may from time to time borrow for periods of not more than two years, and may refund or may renew said loans from time to time. The treasurer of said district in any year may also from time to time borrow to meet interest payments coming due in such year and to meet payments of principal on bonds issued hereunder when such payments must be met before the apportionment of costs for such year to the city or cities or town, or institutions responsible therefor, has been made as hereinafter provided, but the amounts of any such loans shall be added to and included in the next year's apportionment to said city or cities or town, or institutions of the cost of construction and other work hereunder, and the term of such loans shall not extend beyond the time limited for the making of such next year's apportionment. For any borrowings herein authorized, the treasurer of said district may from time to time issue notes of said district, which need not bear the district seal, but shall be authorized, signed and countersigned, and bear interest as is herein provided for in the case of bonds, or may be sold at a discount fixed in the same manner that interest on bonds may be fixed hereunder, and such discount shall be treated as interest paid in advance. All indebtedness incurred in carrying out the provisions of this act shall be subject to such of the applicable provisions of chapter forty-four of the General Laws as relate to loans made by districts.

SECTION 6. The cost of construction, maintenance and operation of intercepting sewers, pumping stations, of force mains and sewage treatment facilities, and other works, shall for purposes of apportionment be allocated by the board in the following manner:

(A) The cost of construction of an entire Salem-Peabody interceptor sewer and works connected therewith as authorized herein and a permanent influent pumping station and land damages, less amounts received from the federal government and the commonwealth, shall be allocated by the board in the following manner:

(1) Said net costs of such land damages as are situated in the city of Peabody shall be borne by the city of Peabody.

(2) Said net cost of said construction of intercepting sewers, pumping stations and other works situated in the city of Salem and the city of Peabody and land damages situated in the city of Salem, but not including any part of the sewage treatment facilities and outfall sewer, shall be borne by the cities of Peabody and Salem. The share of the city of Peabody shall be seventy-five per cent of the same and the share of the city of Salem shall be twenty-five per cent of the same.

(B) The costs of construction for intercepting sewers, pumping stations, and works connected therewith to serve (*a*) the Danvers state hospital including the Middleton colony, the Essex county sanatorium,

the Essex county agricultural and technical institute, and the Essex county industrial camp and Hathorne State School; (*b*) the town of Danvers; and (*c*) the city of Beverly, as located according to subdivisions (*a*), (*b*) and (*c*) of section eighteen of chapter three hundred and thirty-nine of the acts of nineteen hundred and twenty-five or as relocated under the authority hereof less amounts received therefor from the federal government and the commonwealth shall be borne by said institutions, the city of Beverly and the town of Danvers, as they may agree. If they fail to agree on or before the date of approval of plans for said construction, then said costs will be apportioned among said institutions, said city of Beverly and said town of Danvers, as may be determined by said division of water pollution control.

(C) The costs of construction of the sewage treatment facilities and of the outfall sewer, less the amount received therefor from the federal and state governments, shall be borne by said cities of Beverly, Peabody and Salem, the town of Danvers, the Danvers state hospital, Essex county industrial farm, Essex county tuberculosis hospital and Essex county agricultural and technical institute and Hathorne State School and shall be apportioned among them by the board as they may agree and if they fail so to agree on or before the date of approval of plans for said construction, then as may be determined by said division of water pollution control.

(D) The cost of engineering, legal, appraisal and other professional services in connection with design and construction of said sewers, sewage treatment facilities and other works and of acquiring any easements or other properties in connection therewith shall constitute part of the cost of construction thereof and shall be apportioned in the same manner as the cost of construction.

(E) The intercepting sewers, sewage treatment facilities, and other works herein authorized, shall be maintained and operated and the cost thereof shall be apportioned by the board among the cities of Salem, Beverly and Peabody and the town of Danvers, the Danvers state hospital, Essex county industrial farm, Essex county tuberculosis hospital and Essex county agricultural and technical institute and Hathorne State School, as they may agree, and if they fail so to agree on or before the date of approval of plans for the construction authorized under this act, then as may be determined by said division of water pollution control.

SECTION 7. The board shall determine, on or before the fifteenth day of February in the year following the first full year of operation of works and facilities constructed hereunder and thereafter annually on or before the fifteenth day of February, the total amount of the principal retirement and interest payments falling due in that year on bonds and notes issued under this act, including notes issued to pay annual interest on bonds or notes previously issued, and any and all other sums to be apportioned as a cost of construction and other work authorized by this act. The amount so determined shall be apportioned to the cities, town and institutions, as herein provided. The cost of maintenance and operation of the sewers and other works herein authorized shall be estimated by the board for each year on or before the fifteenth day of February. Any balance remaining at the end of any year on account of assessments herein provided for shall be credited to said cities and

town and institutions in the same proportion as assessed, and any deficit on account of any year shall be assessed in the following year in the same proportion as for the year in which the deficit occurred.

The annual apportionments so determined, both for the cost of construction and for maintenance and operation, shall in the case of each of said cities, town and institutions be added together and before the fifteenth day of February, the treasurer of said district shall notify each city, town and institution of the amount to be paid by it at the same time that it notifies said cities, town and institutions of other payments due it under said chapter three hundred and thirty-nine of the acts of nineteen hundred and twenty-five and amendments thereto, and shall in writing demand that such amount be paid on or before the first day of November in that year, and said amount shall be so paid; and in case of failure to pay after a written demand therefor, said district may recover such amount in contract from the cities, town and institutions liable to pay the same.

After the apportionment has been made, and written demand made as aforesaid, the treasurer of said district, with approval of at least two thirds of the board, may borrow from time to time in anticipation of the payment of the amounts so assessed on said cities, town and institutions, and to be paid to it as aforesaid, but any such loan shall mature not later than the fifteenth day of November in the same year. In case any of said cities, said town or said institutions for any reason shall not pay on or before the first day of November in any year the amount apportioned to it as aforesaid, the board, on or after the first day of November in such year, through said treasurer and with approval as aforesaid, may borrow from time to time in anticipation of the payment of any and all unpaid assessments therefor, and may issue notes therefor and may refund or renew such notes from time to time until all of such assessments shall have been fully paid, and may pay interest on all such notes, which interest payment shall be included in the next subsequent apportionment.

SECTION 8. During periods of construction under this act, each member of said board, other than the chairman, shall receive from said district, in addition to any other compensation, annual compensation of nine hundred dollars.

SECTION 9. No actual construction work under this act shall commence until federal and state grants in a substantial portion, as determined by said board, of the costs of said construction have been authorized. *Approved July 16, 1969.*

Chap. 517. AN ACT REVISING THE LAWS RELATIVE TO THE DISCLOSURE OF CONSUMER CREDIT COSTS AND TERMS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide forthwith that the laws of the commonwealth relative to the disclosure of consumer credit costs and terms be brought into conformity with federal law and regulations, and to provide forthwith for the promulgation of certain rules and regulations by the commissioner of banks, 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 General Laws are hereby amended by inserting after chapter 140B the following chapter:—

CHAPTER 140C.

CONSUMER CREDIT COST DISCLOSURE.

Section 1. For the purposes of this chapter, the following words shall, unless the context indicates otherwise, have the following meanings:—

(*a*) "Advertisement", any commercial message in any newspaper, magazine, leaflet, flyer or catalog, on radio, television or public address system, in direct mail literature or other printed material, on any interior or exterior sign or display, in any window display, in any point-of-transaction literature or price tag which is delivered or made available to a customer or prospective customer in any manner whatsoever.

(*b*) "Agricultural purpose", a purpose related to the production, harvest, exhibition, marketing, transportation, processing or manufacture of agricultural products by a natural person who cultivates, plants, propagates or nurtures those agricultural products. "Agricultural products" includes agricultural, horticultural, viticultural and dairy products, livestock, wildlife, poultry, bees, forest products, fish and shellfish, and any products thereof, including processed and manufactured products, and any and all products raised or produced on farms and any processed or manufactured products thereof.

(*c*) "Amount financed", the amount of credit of which the customer will have the actual use determined in accordance with paragraph (7) of subsection (*c*) of section seven and clause (1) of subsection (*d*) of section seven.

(*d*) "Annual percentage rate", the annual percentage rate of finance charge determined in accordance with section four.

(*e*) "Arrange for the extension of credit", to provide or offer to provide consumer credit which is or will be extended by another person under a business or other relationship pursuant to which the person arranging such credit receives or will receive a fee, compensation or other consideration for such service or has knowledge of the credit terms and participates in the preparation of the contract documents required in connection with the extension of credit. It shall not include honoring a credit card or similar device where no finance charge is imposed at the time of that transaction.

(*f*) "Billing cycle", the time interval between regular periodic billing statement dates. Such intervals may be considered equal intervals of time unless a billing date varies more than four days from the regular date.

(*g*) "Board", the Board of Governors of the Federal Reserve System.

(*h*) "Cash price", the price at which the creditor offers, in the ordinary course of business, to sell for cash the property or services which are the subject of a consumer credit transaction. It may include the cash price of accessories or services related to the sale such as delivery, installation, alterations, modifications and improvements, and may include taxes to the extent imposed on the cash sale, but shall not include any other charges of the types described in section three.

(*i*) "Commissioner", the commissioner of banks.

(*j*) "Consumer credit", credit offered or extended to a natural person, in which the money, property or service which is the subject of the transaction is primarily for personal, family, household or agricultural purposes and for which either a finance charge is or may be imposed or which, pursuant to an agreement, is or may be payable in more than four instalments. "Consumer loan" is one type of "consumer credit".

(*k*) "Credit", the right granted by a creditor to a customer to defer payment of debt, incur debt and defer its payment, or purchase property or services and defer payment therefor.

(*l*) "Creditor", a person who in the ordinary course of business regularly extends or arranges for the extension of consumer credit, or offers to extend or arrange for the extension of such credit.

(*m*) "Credit sale", any sale with respect to which consumer credit is extended or arranged by the seller. The term includes any contract in the form of a bailment or lease if the bailee or lessee contracts to pay as compensation for use a sum substantially equivalent to or in excess of the aggregate value of the property and services involved and it is agreed that the bailee or lessee will become, or for no other or for a nominal consideration has the option to become, the owner of the property upon full compliance with his obligations under the contract.

(*n*) "Customer", a natural person to whom consumer credit is offered or to whom it is or will be extended, and includes a comaker, endorser, guarantor, or surety for such natural person who is or may be obligated to repay the extension of consumer credit.

(*o*) "Dwelling", a residential-type structure which is real property and contains one or more family housing units, or a residential condominium unit wherever situated.

(*p*) "Federal Consumer Credit Protection Act", the Consumer Credit Protection Act (Public Law 90-321; 82 Statute 146), as amended.

(*q*) "Finance charge", the cost of credit determined in accordance with section three.

(*r*) "Open end credit", consumer credit extended on an account pursuant to a plan under which (1) the creditor may permit the customer to make purchases or obtain loans, from time to time, directly from the creditor or indirectly by use of a credit card, check or other device, as the plan may provide; (2) the customer has the privilege of paying the balance in full or in instalments; and (3) a finance charge may be computed by the creditor, from time to time, on an outstanding unpaid balance. The term does not include negotiated advances under an open end real estate mortgage or a letter of credit.

(*s*) "Organization", a corporation, trust, estate, partnership, cooperative, association, government, or governmental subdivision, agency, or instrumentality.

(*t*) "Period", a day, week, month or other subdivision of a year.

(*u*) "Periodic rate", a percentage rate of finance charge which, under an open end credit plan, is or may be imposed by a creditor against a balance for a period.

(*v*) "Person", a natural person or an organization.

(*w*) "Real property", property which is real property under the law of the state in which it is located.

(*x*) "Real property transaction", an extension of credit in connection with which a security interest in real property is or will be retained or acquired.

(*y*) "Residence", any real property in which the customer resides or expects to reside, including a parcel of land on which the customer resides or expects to reside.

(*z*) "Security interest" and "security", any interest in property which secures payment or performance of an obligation. The terms include, but are not limited to, security interests under the Uniform Commercial Code, real property mortgages, deeds of trust and other consensual or confessed liens whether or not recorded, mechanic's, materialmen's, artisan's, and other similar liens, vendor's liens in both real and personal property, the interest of a seller in a contract for the sale of real property, any lien on property arising by operation of law, and any interest in a lease when used to secure payment or performance of an obligation.

(*aa*) Unless the context indicates otherwise, "credit" shall be construed to mean "consumer credit", "loan" to mean "consumer loan" and "transaction" to mean "consumer credit transaction".

(*bb*) A transaction shall be considered consummated at the time a contractual relationship is created between a creditor and a customer irrespective of the time of performance of either party.

Section 2. This chapter shall not apply to the following:—

(*a*) Extensions of credit to organizations, including governments, or for business or commercial purposes, other than agricultural purposes.

(*b*) Transactions in securities or commodities accounts with a broker-dealer registered with the Securities and Exchange Commission.

(*c*) Credit transactions other than real property transactions, in which the amount financed exceeds twenty-five thousand dollars, or in which the transaction is pursuant to an express written commitment by the creditor to extend credit in excess of twenty-five thousand dollars. For this purpose, the amount financed is the amount which is required to be disclosed under paragraph (7) of subsection (*c*) or clause 1 of subsection (*d*), as applicable, of section seven, or would be so required if the transaction were subject to this chapter.

(*d*) Transactions under public utility tariffs involving services provided through pipe, wire or other connected facilities, if the charges for such public utility services, the charges for delayed payment and any discount allowed for early payment are filed with, reviewed by, or regulated by an agency of the federal government, the commonwealth or a political subdivision of either.

Section 3. (*a*) Except as otherwise provided in this section, the amount of the finance charge in connection with any transaction shall be determined as the sum of all charges, payable directly or indirectly by the customer, and imposed directly or indirectly by the creditor as an incident to or as a condition of the extension of credit, whether paid or payable by the customer, the seller or any other person on behalf of the customer to the creditor or to a third party, including any of the following types of charges:

(1) Interest, time price differential, and any amount payable under a discount or other system of additional charges.

(2) Service, transaction, activity, or carrying charge, including any charges imposed by the creditor in connection with a checking account to the extent that such charges exceed any charges the customer is required to pay in connection with such an account when it is not being used to extend credit.

(3) Loan fee, points, finder's fee, or similar charge.

(4) Fee for an appraisal, investigation, or credit report.

(5) Charges or premiums for credit life, accident, health, or loss of income insurance, written in connection with any credit transaction unless (*i*) the insurance coverage is not required by the creditor and this fact is clearly and conspicuously disclosed in writing to the customer; and (*ii*) any customer desiring such insurance coverage gives specific dated and separately signed affirmative written indication of such desire after receiving written disclosure to him of the cost of such insurance.

(6) Charges or premiums for insurance, written in connection with any credit transaction, against loss of or damage to property or against liability arising out of the ownership or use of property, unless a clear, conspicuous and specific statement in writing is furnished by the creditor to the customer setting forth the cost of the insurance if obtained from or through the creditor and stating that the customer may choose the person through which the insurance is to be obtained.

(7) Premium or other charge for any other guarantee or insurance protecting the creditor against the customer's default or other credit loss.

(8) Any charge imposed by a creditor upon another creditor for purchasing or accepting an obligation of a customer if the customer is required to pay any part of that charge in cash, as an addition to the obligation, or as a deduction from the proceeds of the obligation.

(*b*) If itemized and disclosed to the customer, any charges of the following types need not be included in the finance charge:

(1) Fees and charges prescribed by law which actually are or will be paid to public officials for determining the existence of or for perfecting or releasing or satisfying any security related to the credit transaction.

(2) The premium payable for any insurance in lieu of perfecting any security interest otherwise required by the creditor in connection with the transaction, if the premium does not exceed the fees and charges described in clause (1) of this subsection which would otherwise be payable.

(3) Taxes not included in the cash price.

(4) License, certificate of title and registration fees imposed by law.

(*c*) A late payment, delinquency, default, reinstatement or other such charge is not a finance charge if imposed for actual unanticipated late payment, delinquency, default or other such occurrence.

(*d*) A charge imposed by a bank for paying checks which overdraw or increase an overdraft in a checking account is not a finance charge unless the payment of such checks and the imposition of such finance charge were previously agreed upon in writing.

(*e*) The following charges in connection with any real property transaction, provided they are bona fide, reasonable in amount and not for the purpose of circumvention or evasion of this chapter, shall not be included in the finance charge with respect to that transaction:

(1) Fees or premiums for title examination, abstract of title, title insurance, or similar purposes and for required related property surveys.

(2) Fees for preparation of deeds, settlements statements, or other documents.

(3) Amounts required to be placed or paid into an escrow or trustee account for future payments of taxes, insurance, and water, sewer, and land rents.

(4) Fees for notarizing deeds and other documents.

(5) Appraisal fees.

(6) Credit reports.

(*f*) Interest, dividends, or other income received or to be received by the customer on deposits or on investments in real or personal property in which a creditor holds a security interest shall not be deducted from the amount of the finance charge or taken into consideration in computing the annual percentage rate.

(*g*) Obligations other than those debited to an open end credit account which are payable on demand shall be considered to have a maturity of one half year for the purpose of computing the amount of the finance charge and the annual percentage rate, except that where such an obligation is alternatively payable upon a stated maturity, the stated maturity shall be used for the purpose of such computations.

(*h*) If any insurance premium is required to be included as a part of the finance charge, the amount to be included shall be the premium for coverage extending over the period of time the creditor will require the customer to maintain such insurance. For this purpose, rates and classifications applicable at the time the credit is extended shall be applied over the full time during which coverage is required, unless the creditor knows or has reason to know that other rates or classifications will be applicable, in which case such other rates or classifications shall be used to the extent appropriate.

Section 4. (*a*) The annual percentage rates for open end credit accounts shall be computed so as to permit disclosure with an accuracy at least to the nearest quarter of one per cent. Such rate or rates shall be determined in accordance with clause (4) of subsection (*a*) of section six for purposes of disclosure before opening an account, clause (4) of subsection (*c*) of section nine for purposes of advertising, and in the following manner for purposes of disclosures on periodic statements:

(1) Where the finance charge is exclusively the product of the application of one or more periodic rates (*i*) by multiplying each

periodic rate by the number of periods in a year; or (*ii*) at the creditor's option, if the finance charge is the result of the application of two or more periodic rates, by dividing the total finance charge for the billing cycle by the sum of the balances to which the periodic rates were applied and multiplying the quotient (expressed as a percentage) by the number of billing cycles in a year.

(2) Where the creditor imposes all periodic finance charges in amounts based on specified ranges or brackets of balances, the periodic rate shall be determined by dividing the amount of the finance charge for the period by the amount of the median balance within the range or bracket of balances to which it is applicable, and the annual percentage rate shall be determined by multiplying that periodic rate (expressed as a percentage) by the number of periods in a year. Such ranges or brackets of balances shall be subject to the limitations prescribed in clause (*iv*) of paragraph (2) of subsection (*c*) of this section.

(3) Where the finance charge is or includes a minimum, fixed or other charge not due to the application of a periodic rate, and (*i*) exceeds fifty cents for a monthly or longer billing cycle, or the pro rata part of fifty cents for a billing cycle shorter than monthly, by dividing the total finance charge for the billing cycle by the amount of the balance to which applicable and multiplying the quotient (expressed as a percentage) by the number of billing cycles in a year; or (*ii*) does not exceed fifty cents for a monthly or longer billing cycle, or the pro rata part of fifty cents for a billing cycle shorter than monthly, by multiplying each applicable periodic rate by the number of periods in a year, irrespective of the imposition of such minimum, fixed or other charge.

(*b*) Except as otherwise provided in this section, the annual percentage rate applicable to any extension of credit, other than open end credit, shall be that nominal annual percentage rate determined as follows:

(1) In accordance with the actuarial method of computation so that it may be disclosed with an accuracy at least to the nearest quarter of one per cent. The mathematical equation and technical instructions for determining the annual percentage rate in accordance with the requirements of this subsection shall be those prepared by the board pursuant to the Federal Consumer Credit Protection Act and those promulgated by the commissioner under this chapter.

(2) At the option of the creditor, by application of the United States Rule so that it may be disclosed with an accuracy at least to the nearest quarter of one per cent. Under this rule, the finance charge is computed on the unpaid balance for the actual time the balance remains unpaid and if the amount of a payment is insufficient to pay the accumulated finance charge, the unpaid accumulated finance charge continues to accumulate to be paid from the proceeds of subsequent payments and is not added to the amount financed.

(*c*) (1) The annual percentage rate tables produced by the board pursuant to the Federal Consumer Credit Protection Act may be used to determine the annual percentage rate, and any such rate determined from these tables in accordance with instructions contained therein will comply with the requirements of this section.

(2) Any chart or table other than the *board's annual percentage rate tables* may be utilized for the purpose of determining the annual percentage rate provided (i) it is prepared in accordance with the provisions of clause (1) or clause (2) of subsection (*b*) of this section; (ii) it bears the name and address of the person responsible for its production, an identification number assigned to it by that person which shall be the same for each chart or table so produced with like numerical content and configuration and, if prepared for use in connection with irregular transactions, an identification of the method of computation ("Actuarial" or "U. S. Rule"): (iii) except as provided in subclause (iv), it permits determination of the annual percentage rate to the nearest one quarter of one per cent for the range of rates covered by the chart or table; and (iv) if applicable to ranges or brackets of balances, it discloses the amount of the finance charge and the annual percentage rate on the median balance within each range or bracket of balances where a creditor imposes the same finance charge for all balances within a specified range or bracket of balances, and provided further that if the annual percentage rate determined on the median balance understates the annual percentage rate determined on the lowest balance in that range or bracket by more than eight per cent of the rate on the lowest balance, then the annual percentage rate for that range or bracket shall be computed upon any balance lower than the median balance within that range so that any understatement will not exceed eight per cent of the rate on the lowest balance within that range or bracket of balances.

(3) If an error in disclosure of the amount of a finance charge or an annual percentage rate occurs because of a corresponding error in a chart or table acquired or produced in good faith by the creditor, that error in disclosure shall not, in itself, be considered a violation of this chapter provided that upon discovery of the error that creditor makes no further disclosure based on that chart or table, promptly notifies the commissioner in writing of such error and identifies the inaccurate chart or table by giving the name and address of the person responsible for its production and its identification number.

(*d*) In determining the annual percentage rate a creditor may, at his option, consider the payment irregularities set forth in this subsection as if they were regular in amount or time, as applicable, provided that the transaction to which they relate is otherwise payable in equal instalments scheduled at equal intervals.

(1) If the period from the date on which the finance charge begins to accrue and the date the final payment is due is not less than three months in the case of weekly payments, six months in the case of biweekly or semimonthly payments, or one year in the case of monthly payments, either or both of the following:

(*i*) The amount of one payment other than any down payment is not more than fifty per cent greater nor fifty per cent less than the amount of a regular payment; or

(*ii*) The interval between the date on which the finance charge begins to accrue and the date the first payment is due is not less than five days for an obligation otherwise payable in weekly instalments, not less than ten days for an obligation otherwise payable in biweekly or semimonthly instalments, or not less than twenty days for an obligation otherwise payable in monthly instalments.

(2) If the period from the date on which the finance charge begins to accrue and the date the final payment is due is less than three months in the case of weekly payments, six months in the case of biweekly or semimonthly payments, or one year in the case of monthly payments, either or both of the following:

(*i*) The amount of one payment other than any down payment is not more than twenty-five per cent greater nor twenty-five per cent less than the amount of a regular payment; or

(*ii*) The interval between the date on which the finance charge begins to accrue and the date the first payment is due is not less than six days for an obligation otherwise payable in weekly instalments, not less than twelve days for an obligation otherwise payable in biweekly or semimonthly instalments, or not less than twenty-five days for an obligation otherwise payable in monthly instalments.

(*e*) In an exceptional instance when circumstances may leave a creditor with no alternative but to determine an annual percentage rate applicable to an extension of credit other than open end credit by a method other than those prescribed in subsections (*b*) or (*c*), the creditor may utilize the constant ratio method of computation provided such use is limited to the exceptional instance and is not for the purpose of circumvention or evasion of the requirements of this chapter.

However, a creditor, for the purposes of this chapter, may utilize, generally and regularly, the constant ratio method of computation in the case of a finance charge which

(*i*) does not exceed five dollars and is applicable to an amount financed not exceeding seventy-five dollars, or

(*ii*) does not exceed seven dollars and fifty cents and is applicable to an amount financed exceeding seventy-five dollars.

Section 5. (*a*) The disclosures required to be given by this chapter shall be made clearly, conspicuously, in meaningful sequence, in accordance with the further requirements of this section, and at the time and in the terminology prescribed in applicable sections. Where the terms "finance charge" and "annual percentage rate" are required to be used, they shall be printed more conspicuously than other terminology required by this chapter. Except with respect to the requirements of section nine, all numerical amounts and percentages shall be stated in figures and shall be printed in not less than the equivalent of 10 point type, seventy-five one thousandths inch computer type, or elite size typewritten numerals, or shall be legibly handwritten.

(*b*) At the creditor's option, additional information or explanations may be supplied with any disclosure required by this chapter, but none shall be stated, utilized or placed so as to mislead or confuse the customer or contradict, obscure or detract attention from the information required by this chapter to be disclosed.

(*c*) If there is more than one creditor in a transaction, each creditor shall be clearly identified and shall be responsible for making only those disclosures required by this chapter which are within his knowledge and the purview of his relationship with the customer. If two or more creditors make a joint disclosure, each creditor shall be clearly identified. The disclosure required under subsections (*b*) and (*c*) of section seven shall be made by the seller if he extends or

arranges for the extension of credit. Otherwise, disclosure shall be made as required under subsections (*b*) and (*d*) of said section seven.

(*d*) In any transaction other than a transaction which may be rescinded under the provisions of section eight, if there is more than one customer, the creditor need furnish a statement of disclosure required by this chapter to only one of them other than an endorser, comaker, guarantor, or a similar party.

(*e*) If at the time disclosures must be made, an amount or other item of information required to be disclosed, or needed to determine a required disclosure, is unknown or not available to the creditor, and the creditor has made a reasonable effort to ascertain it, the creditor may use an estimated amount or an approximation of the information, provided the estimate or approximation is clearly identified as such, is reasonable, is based on the best information available to the creditor and is not used for the purpose of circumventing or evading the disclosure requirements of this chapter. Accurate information previously estimated shall be given to the customer as soon as practicable after it is available, and if finance charge or annual percentage rate has been estimated, the customer shall be obligated for the lesser of the estimated or accurate amounts.

However, on or before the due date of the first instalment all such information must be furnished to the customer in writing.

(*f*) If information disclosed in accordance with this chapter is subsequently rendered inaccurate as the result of any act, occurrence or agreement subsequent to the delivery of the required disclosures, the inaccuracy resulting therefrom shall not constitute a violation of this chapter.

(*g*) The disclosure of the amount of the finance charge or a percentage which is greater than the amount of the finance charge or percentage required to be disclosed under this chapter does not in itself constitute a violation of this chapter, provided that the overstatement is not for the purpose of circumvention or evasion of disclosure requirements.

(*h*) In other than open end credit, evidence of compliance with the requirements imposed under this chapter, other than advertising requirements under section nine, shall be preserved by the creditor for a period of not less than two years after the date of the final entry with respect to the credit transaction. In open end credit, evidence of compliance with the requirements imposed under this chapter, other than advertising requirements under section nine, shall be preserved by the creditor for a period of not less than two years after the date each disclosure is required to be made. Each creditor shall, when directed by the commissioner, permit the commissioner or his duly authorized representative to inspect its relevant records and evidence of compliance with this chapter.

Section 6. (*a*) Before the first transaction is made on any open end credit account, the creditor shall disclose to the customer in a single written statement, which the customer may retain, in terminology consistent with the requirements of subsection (*b*), each of the following items, to the extent applicable: (1) the conditions under which a finance charge may be imposed, including an explanation of the time period, if any, within which any credit extended may be paid

without incurring a finance charge; (2) the method of determining the balance upon which a finance charge may be imposed; (3) the method of determining the amount of the finance charge, including the method of determining any minimum, fixed, check service, transaction, activity, or similar charge, which may be imposed as a finance charge; (4) where one or more periodic rates may be used to compute the finance charge, each such rate, the range of balances to which it is applicable, and the corresponding annual percentage rate determined by multiplying the periodic rate by the number of periods in a year; (5) the conditions under which any other charges may be imposed and the method by which they will be determined; (6) the conditions under which the creditor may retain or acquire any security interest in any property to secure the payment of any credit extended on the account, and a description or identification of the type of the interest or interests which may be so retained or acquired; and (7) the minimum periodic payment required.

(*b*) Except in the case of an account which the creditor deems to be uncollectible or with respect to which delinquency collection procedures have been instituted, the creditor of any open end credit account shall mail or deliver to the customer, for each billing cycle at the end of which there is an outstanding debit balance in excess of one dollar in that account or with respect to which a finance charge is imposed, a statement or statements which the customer may retain, setting forth, in accordance with subsection (*c*), each of the following items to the extent applicable:

(1) The outstanding balance in the account at the beginning of the billing cycle, using the term "previous balance";

(2) The amount and date of each extension of credit or the date such extension of credit is debited to the account during the billing cycle and, unless previously furnished, a brief identification of any goods or services purchased or other extension of credit;

(3) The amounts credited to the account during the billing cycle for payments, using the term "payments", and for other credits including returns, rebates of finance charges, and adjustments, using the term "credits", and unless previously furnished a brief identification of each of the items included in such other credits;

(4) The amount of any finance charge, using the term "finance charge", debited to the account during the billing cycle, itemized and identified to show the amounts, if any, due to the application of periodic rates and the amount of any other charge included in the finance charge, such as a minimum, fixed, check service, transaction, activity, or similar charge, including any charges imposed by the creditor for the issuance, payment, or handling of checks, for account maintenance or otherwise, to the extent that such charges exceed any similar charges the customer is required to pay when an account is not being used to extend credit, using appropriate terminology to identify such charges;

(5) Each periodic rate, using the term "periodic rate", that may be used to compute the finance charge (whether or not applied during the billing cycle), and the range of balances to which it is applicable;

(6) The annual percentage rate or rates determined under subsection (*a*) of section four, using the term "annual percentage rate", and, where there is more than one rate, the amount of the balance to which

each rate is applicable. Where the creditor of the open end credit account imposes finance charges with respect to specific transactions during the billing cycle, such charges shall be combined with all other finance charges imposed during the billing cycle, and the annual percentage rate to be disclosed shall be determined by (*i*) dividing the sum of all of the finance charges imposed during the billing cycle by the sum of the balances to which the periodic rates apply (or by the average of daily balances if a daily periodic rate is used), plus the sum of the amounts financed to which the specific transaction charges apply, and (*ii*) multiplying the quotient (expressed as a percentage) by the number of billing cycles in a year;

(7) The balance on which the finance charge was computed, and a statement of how that balance was determined. If the balance is determined without first deducting all credits during the billing cycle, that fact and the amount of such credits shall also be disclosed;

(8) The closing date of the billing cycle and the outstanding balance in the account on that date, using the term "new balance", accompanied by the statement of the date by which, or the period, if any, within which, payment must be made to avoid additional finance charges.

(*c*) The disclosures required by subsection (*b*) shall be made on the face of the periodic statement, on its reverse side, or on the periodic statement supplemented by separate statement forms provided they are enclosed together and delivered to the customer at the same time, and provided further that

(1) The disclosure required by item (1) of subsection (*b*), the amounts or respective totals of the amounts required to be disclosed under items (2), (3) and (4) of subsection (*b*), and the disclosure required under items (6) and (8) of said subsection (*b*) appear on the face of the periodic statement. If the amounts and dates of the charges and credits required to be disclosed under said items (2) and (3) are not itemized on the face or reverse side of the periodic statement, they shall be disclosed on a separate statement or separate slips which shall accompany the periodic statement and identify each charge and credit and show the date and amount thereof. If the disclosures required under item (4) of said subsection (*b*) are not itemized on the face or reverse side of the periodic statement, they shall be disclosed on a separate supplemental statement which shall accompany the periodic statement;

(2) The disclosures required by items (5) and (6) of subsection (*b*) and a reference to the amounts required to be disclosed under items (4) and (7) of said subsection (*b*), if not disclosed together on the face or the reverse side of the periodic statement, appear together on the face of a single supplemental statement which shall accompany the periodic statement;

(3) The face of the periodic statement contains one of the following notices, as applicable: "NOTICE: See reverse side for important information" or "NOTICE: See accompanying statement(s) for important information" or "NOTICE: See reverse side and accompanying statement(s) for important information"; and

(4) The disclosures are not separated so as to confuse or mislead the customer or obscure or detract attention from the information required to be disclosed.

(*d*) Any creditor, other than the creditor of the open end credit account, who imposes a finance charge at the time of honoring a customer's credit card, any other device, or form of identification for a purchase of property or services or for a cash advance to be debited to the customer's open end credit account shall make the disclosures required under item (2) of subsection (*b*) and under subsection (*d*), both of section seven, at the time of that transaction, and the annual percentage rate to be disclosed shall be determined by dividing the amount of the finance charge by the amount financed and multiplying the quotient (expressed as a percentage) by twelve. If disclosure is made under this subsection, the creditor of the open end credit account need make no further disclosures with respect to the finance charge on that transaction.

(*e*) If any change is to be made in terms of an open end credit account plan previously disclosed to the customer, the creditor shall mail or deliver to the customer written disclosure of such proposed change not less than thirty days prior to the effective date of such change or thirty days prior to the beginning of the billing cycle within which such change will become effective, whichever is the earlier date.

(*f*) In the case of any open end credit account in existence and in which a balance remains unpaid on July one, nineteen hundred and sixty-nine, and which balance is deemed to be collectible and not subject to delinquency collection procedures, the items described in subsection (*a*), to the extent applicable, shall be disclosed in a notice mailed or delivered to the customer not later than July thirty-one, nineteen hundred and sixty-nine. If a customer subsequently utilizes such an account in existence on July one, nineteen hundred and sixty-nine, in which no balance remained unpaid on that date, and a notice required by subsection (*a*) has not previously been furnished that customer, then such notice shall be mailed or delivered to that customer before or with the next billing on that account.

Section 7. (*a*) Any creditor when extending credit other than open end credit shall, in accordance with section five and to the extent applicable, make the disclosures required by this section with respect to any transaction consummated on or after July one, nineteen hundred and sixty-nine. Except as provided in subsections (*g*) and (*h*), such disclosures shall be made before the transaction is consummated. At the time disclosures are made, the creditor shall furnish the customer with a duplicate of the instrument or a statement by which the required disclosures are made and on which the creditor is identified. All disclosures shall be made together on either (1) the note or other instrument evidencing the obligation on the same side of the page and above or adjacent to the place for the customer's signature; or (2) except as otherwise provided in chapters two hundred and fifty-five B, two hundred and fifty-five C and two hundred and fifty-five D, one side of a separate statement which identifies the transaction.

(*b*) In any transaction subject to this section, the following items, as applicable, shall be disclosed:

(1) The date on which the finance charge begins to accrue if different from the date of the transaction;

(2) The finance charge expressed as an annual percentage rate, using the term "annual percentage rate";

(3) The number, amount and due dates or periods of payments scheduled to repay the indebtedness and, except in the case of a loan secured by a first lien or equivalent security interest on a dwelling made to finance the purchase of that dwelling and except in the case of a sale of a dwelling, the sum of such payments using the term, "total of payments". If any payment is more than twice the amount of an otherwise regularly scheduled equal payment, the creditor shall identify the amount of such payment by the term "balloon payment" and shall state the conditions, if any, under which that payment may be refinanced if not paid when due;

(4) The amount, or method of computing the amount, of any default, delinquency or similar charges payable in the event of late payments;

(5) A description or identification of the type of any security interest held or to be retained or acquired by the creditor in connection with the extension of credit, and a clear identification of the property to which the security interest relates or, if such property is not identifiable, an explanation of the manner in which the creditor retains or may acquire a security interest in such property which the creditor is unable to identify. In any such case where a clear identification of such property cannot properly be made on the disclosure statement due to the length of such identification, the note, other instrument evidencing the obligation or separate disclosure statement shall contain reference to a separate pledge agreement, or a financing statement, mortgage, deed of trust, or similar document evidencing the security interest, a copy of which shall be furnished to the customer by the creditor as promptly as practicable. If after-acquired property will be subject to the security interest, or if other or future indebtedness is or may be secured by any such property, this fact shall be clearly set forth in conjunction with the description or identification of the type of security interest held, retained or acquired;

(6) A description of any penalty charge that may be imposed by the creditor or his assignee for prepayment of the principal of the obligation (such as a real estate mortgage) with an explanation of the method of computation of such penalty and the conditions under which it may be imposed; and

(7) Identification of the method of computing any unearned portion of the finance charge in the event of prepayment of the obligation and a statement of the amount or method of computation of any charge that may be deducted from the amount of any rebate of such unearned finance charge that will be credited to the obligation or refunded to the customer.

(*c*) In the case of a credit sale, in addition to the items required to be disclosed under subsection (*b*), the following items, as applicable, shall be disclosed:

(1) The cash price of the property or service purchased, using the term "cash price".

(2) The amount of the downpayment itemized, as applicable, as downpayment in money, using the term "cash downpayment", down-

payment in property, using the term "trade-in" and the sum, using the term "total downpayment".

(3) The difference between the amounts described in items (1) and (2), using the term "unpaid balance of cash price".

(4) All other charges, individually itemized, which are included in the amount financed but which are not part of the finance charge.

(5) The sum of the amounts determined under items (3) and (4), using the term "unpaid balance".

(6) Any amounts required to be deducted under subsection (*e*) using, as applicable, the terms "prepaid finance charge" and "required deposit balance", and, if both are applicable, the total of such items using the term "total prepaid finance charge and required deposit balance".

(7) The difference between the amounts determined under items (5) and (6), using the term "amount financed".

(8) Except in the case of a sale of a dwelling (*i*) the total amount of the finance charge, with description of each amount included, using the term "finance charge", and (*ii*) the sum of the amounts determined under items (1) and (4), and under clause (*i*) of item (8), using the term "deferred payment price".

(*d*) In the case of a loan or extension of credit which is not a credit sale, in addition to the items required to be disclosed under subsection (*b*), the following items, as applicable, shall be disclosed:

(1) The amount of credit, excluding items set forth in subsection (*e*), which will be paid to the customer or for his account or to another person on his behalf, including all charges, individually itemized, which are included in the amount of credit extended but which are not part of the finance charge, using the term "amount financed".

(2) Any amount referred to in subsection (*e*) required to be excluded from the amount in item (1), using, as applicable, the terms "prepaid finance charge" and "required deposit balance", and, if both are applicable, the total of such items using the term, "total prepaid finance charge and required deposit balance".

(3) Except in the case of a loan secured by a first lien or equivalent security interest on a dwelling and made to finance the purchase of that dwelling, the total amount of the finance charge, with description of each amount included, using the term "finance charge".

(*e*) The following amounts shall be disclosed and deducted in a credit sale in accordance with item (6) of subsection (*c*), and in other extensions of credit shall be excluded from the amount disclosed under item (1) of subsection (*d*), and shall be disclosed in accordance with item (2) of subsection (*d*):

(1) Any finance charge paid separately, in cash or otherwise, directly or indirectly, to the creditor or with the creditor's knowledge to another person, or withheld by the creditor from the proceeds of the credit extended, which shall nevertheless be included in determining the finance charge under section three.

(2) Any deposit balance or any investment which the creditor requires the customer to make, maintain or increase in a specified amount or proportion as a condition to the extension of credit except (*i*) an escrow account under clause (3) of subsection (*e*) of section three, (*ii*) a deposit balance which will be wholly applied toward

satisfaction of the customer's obligation in the transaction, (*iii*) a deposit balance or investment which was in existence prior to the extension of credit and which is offered by the customer as security for that extension of credit, (*iv*) a deposit balance or investment which was acquired or established from the proceeds of an extension of credit made for that purpose upon written request of the customer.

(*f*) In any case where a first lien or equivalent security interest in real property is retained or acquired by a creditor in connection with the financing of the initial construction of a dwelling, or in connection with a loan to satisfy that construction loan and provide permanent financing of that dwelling, whether or not the customer previously owned the land on which that dwelling is to be constructed, such security interest shall be considered a first lien against that dwelling to finance the purchase of that dwelling.

(*g*) If a creditor receives a purchase order or a request for an extension of credit by mail, telephone or written communication without personal solicitation, the disclosures required under this section may be made any time not later than the date the first payment is due, provided that (1) in the case of credit sales, the cash price, the downpayment, the finance charge, the deferred payment price, the annual percentage rate and the number, frequency and amount of payments are set forth in or are determinable from the creditor's catalog or other printed material distributed to the public; or (2) in the case of loans or other extensions of credit, the amount of the loan, the finance charge, the total scheduled payments, the number, frequency, and amount of payments, and the annual percentage rate for representative amounts or ranges of credit are set forth in or are determinable from the creditor's printed material distributed to the public, in the contract of loan, or in other printed material delivered or made available to the customer.

(*h*) If a credit sale is one of a series of transactions made pursuant to an agreement providing for the addition of the amount financed plus the finance charge for the current sale to an existing outstanding balance, then the disclosures required under this section for the current sale may be made at any time not later than the date the first payment for that sale is due, provided that (1) the customer has approved in writing both the annual precentage rate or rates and the method of treating any unearned finance charge on an existing outstanding balance in computing the finance charge or charges; and (2) the creditor retains no security interest in any property as to which he has received payments aggregating the amount of the sale price including any finance charges attributable thereto. For the purposes of this clause, in the case of items purchased on different dates, the first purchased shall be deemed first paid for, and in the case of items purchased on the same date, the lowest priced shall be deemed first paid for.

(*i*) If a loan is one of a series of advances made pursuant to a written agreement under which a creditor is or may be committed to extend credit to a customer up to a specified amount, and the customer has approved in writing the annual percentage rate or rates, the method of computing the finance charge or charges, and any other terms, the agreement shall be considered a single transaction, and the

disclosures required under this section at the creditor's option need be made only at the time the agreement is executed.

(*j*) If any existing extension of credit is refinanced, or two or more existing extensions of credit are consolidated, or an existing obligation is increased, such transaction shall be considered a new transaction subject to the disclosure requirements of this chapter. For the purpose of such disclosure, any unearned portion of the finance charge which is not credited to the existing obligation shall be added to the new finance charge and shall not be included in the new amount financed. Any increase in an existing obligation to reimburse the creditor for undertaking the customer's obligation in perfecting, protecting or preserving the security shall not be considered a new transaction subject to this chapter. Any advance for agricultural purposes made under an open end real estate mortgage or similar lien shall not be considered a new transaction subject to the disclosure requirements of this section, provided that (1) the maturity of the advance does not exceed two years; (2) no increase is made in the annual percentage rate previously disclosed; and (3) all disclosures required by this chapter were made at the time the security interest was acquired by the creditor or at any time prior to the first advance made on or following the effective date of this chapter.

(*k*) Any creditor who accepts a subsequent customer as an obligor under an existing obligation shall make the disclosures required by this chapter to that customer before he becomes so obligated. If the obligation so assumed is secured by a first lien or equivalent security interest on a dwelling, and the assumption is made for the subsequent customer to acquire that dwelling, that obligation shall be considered a loan made to finance the purchase of that dwelling.

(*l*) In the case of an obligation other than an obligation upon which the amount of the finance charge is determined by the application of a percentage rate to the unpaid balance, if the creditor imposes a charge or fee for deferral or extension, the creditor shall disclose to the customer (1) the amount deferred or extended, (2) the date to which, or the time period for which payment is deferred or extended, (3) the amount of the charge or fee for the deferral or extension, and (4) other charges arising by reason of such deferral or extension which are not part of the deferral charge, including the amount of any additional premium for insurance, and if new or additional insurance coverage is required by the creditor as a condition of such deferral or extension, a description of such new or additional insurance coverage.

(*m*) Any extension of credit involving a series of single payment obligations shall be considered a single transaction subject to the disclosure requirements of this chapter.

(*n*) If a creditor transmits a periodic billing statement other than a delinquency notice, payment coupon book, or payment passbook, or a statement, billing, or advice relating exclusively to amounts to be paid by the customer as escrows for payment of taxes, insurance, and water, sewer, and land rents, it shall be in a form which the customer may retain, and it shall set forth (1) the annual percentage rate or rates; and (2) the date by which, or the period, if any, within which payment must be made in order to avoid late payment or delinquency charges.

(*o*) Except as provided under subsection (*c*) of section two, the amount of any discount allowed for payment of a single payment obligation on or before a specified date, or charge for delaying payment after a specified date, shall be disclosed on the billing statement as a finance charge imposed on the least amount payable in satisfaction of the obligation (amount financed) for the period of time between the specified date and the due date of the obligation, or in the absence of a designated due date, the date the billing cycle ends. Except as provided in item (2) of subsection (*b*) of this section, each such billing statement shall, in addition to stating the amount of that "finance charge", using that term, state the "annual percentage rate", using that term, computed so that it may be disclosed with an accuracy to the nearest quarter of one per cent and determined by (1) dividing the amount of the finance charge by the amount financed; (2) dividing the quotient so obtained by the number of days between the specified date and the due date of the obligation, or, in the absence of a designated due date, the date the billing cycle ends; and (3) multiplying the quotient so obtained (expressed as a percentage) by three hundred and sixty-five.

Section 8. (*a*) Except as otherwise provided in this section, in any credit transaction in which a security interest is or will be retained or acquired in any real property which is used or is expected to be used as the principal residence of the customer, the customer shall have the right to rescind that transaction until midnight of the third business day following the date of consummation of that transaction or the date of delivery of the disclosures required under this section and all other material disclosures required under this chapter, whichever is later, by notifying the creditor by mail, telegram or other writing of his intention to do so. Notification by mail shall be considered given at the time of the mailing; notification by telegram shall be considered given at the time of the filing for transmission; and notification by other writing shall be considered given at the time of the delivery to the creditor's designated place of business. Business day is any calendar day except Sunday, the following federal business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving and Christmas, and any legal holiday under the laws of the commonwealth.

(*b*) Whenever a customer has the right to rescind a transaction under subsection (*a*), the creditor shall notify him of that fact by furnishing him with two copies of the notice set out below, one of which may be used by the customer to cancel the transaction. Such notice shall be printed in capital and lower case letters of not less than twelve point bold-faced type on one side of a separate statement which identifies the transaction to which it relates. Such statement shall also set forth under the heading "Effect of Rescission" a copy of subsection (*d*). If such copy of subsection (*d*) appears on the reverse side of the statement, the face of the statement shall state: "See reverse side for important information about your right of rescission". Before furnishing the copies of the notice to the customer, the creditor shall complete both copies with the name of the creditor, the address of the creditor's place of business, the date of consummation of the transaction and the date, not earlier than the third business

day following the date of the transaction, by which the customer may give notice of cancellation.

NOTICE TO CUSTOMER REQUIRED BY LAW:

You have entered into a transaction on (Date) which may result in a lien, mortgage or other security interest on your home. You have a legal right under law to cancel this transaction, if you desire to do so, without any penalty or obligation within three business days from the above date or any later date on which all material disclosures required under the truth-in-lending act have been given to you. If you so cancel the transaction, any lien, mortgage or other security interest on your home arising from this transaction is automatically void. You are also entitled to receive a refund of any downpayment or other consideration if you cancel. If you decide to cancel this transaction, you may do so by notifying:

(Name of Creditor)

at (Address of Creditor's Place of Business)

by mail or telegram sent not later than midnight of (Date) . You may also use any other form of written notice identifying the transaction if it is delivered to the above address not later than that time. This notice may be used for that purpose by dating and signing below.

I hereby cancel this transaction.

(Date) (Customer's signature)

(*c*) Except as provided in subsection (*e*), the creditor in any transaction subject to this section shall not perform, or cause or permit the performance of, any of the following actions until after the rescission period has expired and he has reasonably satisfied himself that the customer has not exercised his right of rescission: (1) disburse any money other than in escrow, (2) make any physical changes in the property of the customer, (3) perform any work or service for the customer, or (4) make any deliveries to the residence of the customer if the creditor has retained or will acquire a security interest other than one arising by operation of law.

(*d*) If a customer exercises his right to rescind under subsection (*a*), he shall not be liable for any finance or other charge, and any security interest shall become void upon such rescission. Within ten days after receipt of a notice of rescission, the creditor shall return to the customer any money or property given as earnest money, downpayment, or otherwise, and shall take any action necessary or appropriate to reflect the termination of any security interest created under the transaction. If the creditor has delivered any property to the customer, the customer may retain possession of it. Upon the performance of the creditor's obligations under this section, the customer shall tender

the property to the creditor, except that if return of the property in kind would be impracticable or inequitable, the customer shall tender its reasonable value. Tender shall be made at the location of the property or at the residence of the customer, at the option of the customer. If the creditor shall not take possession of the property within ten days after tender by the customer, ownership of the property shall vest in the customer without obligation on his part to pay for it.

(*e*) A customer may modify or waive his right to rescind a transaction subject to the provisions of this section provided:

(1) The extension of credit is needed in order to meet a bona fide immediate personal financial emergency of the customer;

(2) The customer has determined that a delay of three business days in performance of the creditor's obligation under the transaction will jeopardize the welfare, health or safety of natural persons or endanger property which the customer owns or for which he is responsible; and

(3) The customer furnishes the creditor with a separate dated and signed personal statement describing the situation requiring immediate remedy and modifying or waiving his right of rescission. The use of printed forms for this purpose is prohibited.

(*f*) For the purpose of this section, "customer" shall include two or more customers if joint ownership is involved, and the right of rescission of the transaction may be exercised by any one of them, in which case the effect of rescission in accordance with subsection (*d*) shall apply to all of them; and any waiver of the right of rescission provided in subsection (*e*) shall be invalid unless signed by all of them.

(*g*) This section shall not apply to:

(1) The creation, retention or assumption of a first lien or equivalent security interest to finance the acquisition of a dwelling in which the customer resides or expects to reside.

(2) A security interest which is a first lien retained or acquired by a creditor in connection with the financing of the initial construction of the residence of the customer, or in connection with a loan committed prior to completion of the construction of that residence to satisfy that construction loan and provide permanent financing of that residence, whether or not the customer previously owned the land on which that residence is to be constructed.

(3) Any lien by reason of its subordination at any time subsequent to its creation, if such lien was exempt from the provisions of this section when it was originally created.

(4) Any advance for agricultural purposes made pursuant to subsection (*j*) of section seven under an open end real estate mortgage or similar lien, provided the disclosure required under subsection (*b*) of this section, was made at the time the security interest was acquired by the creditor or at any time prior to the first advance made on or following the effective date of this chapter.

(*h*) Notwithstanding any rule of evidence, written acknowledgment of receipt of any disclosures required under this chapter by a person to whom a statement is required to be given pursuant to this section does no more than create a rebuttable presumption of delivery thereof.

Section 9. (*a*) No advertisement to aid, promote or assist directly or indirectly any extension of credit may state (1) that a specific

amount of credit or instalment amount can be arranged unless the creditor usually and customarily arranges or will arrange credit amounts or instalments for that period and in that amount; or (2) that no downpayment or that a specified downpayment will be accepted in connection with any extension of credit, unless the creditor usually and customarily accepts or will accept downpayments in that amount.

(*b*) If a catalog or other multiple-page advertisement sets forth or gives information in sufficient detail to permit determination of the disclosures required by this section in a table or schedule of credit terms, such catalog or multiple-page advertisement shall be considered a single advertisement provided:

(1) The table or schedule and the disclosures made therein are set forth clearly and conspicuously, and

(2) Any statement of credit terms appearing in any place other than in that table or schedule of credit terms clearly and conspicuously refers to the page or pages on which that table or schedule appears, unless that statement discloses all of the credit terms required to be stated under this section. For the purpose of this clause, cash price is not a credit term.

(*c*) No advertisement to aid, promote or assist directly or indirectly the extension of open end credit may set forth any of the terms described in subsection (*a*) of section six or that no downpayment, a specified downpayment, or a specified periodic payment is required on any of the following items unless it also clearly and conspicuously sets forth all the following items in terminology prescribed under subsection (*b*) of section six:

(1) An explanation of the time period, if any, within which any credit extended may be paid without incurring a finance charge.

(2) The method of determining the balance upon which a finance charge may be imposed.

(3) The method of determining the amount of the finance charge, including the determination of any minimum, fixed, check service, transaction, activity, or similar charge, which may be imposed as a finance charge.

(4) Where one or more periodic rates may be used to compute the finance charge, each such rate, the range of balances to which it is applicable, and the corresponding annual percentage rate determined by multiplying the periodic rate by the number of periods in a year.

(5) The conditions under which any other charges may be imposed, and the method by which they will be determined.

(6) The minimum periodic payment required.

(*d*) No advertisement to aid, promote or assist directly or indirectly any credit sale including the sale of residential real estate, loan, or other extension of credit, other than open end credit, subject to the provisions of this chapter, shall state (1) the rate of a finance charge unless it states the rate of that charge expressed as an "annual percentage rate", using that term; (2) the amount of the downpayment required or that no downpayment is required, the amount of any instalment payment, the dollar amount of any finance charge, the number of instalments or the period of repayment, or that there is no charge for credit, unless it states all the following items in terminology prescribed under section seven: (*i*) the cash price or the amount of the loan,

as applicable, (*ii*) the amount of the downpayment required or that no downpayment is required, as applicable, (*iii*) the number, amount and due dates or period of payments scheduled to repay the indebtedness if the credit is extended, (*iv*) the amount of the finance charge expressed as an annual percentage rate, and (*v*) except in the case of the sale of a dwelling or a loan secured by a first lien on a dwelling to purchase that dwelling, the deferred payment price or the sum of the payments, as applicable.

Section 10. (*a*) Whoever violates any provision of this chapter shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both, and whoever violates any rule or regulation made hereunder by the commissioner shall be punished by a fine of not more than five hundred dollars.

Whoever willfully and knowingly (1) gives false or inaccurate information or fails to provide information which he is required to disclose under the provisions of this title or any regulation issued thereunder, (2) uses any chart or table authorized by this chapter in such a manner as to consistently understate the annual percentage rate determined under section four, or (3) otherwise fails to comply with any requirement imposed under this chapter, shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than one year, or both.

(*b*) Any creditor who fails in connection with any consumer credit transaction to disclose to any person any information required under this chapter or any rule or regulation made thereunder by the commissioner to be disclosed to that person shall be liable to that person in an amount equal twice the amount of the finance charge in connection with the transaction, except that the liability under this clause shall not be less than one hundred dollars nor more than one thousand dollars, and in the case of any successful action to enforce such liability, a reasonable attorney's fee as determined by the court, but a creditor may not be held liable in any action brought under this subsection, if he shows by a preponderance of evidence that such violation was not intentional and resulted from a bona fide error in a mathematical computation, or in the layout or format, size of type or order of clauses contained in such disclosure statement.

(*c*) Any action which may be brought under this section against the original creditor in any credit transaction involving a security interest in real property may be maintained against any subsequent assignee of the original creditor if the assignee, its subsidiaries or affiliates were in a continuing business relationship with the original creditor either at the time the credit was extended or at the time of the assignment, unless the assignment was involuntary, or unless the assignee shows by a preponderance of evidence that it did not have reasonable grounds to believe that the original creditor was engaged in a violation of this chapter, and that it maintained procedures reasonably adapted to apprise it of the existence of any such violation.

(*d*) Except as provided in subsection (*h*) of section eight and except in the case of actions brought under subsection (*c*) of this section, in any action or proceeding by or against any subsequent assignee of the original creditor without knowledge to the contrary by the assignee when he acquires the obligation, written acknowledgment of receipt by a person to whom a statement is required to be

given pursuant to this chapter shall be conclusive proof of the delivery thereof and, unless the violation is apparent on the face of the statement, of compliance with this chapter. This section does not affect the rights of the obligor in any action against the original creditor.

Section 11. The commissioner may prescribe from time to time such rules and regulations as may be necessary or proper in carrying out the provisions of this chapter. Such rules and regulations may contain such classifications, differentiations or other provisions, and may provide for such adjustments and exceptions for any class of transactions, as in the judgment of the commissioner are necessary or proper to carry out the purposes of this chapter, to prevent circumvention or evasion thereof, or to facilitate compliance therewith; provided, however, that no such rule or regulation shall contain any classification, differentiation or other provision with respect to, or provide for any adjustment or exception for, any class of transaction which would result in less stringent disclosure requirements than afforded that class of transaction under the Federal Consumer Credit Protection Act and Regulation Z issued by the board of governors of the federal reserve system pursuant thereto.

Section 12. A violation of this chapter shall constitute a violation of chapter ninety-three A.

Section 13. This chapter shall be known and may be cited as the Truth-in-Lending Act.

SECTION 2. Chapter one hundred and forty A of the General Laws is hereby repealed.

SECTION 3. Section 1 of chapter 255B of the General Laws is hereby amended by striking out the definition of "Annual finance charge formula", as amended by section 2 of chapter 354 of the acts of 1968, and inserting in place thereof the following two definitions:—

"Amount financed", the amount of credit of which the retail buyer will have the actual use determined in accordance with section seven, subsection (*c*) (7) of chapter one hundred and forty C.

"Annual percentage rate", the annual percentage rate of finance charge determined in accordance with the provisions of section four of chapter one hundred and forty C.

SECTION 4. Said section 1 of said chapter 255B is hereby further amended by striking out the definition of "Cash sale price", as appearing in section 1 of chapter 674 of the acts of 1958, and inserting in place thereof the following definition:—

"Cash price", the price at which the seller offers, in the ordinary course of business, to sell for cash the property or services which are the subject of a consumer credit transaction. It may include, if itemized, the cash price of accessories or services related to the sale such as delivery, installation, alterations, modification and improvements, and may include taxes to the extent imposed on the cash sale. Itemization may be on a separate statement.

SECTION 5. Said section 1 of said chapter 255B is hereby further amended by striking out the definition of "Finance charge", as so appearing, and inserting in place thereof the following definition:—

"Finance charge", the cost of credit determined in accordance with the provisions of section three of chapter one hundred and forty C.

SECTION 6. Said section 1 of said chapter 255B is hereby further

amended by striking out the definition of "Principal balance", inserted by section 1B of chapter 284 of the acts of 1966.

SECTION 7. Said section 1 of said chapter 255B is hereby further amended by striking out the definition of "Recording charges", as appearing in section 1 of chapter 674 of the acts of 1958, and inserting in place thereof the following definition:—

"Official fees", the fees and charges prescribed by law which actually are or will be paid to a public officer to perfect the security interest or lien, in or on a motor vehicle, retained or taken by a seller under a retail instalment contract, and to file or record a release, satisfaction or discharge of the security interest or lien.

SECTION 8. Section 3 of said chapter 255B is hereby amended by striking out the first sentence, as so appearing, and inserting in place thereof the following two sentences:—The commissioner may prescribe from time to time such rules and regulations as may be necessary or proper in carrying out the provisions of this chapter, the granting of licenses and the renewal thereof and the fees to be charged therefor. Such rules and regulations may contain such classifications, differentiations or other provisions, and may provide for such adjustments and exceptions for any class of transactions, as in the judgment of the commissioner are necessary or proper to carry out the purposes of this chapter, to prevent circumvention or evasion thereof, or to facilitate compliance therewith; provided, however, that no such rule or regulation shall contain any classification, differentiation or other provision with respect to, or provide for any adjustment or exception for, any class of transaction which would result in less stringent disclosure requirements than afforded that class of transaction under the Federal Consumer Credit Protection Act and Regulation Z issued by the board of governors of the federal reserve system pursuant thereto.

SECTION 9. The first paragraph of section 9 of said chapter 255B, as so appearing, is hereby amended by striking out, in lines 5 and 6, the words "printed or written, in a size equal to at least ten point bold type" and inserting in place thereof the words:—conspicuously printed or written,—and by striking out, in lines 9 and 10, the sentence "1. Do not sign this contract before you read it or if it contains any blank space." and inserting in place thereof the following sentence:— 1. Do not sign this contract if any of the spaces intended for the agreed terms to the extent of then available information are left blank.

SECTION 10. Said section 9 of said chapter 255B, as so appearing, is hereby further amended by striking out the last paragraph and inserting in place thereof the following three paragraphs:—

The contract shall also contain the following items:—

(1) The cash price of the motor vehicle purchased, using the term "cash price".

(2) The amount of the downpayment itemized, as applicable, as downpayment in money, using the term "cash downpayment", downpayment in goods, using the term "trade-in", a brief description of the goods, if any, traded in, and the sum, using the term "total downpayment".

(3) The difference between the amounts described in items (1) and (2) using the term "unpaid balance of cash price".

(4) The amount, if any, included for insurance on the motor vehicle, specifying the types of coverage and coverage periods.

(5) The amount, if any, included for other insurance and other benefits specifying the types of coverage and the coverage periods and separately stating each insurance premium.

(6) The amount of official fees.

(7) All other charges, individually itemized, which are included in the amount financed, but which are not part of the finance charge.

(8) The sum of the amounts determined under items (3), (4), (5), (6) and (7), using the term "unpaid balance".

(9) Any amounts required to be deducted under subsection (*e*) of section seven of chapter one hundred and forty C using, as applicable, the terms "prepaid finance charge" and "required deposit balance", and, if both are applicable, the total of such items using the term "total prepaid finance charge and required deposit balance".

(10) The difference between the amounts determined under items (8) and (9); using the term "amount financed".

(11) The total amount of the finance charge, with description of each amount included, using the term "finance charge", and

(12) The sum of the amounts determined under items (1), (6) and (11) and, if not included in (11), items (4), (5) and (7) using the term "deferred payment price".

The contract shall, in addition, contain the following items, as applicable:—

(1) The date on which the finance charge begins to accrue if different from the date of the transaction.

(2) The finance charge expressed as an annual percentage rate, using the term "annual percentage rate".

(3) The number, amount and due dates or periods of payments scheduled to repay the indebtedness and the sum of such payments using the term, "total of payments". If any payment is more than twice the amount of an otherwise regularly scheduled equal payment, the seller shall identify the amount of such payment by the term "balloon payment" and shall state the conditions, if any, under which that payment may be refinanced if not paid when due.

(4) The amount, or method of computing the amount, of any default, delinquency, or similar charges payable in the event of late payments.

(5) A description or identification of the type of any security interest held or to be retained or acquired by the seller in connection with the extension of credit, and a clear identification of the motor vehicle to which the security interest relates.

(6) Identification of the method of computing any unearned portion of the finance charge in the event of prepayment of the obligation and a statement of the amount or method of computation of any charge that may be deducted from the amount of any rebate of such unearned finance charge that will be credited to the obligation or refunded to the buyer.

(7) A statement that in the case of repossession and sale of any collateral subject to a security interest for default all sums paid on account of such payments and any sum remaining from the proceeds of a sale of such repossessed motor vehicle after deducting the reasonable expenses of such repossession and sale as are allowed by

section twenty A of this chapter, shall be applied in reduction of such price, and that, if the net proceeds of such sale exceed the balance due on such payments, the sum remaining shall be paid to the buyer.

The disclosures required to be given shall be made clearly, conspicuously, and in meaningful sequence. Where the terms "finance charge" and "annual percentage rate" are required to be used, they shall be printed more conspicuously than other terminology required by this chapter. All numerical amounts and percentages shall be stated in figures and shall be printed in not less than the equivalent of ten point type, seventy-five one thousandths inch computer type, or elite size typewritten numerals, or shall be legibly handwritten.

SECTION 11. Section 14 of said chapter 255B is hereby amended by striking out the second paragraph, as so appearing, and inserting in place thereof the following paragraph:—

Such finance charge shall be computed on the amount financed as determined under section nine on contracts payable in successive monthly instalments substantially equal in amount.

SECTION 12. Section 14A of said chapter 255B is hereby amended by striking out the last sentence, as amended by section 6 of chapter 587 of the acts of 1966.

SECTION 13. Section 17 of said chapter 255B, as amended by chapter 293 of the acts of 1962, is hereby further amended by striking out, in lines 4 and 9, the words "time balance" and inserting in place thereof, in each instance, the words:—total of payments.

SECTION 14. Section 20 of said chapter 255B, as appearing in section 1 of chapter 674 of the acts of 1958, is hereby amended by striking out, in line 8, the words "total time" and inserting in place thereof the words:—deferred payment,—and by striking out, in line 10, the words "time balance" and inserting in place thereof the words:—total of payments.

SECTION 15. Clause (3) of subsection C of section 20A of said chapter 255B, as appearing in section 3 of chapter 284 of the acts of 1966, is hereby amended by striking out, in line 1, the words "time balance" and inserting in place thereof the words:—total of payments.

SECTION 16. Said chapter 255B is hereby further amended by adding the following section:—

Section 25. A transaction, although subject to this chapter, shall also be subject to the provisions of chapter one hundred and forty C and in the case of conflict between the provisions of this chapter and that chapter, the provisions of that chapter shall control.

SECTION 17. Section 1 of chapter 255C of the General Laws is hereby amended by striking out the definition of "Annual finance charge formula", as amended by section 3 of chapter 354 of the acts of 1968, and inserting in place thereof the following definition:—

(6) "Annual percentage rate", the annual percentage rate of finance charge determined in accordance with the provisions of section four of chapter one hundred and forty C.

SECTION 18. Said chapter 255C is hereby further amended by striking out section 7, as appearing in section 1 of chapter 727 of the acts of 1964, and inserting in place thereof the following section:—

Section 7. The commissioner may prescribe from time to time such rules and regulations as may be necessary or proper in carrying out the provisions of this chapter. Such rules and regulations may contain

such classifications, differentiations or other provisions, and may provide for such adjustments and exceptions for any class of transactions, as in the judgment of the commissioner are necessary or proper to carry out the purposes of this chapter, to prevent circumvention or evasion thereof, or to facilitate compliance therewith; provided, however, that no such rule or regulation shall contain any classification, differentiation or other provision with respect to, or provide for any adjustment or exception for, any class of transaction which would result in less stringent disclosure requirements than afforded that class of transaction under the Federal Consumer Credit Protection Act and Regulation Z issued by the board of governors of the federal reserve system pursuant thereto.

SECTION 19. Said chapter 255C is hereby further amended by striking out section 13, as amended by section 3 of chapter 587 of the acts of 1966, and inserting in place thereof the following section:—

Section 13. A premium finance agreement shall be in writing on a form approved by the commissioner.

Such agreement shall set forth the following information:—

(1) The cash price of the total premiums, using the term "cash price".

(2) The amount of downpayment, using the term "cash downpayment".

(3) The difference between the amounts described in items (1) and (2) using the term "unpaid balance of cash price".

(4) The amount, if any, included for credit life and accident and health insurance, specifying the types of coverage and the coverage periods and separately stating each insurance premium.

(5) All other charges, individually itemized, which are included in the amount financed, but which are not part of the finance charge.

(6) The sum of the amounts determined under items (3), (4) and (5), using the term "unpaid balance".

(7) Any amounts required to be deducted under subsection (*e*) of section seven of chapter one hundred and forty C using, as applicable, the terms "prepaid finance charge" and "required deposit balance", and, if both are applicable, the total of such items, using the term "total prepaid finance charge and required deposit balance".

(8) The difference between the amounts determined under items (6) and (7), using the term "amount financed".

(9) The total amount of the finance charge, with description of each amount included, using the term "finance charge" and

(10) The sum of the amounts determined under items (1) and (9), and, if not included in (9), items (4) and (5) using the term "deferred payment price".

The contract shall, in addition, contain the following items as applicable:—

(1) The date on which the finance charge begins to accrue if different from the date of the transaction.

(2) The finance charge expressed as an annual percentage rate, using the term "annual percentage rate".

(3) The number, amount and due dates or periods of payments scheduled to repay the indebtedness and the sum of such payments using the term, "total of payments". If any payment is more than twice the amount of an otherwise regularly scheduled equal payment,

the premium finance agency shall identify the amount of such payment by the term "balloon payment" and shall state the conditions, if any, under which that payment may be refinanced if not paid when due.

(4) The amount, or method of computing the amount, of any default, delinquency, or similar charges payable in the event of late payments.

(5) A description or identification of the type of any security interest held or to be retained or acquired by the premium finance agency in connection with the extension of credit, and a clear identification of the insurance coverages to which the security interest relates.

(6) Identification of the method of computing any unearned portion of the finance charge in the event of prepayment of the obligation and a statement of the amount or method of computation of any charge that may be deducted from the amount of any rebate of such unearned finance charge that will be credited to the obligation or refunded to the insured.

The disclosures required to be given shall be made clearly, conspicuously and in meaningful sequence. Where the terms "finance charge" and "annual percentage rate" are required to be used, they shall be printed more conspicuously than other terminology required by this chapter. All numerical amounts and percentages shall be stated in figures and shall be printed in not less than the equivalent of ten point type, seventy-five one thousandths inch computer type, or elite size typewritten numerals or shall be legibly handwritten.

SECTION 20. Section 21 of said chapter 255C, as appearing in section 1 of chapter 727 of the acts of 1964, is hereby amended by striking out, in lines 8 and 9, the words "principal balance" and inserting in place thereof, in each instance, the words:—amount financed.

SECTION 21. Said chapter 255C is hereby further amended by adding the following section:—

Section 23. A transaction, although subject to this chapter, shall also be subject to the provisions of chapter one hundred and forty C and in the case of conflict between the provisions of this chapter and that chapter, the provisions of that chapter shall control.

SECTION 22. Section 1 of chapter 255D of the General Laws is hereby amended by striking out the definition of "Annual finance charge formula", as amended by section 4 of chapter 354 of the acts of 1968, and inserting in place thereof the following two definitions:—

"Amount financed", the amount of credit of which the retail buyer will have the actual use determined in accordance with section seven, subsection (*c*) (7) of chapter one hundred and forty C.

"Annual percentage rate", the annual percentage rate of finance charge determined in accordance with the provisions of section four of chapter one hundred and forty C.

SECTION 23. Said section 1 of said chapter 255D is hereby further amended by striking out the definition of "Cash sale price", as appearing in section 1 of chapter 284 of the acts of 1966, and inserting in place thereof the following definition:—

"Cash price", the price at which the seller offers, in the ordinary course of business, to sell for cash the property or services which are the subject of a consumer credit transaction. It may include if

itemized the cash price of accessories or services related to the sale such as delivery, installation, alterations, modification and improvements, and may include taxes to the extent imposed on the cash sale. Itemization may be on a separate statement.

SECTION 24. Said section 1 of said chapter 255D is hereby further amended by inserting after the definition of "Commissioner", as so appearing, the following definition:—

"Deferred payment price", the total of the cash price, the charge for any insurance, the amount of official fees, if any, all other charges, if any, which are included in the amount financed, but which are not part of the finance charge, and the finance charge.

SECTION 25. Said section 1 of said chapter 255D is hereby further amended by striking out the definition of "Finance charge", as so appearing, and inserting in place thereof the following definition:—

"Finance charge", the cost of credit determined in accordance with the provisions of section three of chapter one hundred and forty C.

SECTION 26. Said section 1 of said chapter 255D is hereby further amended by striking out the definition of "Official fees", as so appearing, and inserting in place thereof the following definition:—

"Official fees", the fees and charges prescribed by law which are or will be paid to a public officer to perfect the security interest or lien, in or on the goods or services retained or taken by a seller under a retail instalment sale agreement or revolving credit agreement, and to file or record a release, satisfaction or discharge of the security interest or lien.

SECTION 27. Said section 1 of said chapter 255D is hereby further amended by striking out the definitions of "Principal balance", "Time balance", and "Time Sale Price", as so appearing.

SECTION 28. Section 3 of said chapter 255D is hereby amended by striking out the first sentence, as so appearing, and inserting in place thereof the following two sentences:—The commissioner may prescribe from time to time such rules and regulations as may be necessary or proper in carrying out the provisions of this chapter, the granting of licenses and the renewal thereof and the fees to be charged therefor. Such rules and regulations may contain such classifications, differentiations or other provisions, and may provide for such adjustments and exceptions for any class of transactions, as in the judgment of the commissioner are necessary or proper to carry out the purposes of this chapter, to prevent circumvention or evasion thereof, or to facilitate compliance therewith; provided, however, that no such rule or regulation shall contain any classification, differentiation or other provision with respect to, or provide for any adjustment or exception for, any class of transaction which would result in less stringent disclosure requirements than afforded that class of transaction under the Federal Consumer Credit Protection Act and Regulation Z issued by the board of governors of the federal reserve system pursuant thereto.

SECTION 29. Subsection A of section 9 of said chapter 255D, as so appearing, is hereby amended by inserting after the word "in", in line 2, the words:—at least,—and by striking out, in lines 5 and 9, the words "in ten point boldface type" and inserting in place thereof, in each instance, the words:—appearing conspicuously.

SECTION 30. Subsection B of said section 9 of said chapter 255D, as

so appearing, is hereby amended by striking out, in lines 5 and 6, the words "in twelve point extra bold type" and inserting in place thereof the words:—appearing conspicuously.

SECTION 31. Said section 9 of said chapter 255D is hereby further amended by striking out subsection C, as most recently amended by section 1 of chapter 543 of the acts of 1968, and inserting in place thereof the following three paragraphs:—

C. There shall be included on the first page of every retail instalment sale agreement the dollar amounts of the following items, if applicable, such items to be so designated:

(1) The cash price of the goods or services or both purchased using the term "cash price".

(2) The amount of the downpayment itemized, as applicable, as downpayment in money, using the term "cash downpayment", downpayment in goods, using the term "trade-in", a brief description of the goods, if any traded in, and the sum, using the term "total downpayment".

(3) The difference between the amounts described in items (1) and (2) using the term "unpaid balance of cash price".

(4) The amount, if any, included for insurance on the goods or services or both, specifying the types of coverage and coverage periods.

(5) The amount, if any, included for other insurance and other benefits specifying the types of coverage and the coverage periods and separately stating each insurance premium.

(6) The amount of official fees.

(7) All other charges, individually itemized, which are included in the amount financed, but which are not part of the finance charge.

(8) The sum of the amounts determined under items (3), (4), (5), (6) and (7), using the term "unpaid balance".

(9) Any amounts required to be deducted under subsection (*e*) of section seven of chapter one hundred and forty C using, as applicable, the terms "prepaid finance charge" and "required deposit balance", and, if both are applicable, the total of such items using the term "total prepaid finance charge and required deposit balance".

(10) The difference between the amounts determined under items (8) and (9); using the term "amount financed".

(11) The total amount of the finance charge, with description of each amount included, using the term "finance charge", and

(12) The sum of the amounts determined under items (1), (6) and (11) and, if not included in (11), items (4), (5) and (7) using the term "deferred payment price".

The contract shall, in addition, contain the following items, as applicable:

(1) The date on which the finance charge begins to accrue if different from the date of the transaction.

(2) The finance charge expressed as an annual percentage rate, using the term "annual percentage rate".

(3) The number, amount and due dates or periods of payments scheduled to repay the indebtedness and the sum of such payments using the term, "total of payments". If any payment is more than twice the amount of an otherwise regularly scheduled equal payment,

the seller shall identify the amount of such payment by the term "balloon payment" and shall state the conditions, if any, under which that payment may be refinanced if not paid when due.

(4) The amount, or method of computing the amount, of any default, delinquency, or similar charges payable in the event of late payments.

(5) A description or identification of the type of any security interest held or to be retained or acquired by the seller in connection with the extension of credit, and a clear identification of the property to which the security interest relates or, if such property is not identifiable, an explanation of the manner in which the seller retains or may acquire a security interest in such property which the seller is unable to identify. In any such case where a clear identification of such property cannot properly be made on the disclosure statement due to the length of such identification, the note, other instrument evidencing the obligation, or separate disclosure statement shall contain reference to a separate pledge agreement, or a financing statement, mortgage, deed of trust, or similar document evidencing the security interest, a copy of which shall be furnished to the buyer by the seller as promptly as practicable. If after-acquired property will be subject to the security interest, or if other or future indebtedness is or may be secured by any such property, this fact shall be clearly set forth in conjunction with the description or identification of the type of security interest held, retained or acquired.

(6) Identification of the method of computing any unearned portion of finance charge in the event of prepayment of the obligation and a statement of the amount or method of computation of any charge that may be deducted from the amount of any rebate of such unearned finance charge that will be credited to the obligation or refunded to the buyer.

The disclosures required to be given shall be made clearly, conspicuously, and in meaningful sequence. Where the terms "finance charge" and "annual percentage rate" are required to be used, they shall be printed more conspicuously than other terminology required by this chapter. All numerical amounts and percentages shall be stated in figures and shall be printed in not less than the equivalent of ten point type, seventy-five one thousandths inch computer type, or elite size typewritten numerals, or shall be legibly handwritten.

SECTION 32. The first paragraph of subsection D of said section 9 of said chapter 255D, as appearing in section 1 of chapter 284 of the acts of 1966, is hereby amended by striking out, in line 2, the words "in ten point boldface type or larger" and inserting in place thereof the words:—appearing conspicuously,—and by striking out clause (6) and inserting in place thereof the following clause:—

(6) You may cancel this agreement if it has been consummated by a party thereto at a place other than an address of the seller, which may be his main office or branch thereof, provided you notify the seller in writing at his main office or branch by ordinary mail posted, by telegram sent or by delivery, not later than midnight of the third business day following the signing of this agreement.

SECTION 33. Subsection E of said section 9 of said chapter 255D, as so appearing, is hereby amended by striking out, in lines 4 and 5, the

words "printed or written, in a size equal to at least ten point boldface type" and inserting in place thereof the words:—conspicuously printed or written.

SECTION 34. Clause (1) of section 10 of said chapter 255D, as so appearing, is hereby amended by striking out, in lines 3 and 4, the words "items (10) and (11) of subsection C of section nine" and inserting in place thereof the words:—the finance charge and the annual percentage rate.

SECTION 35. Clause (4) of said section 10 of said chapter 255D, as so appearing, is hereby amended by striking out, in line 2, the words "time balance" and inserting in place thereof the words:—total of payments.

SECTION 36. Subsection B of section 11 of said chapter 255D, as so appearing, is hereby amended by striking out, in lines 3 and 4, 6 and 12, the words "principal balance" and inserting in place thereof, in each instance, the words:—amount financed.

SECTION 37. Subsection C of said section 11 of said chapter 255D, as amended by section 3 of chapter 543 of the acts of 1968, is hereby further amended by striking out, in line 3, the words "principal balance" and inserting in place thereof the words:—amount financed.

SECTION 38. Subsection B of section 13 of said chapter 255D, as appearing in section 1 of chapter 284 of the acts of 1966, is hereby amended by striking out, in lines 3 and 4, the words "time balances" —and by striking out, in lines 5 and 6, the words "total time balances" and inserting in place thereof, in each instance, the words:— total of payments.

SECTION 39. Subsection A of section 14 of said chapter 255D, as so appearing, is hereby amended by striking out clause (2) and inserting in place thereof the following clause:—

(2) Which is signed by the seller, and which has been consummated by a party thereto at a place other than the address of the seller, which may be his main office or branch thereof, if the buyer, not later than midnight of the third business day following execution of the agreement, notifies the seller that he is cancelling, and such cancellation shall be effective thereupon.

SECTION 40. Said section 14 of said chapter 255D is hereby further amended by striking out subsection (B), as so appearing, and inserting in place thereof the following subsection:—

(B) Notice of cancellation under this section shall be given in writing to the seller at the place of business of the seller as set forth in the agreement by ordinary mail posted, by telegram sent or by delivery, not later than midnight of the third business day following execution of the agreement.

SECTION 41. Subsection B of section 16 of said chapter 255D, as so appearing, is hereby amended by striking out clause (6) and inserting in place thereof the following clause:—

(6) Shall clearly set forth the fact of any extension charge, the amount extended, the date to which, or the time period for which payment is extended, the amount of the charge for the extension, and the amount for the additional cost of insurance, if any, resulting from the extension.

SECTION 42. Clause (1) of paragraph B of section 17 of said chapter

255D, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words "time balance" and inserting in place thereof the words:—total of payments.

SECTION 43. Clause (2) of said paragraph B of said section 17 of said chapter 255D, as amended by section 6 of chapter 775 of the acts of 1967, is hereby further amended by striking out, in line 2, the words "time balance" and inserting in place thereof the words:—total of payments,—and by striking out, in lines 6 to 8, inclusive, the words "the annual finance charge rate computed according to the annual finance charge formula, or a comparable formula approved by the commissioner upon application of a seller" and inserting in place thereof the words:—annual percentage rate.

SECTION 44. Subsection A of section 18 of said chapter 255D, as appearing in section 1 of chapter 284 of the acts of 1966, is hereby amended by striking out, in lines 17 and 23, the words "time balance" and inserting in place thereof, in each instance, the words:—total of payments,—and by striking out, in line 24, the words "time balances" and inserting in place thereof the words:—total of payments.

SECTION 45. Said section 18 of said chapter 255D is hereby further amended by striking out subsection B, as so appearing, and inserting in place thereof the following subsection:—

(B) If debts arising from two or more retail instalment sale agreements or sales under revolving credit agreements are consolidated into one debt payable on a single schedule of payments, and the debt is secured by security interests taken with respect to one or more of the sales, payments received by the seller or holder after the consolidation are deemed, for the purpose of determining the amount of the debt secured by the various security interests, to have been first applied to the payment of the debts arising from the sales first made. To the extent debts are paid according to this section, security interests in items of property terminate as the debts originally incurred with respect to each item is paid. If the debts consolidated arose from two or more sales made on the same day, payments received by the seller are deemed, for the purpose of determining the amount of the debts secured by the various security interests, to have been applied first to the payment of the smallest debt.

SECTION 46. Clause (3) of subsection C of section 21 of said chapter 255D, as so appearing, is hereby amended by striking out, in line 1, the words "time balance" and inserting in place thereof the words:—total of payments.

SECTION 47. Section 23 of said chapter 255D is hereby amended by striking out the second sentence, as most recently amended by section 9 of chapter 775 of the acts of 1967.

SECTION 48. The second sentence of subsection C of section 26 of said chapter 255D, as appearing in section 2 of chapter 416 of the acts of 1967, is hereby amended by striking out, in line 3, the words "principal balance" and inserting in place thereof the words:—amount financed.

SECTION 49. Section 27 of said chapter 255D is hereby amended by striking out subsection A, as amended by section 10 of chapter 775 of the acts of 1967, and inserting in place thereof the following subsection:—

A. Before the first transaction is made on any revolving credit account, the seller shall disclose to the buyer in a single written statement, which the buyer may retain, in terminology consistent with the requirements of subsection D of this section, each of the following items, to the extent applicable:

(1) The conditions under which a finance charge may be imposed, including an explanation of the time period, if any, within which any credit extended may be paid without incurring a finance charge.

(2) The method of determining the amount of finance charge including the method of determining the balance upon which a finance charge may be imposed.

(3) The method of determining any minimum, fixed, transaction, activity, or similar charge, which may be imposed as a finance charge.

(4) Where one or more periodic rates may be used to compute the finance charge, each such rate, the range of balances to which it is applicable, and the corresponding annual percentage rate determined by multiplying the periodic rate by the number of periods in a year.

(5) The conditions under which any other charges may be imposed and the method by which they will be determined.

(6) The conditions under which the seller may retain or acquire any security interest in any property to secure the payment of any credit extended on the account, and a description or identification of the type of the interest or interests which may be so retained or acquired.

(7) The minimum periodic payment required.

SECTION 50. Subsection B of section 27 of said chapter 255D is hereby amended by striking out, in line 2, as appearing in section 1 of chapter 284 of the acts of 1966, the words "in ten point bold face type or larger" and inserting in place thereof the words:—appearing conspicuously.

SECTION 51. Said subsection B of said section 27 of said chapter 255D is hereby further amended by striking out clause (6), as amended by section 11 of chapter 775 of the acts of 1967, and inserting in place thereof the following clause:—

(6) You may cancel a purchase under this agreement if it has been consummated by a party thereto at a place other than the address of the seller which may be his main office or branch thereof; provided, you notify the seller in writing at his main office or branch by ordinary mail posted, by telegram sent or by delivery, not later than midnight of the third business day following a purchase under this agreement.

SECTION 52. Said section 27 of said chapter 255D is hereby amended by striking out subsection D, as appearing in section 1 of chapter 284 of the acts of 1966, and inserting in place thereof the following two subsections:—

D. Except in the case of an account which the seller deems to be uncollectible or with respect to which delinquency collection procedures have been instituted, the seller under any revolving credit account shall mail or deliver to the buyer, for each billing cycle at the end of which there is an outstanding debit balance in excess of one dollar in that account or with respect to which a finance charge is imposed, a statement or statements which the buyer may retain,

setting forth in accordance with subsection A of this section each of the following items to the extent applicable:

(1) The outstanding balance in the account at the beginning of the billing cycle, using the term "previous balance".

(2) The amount and date of each extension of credit or the date such extension of credit is debited to the account during the billing cycle and, unless previously furnished, a brief identification of any goods or services purchased or other extension of credit.

(3) The amounts credited to the account during the billing cycle for payments, using the term "payments", and for other credits including returns, rebates of finance charges and adjustments, using the term "credits", and unless previously furnished, a brief identification of each of the items included in such other credits.

(4) The amount of any finance charge, using the term "finance charge", debited to the account during the billing cycle, itemized and identified to show the amounts, if any, due to the application of periodic rates and the amount of any other charge included in the finance charge, such as a minimum, fixed, transaction, activity, or similar charge, including any charges imposed by the seller for the issuance, payment, or handling of checks, for account maintenance or otherwise, to the extent that such charges exceed any similar charges the buyer is required to pay when an account is not being used to extend credit, using appropriate terminology to identify such charges.

(5) Each periodic rate, using the term "periodic rate" (or "rates"), that may be used to compute the finance charge (whether or not applied during the billing cycle), and the range of balances to which it is applicable.

(6) The annual percentage rate or rates determined under subsection (*a*) of section four of chapter one hundred and forty C, using the term "annual percentage rate" (or "rates"), and, where there is more than one rate, the amount of the balance to which each rate is applicable. Where the seller under the revolving credit account imposes finance charges with respect to specific transactions during the billing cycle, such charges shall be combined with all other finance charges imposed during the billing cycle, and the annual percentage rate to be disclosed shall be determined by (*i*) dividing the sum of all of the finance charges imposed during the billing cycle by the sum of the balances to which the periodic rates apply (or by the average of daily balances if a daily periodic rate is used), plus the sum of the amounts financed to which the specific transaction charges apply, and (*ii*) multiplying the quotient (expressed as a percentage) by the number of billing cycles in a year.

(7) The balance on which the finance charge was computed, and a statement of how that balance was determined. If the balance is determined without first deducting all credits during the billing cycle, that fact and the amount of such credits shall also be disclosed.

(8) The closing date of the billing cycle and the outstanding balance in the account on that date, using the term "new balance", accompanied by the statement of the date by which, or the period, if any, within which, payment must be made to avoid additional finance charges.

E. (*a*) The disclosures required by subsection D shall be made on the face of the periodic statement, on its reverse side, or on the

periodic statement supplemented by separate statement forms provided they are enclosed together and delivered to the customer at the same time, and further provided that

(1) The disclosure required by item (1) of subsection D, the amounts or respective totals of the amounts required to be disclosed under items (2), (3) and (4) of subsection D, and the disclosure required under items (6) and (8) of subsection D shall appear on the face of the periodic statement. If the amounts and dates of the charges and credits required to be disclosed under items (2) and (3) of subsection D are not itemized on the face or reverse side of the periodic statement, they shall be disclosed on a separate statement or separate slips which shall accompany the periodic statement and identify each charge and credit and show the date and amount thereof. If the disclosures required under item (4) of subsection B are not itemized on the face or reverse side of the periodic statement, they shall be disclosed on a separate supplemental statement which shall accompany the periodic statement.

(2) The disclosures required by items (5) and (6) of subsection D and a reference to the amounts required to be disclosed under items (4) and (7) of said subsection D, if not disclosed together on the face or the reverse side of the periodic statement, shall appear together on the face of a single supplemental statement which shall accompany the periodic statement.

(3) The face of the periodic statement shall contain one of the following notices, as applicable: "NOTICE: See reverse side for important information" or "NOTICE: See accompanying statement(s) for important information" or "NOTICE: See reverse side and accompanying statement(s) for important information" and

(4) The disclosures shall not be separated so as to confuse or mislead the customer or obscure or detract attention from the information required to be disclosed.

SECTION 53. Said section 27 of said chapter 255D is hereby further amended by striking out subsection E, added by section 5 of chapter 587 of the acts of 1966, and inserting in place thereof the following subsection:—

F. If any change is to be made in terms of a revolving credit account plan previously disclosed to the buyer, the seller shall mail or deliver to the buyer written disclosure of such proposed change not less than thirty days prior to the effective date of such change or thirty days prior to the beginning of the billing cycle within which such change will become effective, whichever is the earlier date.

SECTION 54. Subsection A of section 29 of said chapter 255D, as appearing in section 1 of chapter 284 of the acts of 1966, is hereby amended by striking out, in lines 8 and 9, the word "principal".

SECTION 55. Said chapter 255D is hereby further amended by striking out section 31, as most recently amended by section 5 of chapter 543 of the acts of 1968, and inserting in place thereof the following section:—

Section 31. A transaction, although subject to this chapter, shall also be subject to the provisions of chapter one hundred and forty C and in the case of conflict between the provisions of this chapter and that chapter, the provisions of that chapter shall control.

Approved July 16, 1969.

Chap. 518. AN ACT AUTHORIZING THE SPECIAL MILITARY RESERVATION COMMISSION TO SELL AND CONVEY CERTAIN LAND IN THE TOWN OF SANDWICH TO DWIGHT C. ARNOLD.

Be it enacted, etc., as follows:

The special military reservation commission, established by section one of chapter one hundred and ninety-six of the acts of nineteen hundred and thirty-five, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor, to sell and convey to Dwight C. Arnold a certain parcel of land in the town of Sandwich, bounded and described as follows: —

Commencing at the south corner at Mass. Coast and Geodetic bound #N621;

Thence N68°–58′–32″W by land of Malcolm P. Arnold 320.00 ft. to a concrete bound;

Thence N40°–20′–25″E 630.90 ft. by land of the Commonwealth of Massachusetts to a concrete bound;

Thence S10°–26′–04″W 605.70 ft. by land of Dwight C. Arnold, to the point of beginning.

Containing 2.2 acres and being shown as Parcel 2 on a plan entitled "Plan of Land in Forestdale, Sandwich, Mass. belonging to the Commonwealth of Massachusetts and Malcolm P. Arnold. Scale 1″ = 100 ft. March 15, 1968 by Charles N. Savery, Inc., Engineers & Surveyors, Hyannis, Mass." Said plan is on file in the office of the adjutant general of the commonwealth. *Approved July 16, 1969.*

Chap. 519. AN ACT INCREASING THE NUMBER OF TRUSTEES OF LEICESTER JUNIOR COLLEGE.

Be it enacted, etc., as follows:

SECTION 1. The number of trustees of Leicester Junior College is hereby increased from twenty-two, the number established under the provisions of chapter two hundred and thirty-five of the acts of nineteen hundred and sixty-five, to thirty.

SECTION 2. This act shall take effect upon its acceptance by a vote of a majority of the trustees of said corporation.

Approved July 16, 1969.

Chap. 520. AN ACT AUTHORIZING THE TOWNS OF MILLBURY AND SUTTON TO ENTER INTO AN AGREEMENT FOR THE PROCESSING OF SEWAGE AND OTHER WASTES FROM THE WILKINSONVILLE SECTION OF THE TOWN OF SUTTON AT THE MILLBURY SEWAGE TREATMENT PLANT.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the towns of Sutton and Millbury are hereby authorized to enter into an agreement, for a term not to exceed fifty years, under the terms of which the town of Sutton may construct sewers from the Wilkinsonville section of said town of Sutton to the town sewage treatment plant in the town of Mill-

bury for the purpose of treating the sewage and other waste water from said Wilkinsonville section at said plant. Such agreement may provide for payments by the town of Sutton to the town of Millbury for the use of said plant. *Approved July 16, 1969.*

Chap. 521. AN ACT AUTHORIZING THE CITY OF QUINCY TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN TEACHERS CERTAIN BACK WAGES.

Be it enacted, etc., as follows:

The city of Quincy is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, the sum of three hundred dollars to Stanley F. Sodowski, the sum of twelve hundred dollars to Priscilla A. Dauphinee, the sum of twelve hundred and ninety dollars to Albert M. Savitsky, the sum of six hundred and six dollars to Genevieve V. Malvesta and the sum of twelve hundred and ninety dollars to Marilyn T. Casey for salaries due them during a period from September, nineteen hundred and sixty-four through June, nineteen hundred and sixty-eight, as teachers in the school department of said city and not paid to them because of a clerical error. *Approved July 16, 1969.*

Chap. 522. AN ACT AUTHORIZING LOCAL BOARDS OR OFFICERS TO DESIGNATE THROUGH WAYS WITH THE APPROVAL OF THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

Section 9 of chapter 89 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 416 of the acts of 1948, and inserting in place thereof the following sentence:—For the purposes of this section, the department of public works may from time to time designate any state or other highway or part thereof as a through way, and may after notice revoke any such designation; and the board or officer having control of ways of any city or town may, with the approval of said department and while such approval is in effect, designate any way or part thereof within the control of such city or town as a through way and may, after notice and like approval, revoke any such designation. *Approved July 16, 1969.*

Chap. 523. AN ACT INVALIDATING RESTRICTIVE COVENANTS AND CONDITIONS RELATING TO REAL PROPERTY ON THE BASIS OF RACE, COLOR OR RELIGION AND PROHIBITING THE USE OF SUCH COVENANTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 151B of the General Laws is hereby amended by inserting after section 4 the following section:—

Section 4A. Whoever conveys real property by an instrument which contains a provision which he knows is void under the provisions of

section twenty-three B of chapter one hundred and eighty-four shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year.

SECTION 2. Chapter 184 of the General Laws is hereby amended by inserting after section 23A the following section:—

Section 23B. A provision in an instrument relating to real property which purports to forbid or restrict the conveyance, encumbrance, occupancy, or lease thereof to individuals of a specified race, color, religion, or national origin shall be void. Any condition, restriction, or prohibition, including a right of entry or a possibility of reverter, which directly or indirectly limits the use or occupancy of real property on the basis of race, color, religion, or national origin, shall be void, excepting a limitation on the basis of religion of use of real property held by a religious or denominational institution or organization or by an organization operated for charitable or educational purposes which is operated, supervised or controlled by or in connection with a religious organization. *Approved July 16, 1969.*

Chap. 524. AN ACT AUTHORIZING MOUNT AUBURN HOSPITAL TO HOLD ADDITIONAL REAL AND PERSONAL PROPERTY.

Be it enacted, etc., as follows:

Mount Auburn Hospital, formerly the Cambridge hospital, incorporated by chapter seventeen of the acts of eighteen hundred and seventy-one, its name having been changed under the provisions of section eleven of chapter one hundred and eighty of the General Laws, is hereby authorized to hold, for the purpose of its incorporation, real and personal property to an amount not exceeding thirty million dollars.

Approved July 16, 1969.

Chap. 525. AN ACT PROVIDING FOR AN ADDITIONAL ASSISTANT TO THE OFFICER IN CHARGE OF JURORS' ASSEMBLY ROOMS IN SUFFOLK COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The last sentence of section 73 of chapter 221 of the General Laws, added by section 3 of chapter 463 of the acts of 1966, is hereby amended by striking out, in line 12, the words "the assistant" and inserting in place thereof the words: — each of the two assistants.

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

Approved July 17, 1969.

Chap. 526. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE METROPOLITAN DISTRICT COMMISSION MAY EXPEND FOR THE CONSTRUCTION OF A RELIEF SEWER IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of further providing for the construction of the relief sewer from Broadway to Canal street in the city of Malden authorized by chapter four hundred and seventy-eight of the

acts of nineteen hundred and sixty-six, the metropolitan district commission may expend, in addition to amounts authorized by said chapter four hundred and seventy-eight, a sum not to exceed five hundred thousand dollars.

Engineering and administrative expenses, including, but not limited to, personnel, materials, supplies and transportation costs, incurred under this act and under said chapter four hundred and seventy-eight, as aforesaid, shall be considered to be part of the direct cost of the projects and works for which they are incurred.

SECTION 2. To meet the expenditures necessary in carrying out the provisions 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 five hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan District Commission Malden Relief Sewer Loan, Act of 1969, and shall be on the serial payment plan for such maximum term of years, not exceeding thirty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, two thousand and one. All interest payments and payments on account of principal on such obligations shall be assessed and paid as provided in chapter ninety-two of the General Laws.

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

Approved July 17, 1969.

Chap. 527. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE METROPOLITAN DISTRICT COMMISSION MAY EXPEND FOR THE CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL FACILITIES IN THE CITIES OF MELROSE, MALDEN, EVERETT AND REVERE AND THE TOWNS OF SAUGUS, STONEHAM AND WAKEFIELD.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of further carrying out the drainage and flood control works authorized by chapter five hundred and seventy-four of the acts of nineteen hundred and fifty-five, as amended by chapter three hundred and thirty-two of the acts of nineteen hundred and fifty-six, chapter six hundred and fifty-three of the acts of nineteen hundred and fifty-seven, chapter six hundred and forty of the acts of nineteen hundred and sixty-seven, and further authorized by chapter five hundred and nineteen of the acts of nineteen hundred and sixty-one,

by chapter five hundred and ninety-five of the acts of nineteen hundred and sixty-three and by chapter six hundred and eighty-three of the acts of nineteen hundred and sixty-eight, the metropolitan district commission may expend, in addition to the amounts authorized by said chapter five hundred and seventy-four, as amended, and by said chapter five hundred and nineteen, by said chapter five hundred and ninety-five and by said chapter six hundred and eighty-three, a sum not to exceed one million dollars.

Engineering and administrative expenses, including, but not limited to, personnel, materials, supplies and transportation costs, incurred under this act and under all aforesaid prior acts, shall be considered to be part of the direct costs of the projects and works for which they are incurred.

SECTION 2. Said commission, for the purposes of this act, may on behalf of the commonwealth take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water courses, rights-of-way or easements, and shall have all the rights, powers and duties and be subject to the limitations of section thirty-two of chapter ninety-two of the General Laws; provided, however, that cities and towns in the area or areas within which construction may occur shall grant to the commission the right to enter upon any public land and to construct such facilities as may be necessary without recourse to damages therefor. The commission, however, shall, as provided in said section thirty-two, heed all reasonable requests of officials of said cities and towns to restore such public property to its present condition in so far as is practical.

SECTION 3. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon request of the governor, 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 dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Drainage and Flood Control Loan, Act of 1969, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practical to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-four.

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

Approved July 17, 1969.

Chap. 528. AN ACT FURTHER REGULATING THE PLACEMENT OF FIRE INSURANCE IN URBAN AREAS OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the placement of fire insurance in certain urban areas of the commonwealth, 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 175C of the General Laws, as appearing in section 1 of chapter 731 of the acts of 1968, is hereby amended by striking out the definition of "Basic property insurance" and inserting in place thereof the following definition: —

"Basic property insurance", insurance against direct loss to property as defined and limited in the standard fire policy and extended coverage endorsement thereon, filed with and accepted by the commissioner, and insurance against direct loss to such property from the perils of vandalism and malicious mischief, and such other coverages as the commissioner after public hearing shall determine or the Secretary of the United States Department of Housing and Urban Development shall designate by rule made in accordance with the provisions of the Urban Property Protection and Reinsurance Act of 1968 (Public Law 90–448) but shall not include insurance on automobile or manufacturing risks except such classes of manufacturing risks as may, after proper hearing, be designated by the commissioner.

SECTION 2. Section 2 of said chapter 175C, as so appearing, is hereby amended by striking out subsection 1 and inserting in place thereof the following subsection: —

(1) Each insurance company licensed to provide all or any part of the coverage provided for as part of basic property insurance, as defined in section one, shall participate in the plan of operation as a condition precedent to obtaining or maintaining authority to sell all or any part of such coverage in the commonwealth.

SECTION 3. Section 3 of said chapter 175C, as so appearing, is hereby amended by adding the following paragraph: —

Commissions to licensed insurance agents and brokers from the facility and from any joint underwriting and reinsurance association established in accordance with the provisions of this chapter shall be set by the commissioner from time to time at such percentage of the average commission rate customarily paid by those insurance companies who customarily compensate agents by commissions, as the commissioner, after appropriate hearing, shall find to be sufficiently attractive to encourage agents and brokers to actively seek out risks in urban areas and to assist property owners therein to obtain coverage while at the same time leaving a further incentive to the agent or broker to place such business through his customary markets when he finds that that is practicable.

SECTION 4. The second paragraph of section 4 of said chapter 175C, as so appearing, is hereby amended by striking out, in line 16, the words "or manufacturing risks" and inserting in place thereof the words: — and manufacturing risks excluded from the plan, — and by striking out the seventh sentence and inserting in place thereof the following sen-

tence: — The association and the facility shall be governed by a board of fifteen directors, who shall serve without compensation, eleven to be elected annually by the members of the association by cumulative voting and four representatives of community groups and associations of insurance agents and brokers doing business in the commonwealth to be appointed annually by the commissioner.

SECTION 5. Said chapter 175C is hereby further amended by adding the following section: —

Section 8. (a) In order to carry out the purpose of this chapter the commissioner is authorized to assess each insurance company an amount in the proportion that the premiums earned in the commonwealth during the preceding calendar year by each such company in those lines of insurance which are eligible for reinsurance by the Secretary of the United States Department of Housing and Urban Development in the commonwealth during the current calendar year bear to the aggregate premiums earned in the commonwealth during such preceding calendar year by all such companies on such lines, sufficient to provide a fund to reimburse said secretary pursuant to the provisions of section 1223 (*a*) (1) of the Federal Urban Property Protection and Reinsurance Act of 1968. Such assessment shall be made by the commissioner only after receipt and verification by him of a claim from said secretary and shall be due and payable to the commissioner on and after the forty-fifth day following the receipt by the commissioner of a claim from said secretary.

(b) Insurers may add to the premium rate applicable to such lines of insurance on policies issued to be effective after the date of such assessment an amount, to be approved by the commissioner, sufficient to recover within not more than three years any amounts assessed under subsection (a) of this section during the preceding calendar year plus costs and expenses reasonably attributable to such assessment and recovery.

SECTION 6. The commission rate provided in the last paragraph of section three of chapter one hundred and seventy-five C of the General Laws, added by section three of this act, shall be set by the commissioner within sixty days after the effective date of this act.

SECTION 7. The eleven directors serving on the effective date of this act shall continue to serve until the expiration of the terms for which they were elected. The four appointive directors provided for in section four of chapter one hundred and seventy-five C of the General Laws, as amended by section four of this act, shall be appointed within thirty days after the effective date of this act.

SECTION 8. Section five of this act shall take effect as of August first, nineteen hundred and sixty-eight. *Approved July 17, 1969.*

Chap. 529. AN ACT INCREASING THE MAXIMUM WEEKLY BENEFITS UNDER THE WORKMEN'S COMPENSATION ACT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 152 of the General Laws is hereby amended by striking out section 34, as most recently amended by section 1 of chapter 482 of the acts of 1967, and inserting in place thereof the following section: —

Section 34. While the incapacity for work resulting from the injury is total, the insurer shall pay the injured employee a weekly compensation equal to two thirds of his average weekly wages, but not more than seventy dollars nor less than twenty dollars a week, unless the weekly wages of the injured employee are less than twenty dollars, in which case said weekly compensation shall be equal to his average weekly wages, but not less than ten dollars where the number of normal working hours of the injured employee in a week are fifteen or more; provided, that the amount does not exceed sixteen thousand dollars, except that if the injured employee has received compensation for the same injury under section thirty-five the combined amount of compensation payable under this section and section thirty-five shall not exceed the maximum amount as set forth in section thirty-five.

SECTION 2. Section 34A of said chapter 152 is hereby amended by striking out the first sentence, as most recently amended by section 2 of said chapter 482, and inserting in place thereof the following sentence: — While the incapacity for work resulting from the injury is both permanent and total, the insurer shall pay to the injured employee, following payment of the maximum amount of compensation provided in sections thirty-four and thirty-five, or either of them a weekly compensation equal to two thirds of the average weekly wage but not more than seventy dollars per week nor less than twenty dollars a week during the continuance of such permanent and total incapacity.

SECTION 3. Said chapter 152 is hereby further amended by striking out section 35, as most recently amended by section 3 of said chapter 482, and inserting in place thereof the following section: —

Section 35. While the incapacity for work resulting from the injury is partial, the insurer shall pay the injured employee a weekly compensation equal to the entire difference between his average weekly wage before the injury and the average weekly wage he is able to earn thereafter, but not more than seventy dollars per week; and the amount of such compensation shall not be more than eighteen thousand dollars, nor shall the combined amount of compensation payable under this section and section thirty-four be more than eighteen thousand dollars.

SECTION 4. This act shall take effect on November twenty-third, nineteen hundred and sixty-nine. *Approved July 17, 1969.*

Chap. 530. AN ACT PROVIDING FOR IMMEDIATE ASSESSMENT OF STATE TAXES IN CERTAIN CASES.

Be it enacted, etc., as follows:

Chapter 58 of the General Laws is hereby amended by adding the following section: —

Section 35. If the commissioner believes that the collection of any tax will be jeopardized by delay, he shall, whether or not the time otherwise prescribed by law for making return and paying such tax has expired, immediately assess such tax, together with all interest and penalties, as provided for by law. Such tax, penalties and interest shall thereupon become immediately due and payable, and immediate notice and demand shall be made by the commissioner for the payment thereof. Upon failure or refusal to pay such tax, penalty and interest, the commissioner shall proceed forthwith to the collection thereof.

Approved July 17, 1969.

Chap. 531. AN ACT REVISING THE PENALTY FOR A LATE RETURN AND THE INTEREST FOR LATE TAX PAYMENTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 58 of the General Laws is hereby amended by inserting after section 31 the following section: —

Section 31A. Notwithstanding any other provision of law to the contrary, if any return is not filed with the commissioner on or before its due date or within any extension of time granted by him, there shall be added to and become a part of the tax, as an additional tax, a penalty of five per cent of the amount required to be shown as the tax on such return for each month, or fraction thereof, during which such failure continues, not exceeding, in the aggregate, twenty-five per cent of said amount. Notwithstanding any other provision of law to the contrary, if any amount of tax is not paid to the commissioner on or before its statutory due date, there shall be added to and become a part of the tax interest at the rate of eight per cent per annum from said date to the date that such tax is paid. The rate of interest shall not exceed eight per cent per annum after the commencement of proceedings to collect the tax.

SECTION 2. This act shall apply to returns required to be filed and taxes required to be paid on and after its effective date.

Approved July 17, 1969.

Chap. 532. AN ACT ELIMINATING THE FILING BY ASSESSORS OF TABLES OF AGGREGATES WITH THE COMMISSIONER OF CORPORATIONS AND TAXATION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 59 of the General Laws is hereby amended by striking out section 45, as most recently amended by section 20 of chapter 160 of the acts of 1963, and inserting in place thereof the following section: —

Section 45. Each city or town shall provide, on or before January first, annually, suitable books for the use of its assessors in the assessment of taxes, which shall contain blank columns with uniform headings for a valuation list, in such form as the commissioner shall, from time to time, determine and approve.

SECTION 2. Sections forty-seven and forty-eight of said chapter fifty-nine are hereby repealed.

SECTION 3. Section 49 of said chapter 59, as most recently amended by section 1 of chapter 245 of the acts of 1955, is hereby amended by striking out the last sentence.

SECTION 4. Said chapter 59 is hereby further amended by striking out section 94, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 94. An assessor who neglects to comply with section forty-six, forty-nine or eighty-four shall be punished by a fine of not more than two hundred dollars.

SECTION 5. This act shall take effect on January first, nineteen hundred and seventy.

Approved July 17, 1969.

Chap. 533. AN ACT INCREASING THE LIMITED INCOME EXEMPTION UNDER THE INCOME TAX LAW.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 62 of the General Laws is hereby amended by striking out paragraph (*a*), as amended by section 5 of chapter 800 of the acts of 1951, and inserting in place thereof the following paragraph: —

(*a*) Two thousand dollars in all of income taxable under section one and under subsections (*a*) and (*c*) of section five received by a person whose total income from all sources does not exceed two thousand dollars during the year, but said exemption shall not be given to any married person if the combined incomes of both husband and wife from all sources exceed twenty-six hundred dollars; provided, however, that no tax shall be exacted upon any income taxable under said section one and said subsections (*a*) and (*c*) which shall reduce the total income of the taxpayer, if unmarried, below two thousand dollars, or which shall reduce the combined income of husband and wife below twenty-six hundred dollars.

SECTION 2. This act shall apply with respect to taxable years ending on and after December thirty-first, nineteen hundred and sixty-nine.

Approved July 17, 1969.

Chap. 534. AN ACT REPEALING THE LAW PROVIDING FOR THE EXTENSION OF TIME FOR THE PAYMENT OF INCOME TAXES.

Be it enacted, etc., as follows:

Section 29 of chapter 62 of the General Laws, as amended by section 2 of chapter 648 of the acts of 1954, is hereby further amended by striking out the last two sentences. *Approved July 17, 1969.*

Chap. 535. AN ACT AUTHORIZING THE COMMISSIONER OF CORPORATIONS AND TAXATION TO INCREASE THE INCOME LIMIT FOR THE FILING OF SHORT-FORM INCOME TAX RETURNS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 62A of the General Laws is hereby amended by striking out the definition of "Eligible individual", as appearing in section 1 of chapter 692 of the acts of 1955, and inserting in place thereof the following definition: —

"Eligible individual", any individual who is required to file a return of his income under the provisions of section twenty-two of chapter sixty-two, whose only taxable income is derived from compensation for personal services rendered one or more employers, provided the total amount of such individual's gross taxable income does not exceed eight thousand dollars, or such higher limit as may be established by the commissioner.

SECTION 2. Said section 1 of said chapter 62A is hereby further amended by striking out the definition of "Dependent", as amended by section 26 of chapter 698 of the acts of 1966, and inserting in place thereof the following definition: —

"Dependent", a spouse of the eligible taxpayer, provided such taxpayer is entitled to an exemption for such spouse under clause (*3*) of section five B of chapter sixty-two, and any other person for whom the taxpayer is entitled to an exemption under clause (*4*) of said section five B.

SECTION 3. This act shall apply with respect to taxable years ending on and after December thirty-first, nineteen hundred and sixty-nine.

Approved July 17, 1969.

Chap. 536. AN ACT CONFORMING CERTAIN PROVISIONS OF THE ESTIMATED INCOME TAX LAWS TO FEDERAL LAW.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*a*) of section 18 of chapter 62B of the General Laws is hereby further amended by striking out the second sentence, as appearing in section 1 of chapter 17 of the acts of 1959, and inserting in place thereof the following sentence: — For the purposes of this paragraph, "the amount of the under-payment" shall be the excess of the amount of the installment which would be required to be paid if the estimated tax were equal to eighty per cent, or sixty-six and two thirds per cent in the case of a farmer referred to in section fifteen, of the tax shown on the return for the taxable year, or, if no return was filed, eighty per cent or sixty-six and two thirds per cent, as the case may be, of the tax for such year, over the amount, if any, of the installment paid on or before the last date prescribed for such payment.

SECTION 2. Paragraph (*a*) of section 6 of chapter 63B of the General Laws, as appearing in section 5 of chapter 714 of the acts of 1963, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — For the purposes of this paragraph, the "amount of the under-payment" shall be the excess of the amount of the installment which would be required to be paid if the estimated tax were equal to eighty per cent of the tax shown on the return for the taxable year or, if no return was filed, eighty per cent of the tax for such year, over the amount, if any, of the installment paid on or before the last date prescribed for payment.

SECTION 3. This act shall apply with respect to taxable years ending on and after December thirty-first, nineteen hundred and sixty-nine.

Approved July 17, 1969.

Chap. 537. AN ACT EXTENDING THE RIGHT TO APPEAL FROM THE 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 is hereby amended by striking out the second paragraph, as amended by section 1 of chapter 696 of the acts of 1965, 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 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.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy. *Approved July 17, 1969.*

Chap. 538. AN ACT CLARIFYING THE DEFINITION OF A FOREIGN CORPORATION ENGAGED IN RENTING REAL ESTATE OR TANGIBLE PERSONAL PROPERTY FOR PURPOSES OF THE BUSINESS AND MANUFACTURING CORPORATION EXCISE.

Be it enacted, etc., as follows:

Section 30 of chapter 63 of the General Laws is hereby amended by striking out paragraph 2, as most recently amended by section 18 of chapter 14 of the acts of 1966, and inserting in place thereof the following paragraph: —

2. "Foreign corporations", every corporation, association or organization established, organized or chartered under laws other than those of the commonwealth, for purposes for which domestic corporations may be organized under chapter one hundred and fifty-six, chapter one hundred and fifty-six A or chapter one hundred and fifty-six B, which (a) has a usual place of business in the commonwealth, or (b) is engaged here, permanently or temporarily, in the construction, erection, alteration or repair of a building, bridge, railroad, railway or structure of any kind; in the construction or repair of roads, highways or waterways; in renting as lessor real estate or tangible personal property; or in any other activity requiring the performance of labor; provided, that said term shall not apply to such corporations, associations or organizations without capital stock as are subject to taxation under section eighteen of chapter one hundred and fifty-seven or to foreign manufacturing corporations as defined in section forty-two B.

Approved July 17, 1969.

Chap. 539. AN ACT RELATIVE TO THE MACHINERY AND EQUIPMENT EXEMPTION UNDER THE BUSINESS AND MANUFACTURING CORPORATION EXCISE FOR A CORPORATION AFTER A REORGANIZATION.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 7 of section 30 of chapter 63 of the General Laws, as amended by section 47 of chapter 698 of the acts of 1966, is hereby further amended by adding the following two sentences: — In the event of the merger, consolidation or other reorganization of any corporation which qualifies for a machinery and equipment exemption under this paragraph, the base for purposes of computing such exemption of any successor corporation shall not be less than the sum of the bases of each of the predecessor corporations prior to the merger, consolidation or other reorganization. The number of taxable years that

any amount of such machinery and equipment has been exempt to the predecessor corporations shall be taken into account in computing the five-year exemption to the successor corporation.

SECTION 2. This act shall apply to taxable years ending on and after December thirty-first, nineteen hundred and sixty-nine.

Approved July 17, 1969.

Chap. 540. AN ACT EXTENDING THE TIME IN CERTAIN CASES FOR APPEAL FROM THE ASSESSORS' DETERMINATION OF VALUE UNDER THE URBAN REDEVELOPMENT CORPORATION EXCISE.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 10 of chapter 121A of the General Laws, as appearing in section 4 of chapter 640 of the acts of 1956, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — On or before the first day of April then next ensuing, or within thirty days after the receipt of the certification of valuation from the assessors, whichever is later, such corporation, if aggrieved by such valuation, may appeal therefrom to the appellate tax board.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy. *Approved July 17, 1969.*

Chap. 541. AN ACT RELATIVE TO FEES PAYABLE UNDER THE INHERITANCE TAX LAW.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 22 of chapter 65 of the General Laws, as amended by section 2 of chapter 470 of the acts of 1964, is hereby further amended by inserting after the word "expire", in line 10, the words: — , and shall be accompanied by a filing fee of ten dollars.

SECTION 2. The second paragraph of said section 22 of said chapter 65, as appearing in section 1 of chapter 469 of the acts of 1961, is hereby amended by inserting after the word "inventory", in line 1, the words: — or to pay said fee.

SECTION 3. Section 35A of said chapter 65, added by section 1 of chapter 369 of the acts of 1957, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The commissioner is hereby authorized to issue the documents set forth in the following paragraphs and to charge and collect therefor the fees therein stated, except that in those cases where a fee of ten dollars has been paid with the filing of the inventory under section twenty-two no additional fee shall be charged or collected for copies of any of said documents.

SECTION 4. This act shall apply to inventories filed on and after its effective date. *Approved July 17, 1969.*

Chap. 542. AN ACT AUTHORIZING THE DIVISION OF FISHERIES AND GAME TO ACQUIRE LAND AND CONSTRUCT A FISHING PIER AT COOK POND IN THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

The division of fisheries and game in the department of natural resources is hereby authorized to acquire land at Cook pond in the city of Fall River and construct thereon a fishing pier.

Approved July 17, 1969.

Chap. 543. AN ACT INCREASING THE PENALTY FOR INDUCING A MINOR TO UNLAWFULLY ABSENT HIMSELF FROM SCHOOL.

Be it enacted, etc., as follows:

Section 4 of chapter 76 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 4, the word "fifty" and inserting in place thereof the words: — two hundred.

Approved July 17, 1969.

Chap. 544. AN ACT FURTHER DEFINING THE TERM "FIRE FIGHTER" SO AS TO INCLUDE THE CHIEF AND ALL OTHER FIRE OFFICERS OF A FIRE DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 4 of the General Laws is hereby amended by adding after clause Forty-sixth the following clause: —

Forty-seventh, "Fire fighter", "fireman" or "permanent member of a fire department", shall include the chief or other uniformed officer performing similar duties, however entitled, and all other fire officers of a fire department.

SECTION 2. Section 58C of chapter 48 of the General Laws, as most recently amended by chapter 62 of the acts of 1969, is hereby further amended by inserting after the word "member", in line 1, the words: — , other than the chief,.

Approved July 17, 1969.

Chap. 545. AN ACT FURTHER REGULATING THE FORM OF APPLICATION AND AFFIDAVIT FOR ABSENT VOTING BALLOTS.

Be it enacted, etc., as follows:

SECTION 1. Section 87 of chapter 54 of the General Laws is hereby amended by striking out in subsection (*b*), as appearing in section 1 of chapter 368 of the acts of 1966, the first paragraph of the form of application contained therein and inserting in place thereof the following:—

I, ..., hereby apply for an absent voting ballot. The place of my legal residence (permanent home) is in the city or town of ..... in the state of ....., and, as I believe, I am a duly registered voter at ..... in the city or town of ..... and
(Street and Number)
entitled to vote at the next state election at ward ....., precinct ....., in said city or town of .....

....
(Signature) (Date)

SECTION 2. Said subsection (*b*) of said section 87 of said chapter 54, as so appearing, is hereby further amended by striking out the line

reading "☐ I will call for the ballot at the office of the town or city clerk." and inserting in place thereof the following: —

☐ Since I have no address outside the city or town from which the ballot may be seasonably returned, I will call for the ballot at the office of the town or city clerk, following certification of this application by the registrars, and will vote upon the ballot in said office, at a time arranged with the clerk.

SECTION 3. Clause (2) of subsection (*c*) of said section 87 of said chapter 54, as appearing in section 1 of chapter 134 of the acts of 1967, is hereby amended by striking out in the form of affidavit contained therein the words "biennial state election to be held in the current year" and inserting in place thereof the words: — the special state election or biennial state election to be held on.....

SECTION 4. Subsection (*f*) of said section 87 of said chapter 54, added by chapter 592 of the acts of 1965, is hereby amended by striking out in the form of application contained therein the words "Biennial State Election" and inserting in place thereof the words: — the special state election or the biennial state election to be held on.....

Approved July 17, 1969.

Chap. 546. AN ACT IMPOSING CERTAIN TAXES TO PROVIDE NEEDED REVENUE FOR THE COMMONWEALTH AND A GUARANTEED MINIMUM DISTRIBUTION AMOUNT FOR CITIES AND TOWNS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds immediately through the imposition of certain taxes, for the payment of the expenditures of the commonwealth and to provide a guaranteed minimum in the distribution of funds to the cities and towns, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Clause (*c*) of section 6 of chapter 62 of the General Laws is hereby amended by striking out the provision numbered (1), as amended by section 1 of chapter 556 of the acts of 1968, and inserting in place thereof the following provision: —

(1) in the case of taxes imposed by the United States with respect to income from the profession, employment, trade or business, no amount shall be deductible;

SECTION 2. Section 5 of chapter 62B of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 17 of the acts of 1959.

SECTION 3. Section 6 of chapter 64B of the General Laws is hereby amended by striking out the second paragraph, as amended by section 1 of chapter 503 of the acts of 1954.

SECTION 4. Section fourteen of chapter sixty-four H of the General Laws is hereby repealed.

SECTION 5. Section two A of chapter twenty-nine of the General Laws is hereby repealed.

SECTION 6. Section eighteen of chapter fifty-eight of the General Laws is hereby repealed.

SECTION 7. Said chapter 58 is hereby further amended by striking out section 18A, as most recently amended by section 1 of chapter 566 of the acts of 1968, and inserting in place thereof the following section: —

Section 18A. The state treasurer, upon certification of the commission, shall annually distribute to the several cities, towns and regional school districts from the General Fund an amount determined under subsection (*a*).

(*a*) The total amount to be distributed under this section shall be two hundred and thirty-nine million, six hundred thousand dollars for calendar year nineteen hundred and sixty-nine. In calendar year nineteen hundred and seventy and thereafter, such amounts shall be increased by a percentage equal to the percentage, as determined by the commission, by which the net sums that would be received under chapters sixty-four H and sixty-four I for such calendar year if the rate of tax were three per cent exceed such net sums for calendar year nineteen hundred and sixty-nine if the rate of tax had been three per cent for the entire year. Such percentage shall be adjusted and corrected by the commission based upon the actual net sums collected for the year in question. "Net sums", as used in this subsection, shall mean the total sums received under or by reason of such chapters as excises, interest thereon, fees, penalties, forfeitures, costs of suits or fines, less all amounts refunded under such chapters or under section twenty-seven of this chapter, together with any interest or costs paid on account of such refunds.

(*b*) The amount determined under subsection (*a*) shall be distributed on the following basis and in the order named on or before the dates specified, to the extent that sufficient funds are available on such dates: —

(1) On or before March thirty-first, six million, three hundred and fifty-one thousand, four hundred and fifteen dollars and thirty-four cents in the proportion that the amount of taxes locally paid in each city or town in the year nineteen hundred and thirty-five by domestic manufacturing corporations, as defined in section thirty-eight C of chapter sixty-three, and by foreign manufacturing corporations, as defined in section forty-two B of said chapter sixty-three, upon machinery owned and used in the conduct of the business bears to the aggregate amount so paid by such corporations in all cities and towns of the commonwealth, as determined by the commission;

(2) On or before March thirty-first, two million, six hundred and fifty-four thousand, eight hundred and seventy-six dollars and fifty-four cents in the proportion that the value of machinery owned and used in the conduct of the business in the year nineteen hundred and thirty-five by such domestic manufacturing and foreign manufacturing corporations in each city or town bears to the aggregate value of such machinery in all cities and towns of the commonwealth, as determined by the commission;

(3) On or before November twentieth, the reimbursements for the special education programs required to be paid by the commonwealth under chapters sixty-nine and seventy-one;

(4) From time to time as determined by the commission, the school aid required to be distributed under chapter seventy upon certification of the comptroller and commission, but not less than approximately

twenty-five per cent thereof on or before the last day of each calendar quarter; and

(5) From time to time as determined by the commission, the balance, if any, after providing for the payments required by paragraphs (1), (2), (3) and (4) of this subsection, in the proportion to the valuations last established by the general court as a basis for the apportionment of state and county taxes; but not less than approximately ten per cent thereof on or before March thirty-first, fifty per cent thereof on or before June thirtieth, ten per cent thereof on or before September thirtieth and the balance of forty per cent thereof on or before December thirty-first.

If upon any date of distribution the amounts designated in this subsection are insufficient to make the full distributions required by any paragraph of this subsection, the distributions thereunder shall be the amount otherwise due to each city or town under said paragraph multiplied by a fraction, the numerator of which shall be the amount remaining of the revenues designated under this subsection and the denominator of which shall be the total amount otherwise due to the several cities and towns under said paragraph.

The amounts distributable or distributed to the cities and towns under this section shall be subject to verification, correction and adjustment by the commission in the event of any error or omission in their determination. Any adjustment which reduces or increases the amount to which a city or town is entitled shall be taken into account in the distribution to be paid to such city or town as soon as may be after the adjustment is made. No such adjustment shall be made after December first of the year succeeding the one to which it relates. Amounts distributed or charged on account of such adjustments in any succeeding calendar year shall have priority over all other amounts distributable in such year.

SECTION 8. Said chapter 58 is hereby amended by striking out section 25A, as most recently amended by section 2 of said chapter 566, and inserting in place thereof the following section: —

Section 25A. The commission shall ascertain and determine the amount due each city and town under section eighteen A and the commonwealth's share of local reimbursement and assistance programs as authorized by law and in the amounts appropriated by the general court, including, but not limited to, school building construction, school transportation, school lunches, educational programs, teachers' retirement pensions, veterans' benefits, public health and housing and urban renewal subsidies and shall notify the assessors of such city or town thereof. Annually on or before January thirty-first, each department, commission, board or other agency of the commonwealth administering any local reimbursement or assistance program included under this section for which the commission is required to estimate the amount to be received by each city or town shall, upon the basis of information then available to it, estimate and certify to the state tax commission the amount each city and town is to receive from the commonwealth under such program during such calendar year. Said assessors, in determining the rate of taxation to be levied upon taxable property for the year, shall include in the estimated receipts lawfully applicable to the payment of expenditures the aforesaid amounts.

SECTION 9. The second paragraph of section 23C of chapter 59 of the General Laws, as appearing in section 1 of chapter 315 of the acts of 1967, is hereby amended by striking out the definitions of "School income" and "General receipts" and inserting in place thereof the following definitions: —

"School income", the total of: (*a*) all estimated receipts of the school committee; (*b*) all estimated receipts of school aid under paragraphs (3) and (4) of subsection (*b*) of section eighteen A of chapter fifty-eight; (*c*) any other estimated receipts under any provisions of chapters sixty-nine, seventy-one, seventy-four and seventy-six; (*d*) amounts appropriated for school purposes to be taken from available funds; and (*e*) any other reimbursements, grants or gifts from any source whatsoever assigned or intended for school purposes, as hereinbefore defined, and applicable to the school appropriations of the year.

"General receipts", the total of: (*a*) amounts voted to be taken from available funds for the reduction of taxes; (*b*) estimated receipts from the commonwealth in reimbursement for publicly owned land; (*c*) estimated receipts from the commonwealth under paragraphs (1), (2) and (5) of subsection (*b*) of section eighteen A of chapter fifty-eight; (*d*) estimated receipts from licenses, fines, and the excise on motor vehicles and trailers, and from interest on taxes, assessments and deposits; and (*e*) any other estimated receipts from the commonwealth or the federal government available without limitation to meet any expenditure of the town and not assigned or intended for any special purpose.

SECTION 10. Chapter 69 of the General Laws is hereby amended by striking out section 29C, as amended by section 45 of chapter 14 of the acts of 1966, and inserting in place thereof the following section: —

Section 29C. One half of the expense of purchasing, leasing and maintaining special audio equipment authorized under section forty-six A of chapter seventy-one for the instruction of physically handicapped children shall be reimbursed to the cities and towns by the commonwealth under paragraph (3) of subsection (*b*) of section eighteen A of chapter fifty-eight upon approval and certification by the department.

SECTION 11. Section 29D of said chapter 69 is hereby amended by striking out the last sentence, as amended by section 46 of chapter 14 of the acts of 1966, and inserting in place thereof the following sentence:— Said reimbursement shall be paid by the commonwealth under paragraph (3) of subsection (*b*) of section eighteen A of chapter fifty-eight.

SECTION 12. Section 46B of chapter 71 of the General Laws is hereby amended by striking out the second sentence, as amended by section 55 of said chapter 14, and inserting in place thereof the following sentence: — The city or town providing transportation under this section shall be eligible for reimbursement for one half of the cost of transportation upon determination by the department of amounts due in accordance with attested claims by the school committee on forms provided by the department, and said reimbursements shall be paid by the commonwealth under paragraph (3) of subsection (*b*) of section eighteen A of chapter fifty-eight.

SECTION 13. Section 46E of said chapter 71 is hereby amended by striking out the first paragraph, as most recently amended by section 56

of said chapter 14, and inserting in place thereof the following paragraph: —

The state treasurer shall annually on or before November twentieth pay to any city, town or regional school district certified by the commissioner to have paid teachers of classes conducted to meet the requirements of section forty-six compensation in excess of the regular compensation paid to its teachers by the commonwealth under paragraph (3) of subsection (*b*) of section eighteen A of chapter fifty-eight a sum not to exceed five hundred dollars for each such teacher so paid.

SECTION 14. Said chapter 71 is hereby further amended by striking out section 46F, as most recently amended by section 57 of said chapter 14, and inserting in place thereof the following section: —

Section 46F. The state treasurer shall annually on or before November twentieth pay, under paragraph (3) of subsection (*b*) of section eighteen A of chapter fifty-eight, to any city or town or to any regional school district such sums as may be certified by the commissioner on account of special audio equipment purchased, leased and maintained or of classes or special instruction periods conducted as provided in section forty-six or forty-six A of this chapter or section twenty-nine or thirty-two of chapter sixty-nine.

SECTION 15. Notwithstanding any provisions of law to the contrary, the appropriations and funds remaining in the Local Aid Fund at the close of business on the last day of June, nineteen hundred and sixty-nine shall be transferred to the General Fund and any obligations incurred prior to said date which are payable from the Local Aid Fund and any reimbursements or other amounts payable from the Local Aid Fund shall, on and after said date, be paid from the General Fund. All appropriations made from the Local Aid Fund for the fiscal year nineteen hundred and seventy shall be construed to have been made from the General Fund.

SECTION 16. Notwithstanding the provisions of section eighteen A of chapter fifty-eight of the General Laws, as amended by section seven of this act, the amounts distributed under paragraphs (3) and (4) of subsection (*b*) of said section eighteen A during calendar year nineteen hundred and sixty-nine shall not exceed eighty per cent of the net sums received under chapters sixty-four H and sixty-four I of the General Laws for the entire calendar year, after deducting therefrom the expenses incurred in the collection and distribution of said sums and in the administration of said chapters. "Net sums", as used in this section, shall mean the total sums received under or by reason of such chapters as excises, interest thereon, fees, penalties, forfeitures, costs of suits or fines, less all amounts refunded under such chapters or under section twenty-seven of chapter fifty-eight of the General Laws, together with any interest or costs paid on account of such refunds.

SECTION 17. Section 3A of chapter 60 of the General Laws is hereby amended by striking out the third sentence, as most recently amended by section 6 of chapter 757 of the acts of 1967, and inserting in place thereof the following sentence: — Every bill or notice for a real or personal property tax shall have printed thereon in a conspicuous place the school rate, the general tax rate and the total tax rate of the town, as determined by the assessors.

SECTION 18. There is hereby imposed, in addition to the taxes levied under the provisions of chapters sixty-three A and sixty-three C of the General Laws, taxes levied under the provisions of sections eleven to eighty-one, inclusive, of chapter sixty-three of the General Laws and taxes levied under the provisions of chapter five hundred and thirty-one of the acts of nineteen hundred and forty-three and of chapter four hundred and eighty-six of the acts of nineteen hundred and forty-eight, an additional tax equal to fourteen per cent of the taxes imposed under the provisions of said chapters, acts and sections. The surtax imposed under this section shall not apply to taxes imposed under section twenty-one of said chapter sixty-three or to such portion of the taxes imposed under section twenty-three of said chapter sixty-three as exceed two per cent of the gross premiums taxable thereunder. All provisions of said chapters, acts and sections relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, shall, so far as pertinent, be applicable to the taxes imposed by this section.

SECTION 19. Notwithstanding the provisions of section two of chapter sixty-three of the General Laws to the contrary, every bank taxed thereunder shall 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 rate shall not be higher than eleven and four tenths per cent.

SECTION 20. Notwithstanding the provisions of section two of chapter sixty-two A of the General Laws to the contrary, any eligible individual, as defined in section one of said chapter sixty-two A, electing to have his income taxes determined under said chapter shall be assessed a tax in accordance with a tax table, as authorized by section two of said chapter, which table shall include the taxes imposed by chapter sixty-two of the General Laws, as increased by section one of this act. Such election shall be in lieu of any tax for which such individual may be liable under section one of this act. All provisions of said chapter sixty-two A shall be applicable to the tax imposed by section one of this act.

SECTION 21. The provisions of chapters sixty-two B and sixty-three B of the General Laws shall apply to the surtaxes and additional taxes imposed under sections one and eighteen and nineteen of this act.

Notwithstanding the provisions of said chapters to the contrary, declarations of estimated tax filed under said chapters with respect to taxable years commencing after December thirty-first, nineteen hundred and sixty-eight shall include the amount which the taxpayer estimates as the surtaxes and additional taxes due by reason of the passage of this act; and the computation of the addition to the tax with respect to such declarations under section eighteen of said chapter sixty-two B and section six of said chapter sixty-three B shall be made as if the surtaxes and additional taxes imposed by this act were in effect and applicable to the preceding taxable year. If this act is effective after

the filing of such declaration of estimated tax, the taxpayer shall file an amended declaration in accordance with the provisions of said chapter sixty-two B or sixty-three B and include therein the amount which he estimates as the taxes due under the provisions of this act. The amount which the taxpayer estimates as the taxes due under the provisions of this act shall also be included with the taxes otherwise due under chapter sixty-two or chapter sixty-three of the General Laws for the purpose of determining whether the taxpayer is required to file a declaration of estimated tax under said chapter sixty-two B or sixty-three B.

SECTION 22. There is hereby imposed, in addition to the taxes levied under the provisions of chapters sixty-four B and sixty-four G of the General Laws, an additional tax equal to fourteen per cent of the taxes imposed under the provisions of said chapters.

Except as hereinbefore provided, all provisions of said chapters sixty-four B and sixty-four G relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, shall, so far as pertinent, be applicable to the tax imposed by this section.

For the purpose of adding and collecting the tax imposed by this section and the tax imposed by said chapters sixty-four B and sixty-four G, the commissioner of corporations and taxation, with the approval of the state tax commission, shall issue a tax schedule showing the total of the taxes due for each bracket of taxable charges or rent, as defined in said chapters. Such schedule shall be in such form, including the number and size of the brackets, as said commissioner, with the approval of said commission, may determine.

SECTION 23. There is hereby imposed, in addition to the tax levied under the provisions of chapter sixty-four D of the General Laws, an additional tax equal to fourteen per cent of the tax imposed under the provisions of said chapter. All provisions of said chapter relative to the assessment, collection, payment, abatement, verification and administration of said tax, including penalties, shall, so far as pertinent, be applicable to the tax imposed by this section.

SECTION 24. There is hereby imposed, in addition to the excise levied under the provisions of section twenty-one of chapter one hundred and thirty-eight of the General Laws, an additional excise equal to fourteen per cent of the excise imposed under the provisions of said section twenty-one. All provisions of said section relative to the assessment, collection, payment, abatement, verification and administration of said excise, including penalties, shall, so far as pertinent, be applicable to the excise imposed by this section.

SECTION 25. Every licensed manufacturer, wholesaler, importer and other licensee under chapter one hundred and thirty-eight of the General Laws, who, at the commencement of the business on the day next following the effective date of this section, has on hand for sale at the premises covered by a license issued to such person under any provision of said chapter one hundred and thirty-eight, or at any other premises, any alcoholic beverages or alcohol with respect to which the additional excise imposed under section twenty-four of this act has not been paid or is not payable under the provisions of said section twenty-four, shall

make and file with the commissioner of corporations and taxation a complete inventory thereof within twenty days thereafter and shall pay to said commissioner, at the time of filing such inventory, an excise with respect to such alcoholic beverages and alcohol in an amount equal to fourteen per cent of the excise imposed under the provisions of section twenty-one of chapter one hundred and thirty-eight of the General Laws, and any act in addition thereto. All provisions of said section twenty-one relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, shall, so far as pertinent, be applicable to the excise imposed by this section.

SECTION 26. All property subject to a legacy and succession tax under the provisions of chapter sixty-five of the General Laws shall be subject to an additional tax equal to fourteen per cent of the tax imposed under the provisions of said chapter. All provisions of said chapter relative to the determination, certification, assessment, collection, payment, abatement, verification and administration of such legacy and succession tax, including penalties, shall, so far as pertinent, be applicable to the tax imposed by this section.

SECTION 27. 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 one per cent of the total amount wagered on each day of such meeting and shall pay the same to the state racing commission on the day following.

SECTION 28. The first paragraph of section 4 of chapter 64A of the General Laws, as most recently amended by section 1 of chapter 451 of the acts of 1965, is hereby further amended by striking out the third sentence.

SECTION 29. Section 4 of chapter 64E of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by section 4 of chapter 451 of the acts of 1965.

SECTION 30. Section 5 of chapter 128A of the General Laws, as most recently amended by section 1 of chapter 97 of the acts of 1968, is hereby further amended by striking out, in lines 42, 43 and 44, in lines 50, 51 and 52, and in lines 83, 84 and 85, respectively, the words ", other than a licensee holding a racing meeting in connection with a state or county fair,".

SECTION 31. Said section 5 of said chapter 128A is hereby further amended by striking out the sixth paragraph.

SECTION 32. In any case in which the effective date or applicability of any provision of this act is expressed in terms of taxable years beginning or ending with reference to a specified date which is the first or last day of a month, with respect to any taxpayer, his taxable year shall be treated as beginning with the first day of the calendar month beginning nearest to the first day of such taxable year, or as ending with the last day of the calendar month ending nearest to the last day of such taxable year.

SECTION 33. If any provision, section or subsection of this act or the application thereof shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed to affect the validity or constitutionality

of any of the remaining provisions, sections or subsections of this act or their application 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 remaining provisions, sections or subsections would have been adopted had such invalid or unconstitutional provision, section or subsection not been included therein.

SECTION 34. Section one shall take effect upon passage of this act and shall apply with respect to taxable years commencing after December thirty-first, nineteen hundred and sixty-eight. Sections two, three and four shall apply to returns required to be filed on and after August first, nineteen hundred and sixty-nine. Sections five to sixteen, inclusive, shall take effect as of July first, nineteen hundred and sixty-nine. Section seventeen shall take effect with regard to tax bills issued for real and personal property taxes in nineteen hundred and seventy. Sections eighteen to twenty-one, inclusive, shall take effect upon passage of this act and shall apply with respect to taxable years commencing after December thirty-first, nineteen hundred and sixty-eight. Sections twenty-two and twenty-three shall take effect on August first, nineteen hundred and sixty-nine, and the tax imposed by section twenty-two shall apply to any taxable occupancy, as defined in chapter sixty-four G, existing on such date regardless of the fact that the transfer of occupancy took place prior thereto. Section twenty-four shall apply to sales of alcoholic beverages or alcohol and to importation of malt beverages into the commonwealth on and after August first, nineteen hundred and sixty-nine. Section twenty-five shall take effect on July thirty-first, nineteen hundred and sixty-nine. Section twenty-six shall apply to property or interests passing or accruing upon the death of persons who die on or after the effective date of this act. Section twenty-seven shall take effect upon the passage of this act and shall apply to horse and dog racing meetings conducted on and after said date. Sections twenty-eight and twenty-nine shall apply to returns required to be filed on and after August first, nineteen hundred and sixty-nine. Sections thirty and thirty-one shall take effect upon passage of this act and shall apply to horse and dog racing meetings conducted on and after said date. Sections thirty-two and thirty-three shall take effect upon passage of this act.

Approved July 18, 1969.

Chap. 547. AN ACT RELATIVE TO THE SALARY OF EMPLOYEES OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay additional compensation for certain employees of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (1) of section 46 of chapter 30 of the General Laws is hereby amended by striking out the salary schedule, as most recently amended by section 1 of chapter 635 of the acts of 1966, and inserting in place thereof the following:—

GENERAL SALARY SCHEDULE.

Effective December 29, 1968.

(Weekly Rates on total cash basis.)

JOB GROUP.	Step 1 Minimum.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7 Maximum.
I	$88.35	$91.20	$94.05	$96.90	$99.75	$102.60	$105.45
II	90.90	93.75	96.60	99.45	102.30	105.15	108.00
III	93.80	97.00	100.20	103.40	106.60	109.80	113.00
IV	97.60	100.80	104.00	107.20	110.40	113.60	116.80
V	100.45	103.95	107.45	110.95	114.45	117.95	121.45
VI	105.55	109.05	112.55	116.05	119.55	123.05	126.55
VII	110.00	113.80	117.60	121.40	125.20	129.00	132.80
VIII	114.15	118.30	122.45	126.60	130.75	134.90	139.05
IX	120.80	125.25	129.70	134.15	138.60	143.05	147.50
X	127.50	132.25	137.00	141.75	146.50	151.25	156.00
XI	134.15	139.25	144.35	149.45	154.55	159.65	164.75
XII	142.10	147.50	152.90	158.30	163.70	169.10	174.50
XIII	152.60	158.30	164.00	169.70	175.40	181.10	186.80
XIV	162.15	168.80	175.45	182.10	188.75	195.40	202.05
XV	172.65	179.90	187.15	194.40	201.65	208.90	216.15
XVI	183.45	191.60	199.75	207.90	216.05	224.20	232.35
XVII	196.20	204.75	213.30	221.85	230.40	238.95	247.50
XVIII	206.90	216.15	225.40	234.65	243.90	253.15	262.40
XIX	219.00	228.95	238.90	248.85	258.80	268.75	278.70
XX	232.25	242.55	252.85	263.15	273.45	283.75	294.05
XXI	244.35	255.40	266.45	277.50	288.55	299.60	310.65
XXII	257.90	269.65	281.40	293.15	304.90	316.65	328.40
XXIII	272.45	284.55	296.65	308.75	320.85	332.95	345.05
XXIV	286.00	298.80	311.60	324.40	337.20	350.00	362.80
XXV	299.55	313.10	326.65	340.20	353.75	367.30	380.85
XXVI	311.65	325.85	340.05	354.25	368.45	382.65	396.85
XXVII	326.25	340.85	355.45	370.05	384.65	399.25	413.85
XXVIII	339.80	355.15	370.50	385.85	401.20	416.55	431.90
XXIX	354.70	370.70	386.70	402.70	418.70	434.70	450.70
XXX	371.10	387.85	404.60	421.35	438.10	454.85	471.60
XXXI	386.05	403.50	420.95	438.40	455.85	473.30	490.75
XXXII	402.45	420.60	438.75	456.90	475.05	493.20	511.35
XXXIII	418.80	437.65	456.50	475.35	494.20	513.05	531.90

SECTION 2. The salary of each employee in the service of the commonwealth and paid from the treasury thereof, other than an employee with a salary fixed by statute or an employee whose salary is increased by section one of this act, shall be increased over the rate paid December twenty-eighth, nineteen hundred and sixty-eight by twenty dollars a week or twelve per cent, whichever is greater provided, that in the case of an employee who has received a salary increase after December twenty-eighth, nineteen hundred and sixty-eight, no increase shall be payable under this section which would increase the salary of such employee to an amount greater than his salary on December twenty-eighth, nineteen hundred and sixty-eight, plus twelve per cent or twenty dollars, whichever is the greater.

SECTION 2A. The director of personnel and standardization, beginning in the year nineteen hundred and seventy-one, shall annually in the month of January determine the percentum change in the cost-of-

living for the previous year as shown by the United States Consumer Price Index for such year as compared with the average as shown by such index for the year nineteen hundred and sixty-nine or the last previous year which was the bases for an increase or decrease as provided herein, or in any case where a salary payable to a state employee under the provisions of sections forty-five to fifty, inclusive, of chapter thirty of the General Laws became effective subsequent to the last previous year in which an increase or decrease as provided for herein became effective, for the year in which such salary became effective, and whenever such determination indicates an upward or downward change of at least three percentum, a corresponding per-centum increase or decrease shall be made in the amount of every salary payable under said provisions of sections forty-five to fifty, inclusive; provided that no decrease shall be made which would reduce any salary to an amount less than the original amount of such salary nor shall any decrease be made which would reduce the amount of any salary to an amount less than the amount fixed for such salary as of December thirty-first, nineteen hundred and sixty-nine. Any increase provided for in this section shall become due and payable on January first of each year during the continuance of such salary; subject, however, to any future increase or decrease as provided for in this section, and shall be paid only to such employees as had received their full regular salary for the month of November in each such year.

SECTION 2B. The wages paid to blind workers by the Massachusetts Commission for the Blind, as provided by section one hundred and forty-three of chapter six of the General Laws, shall be increased by twenty dollars per week.

SECTION 3. This act shall take effect as of December twenty-ninth, nineteen hundred and sixty-eight.

(This Bill, returned by the acting governor, to the House of Representatives, the branch in which it originated, with his objections thereto, was passed by the House of Representatives, July 22, 1969, and, in concurrence, by the Senate, July 22, 1969, the objections of the acting governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

Chap. 548. AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS AND NOTES TO BE ISSUED BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would cause great inconvenience in the issues of bonds and notes providing additional funds for the suitable recognition of those residents of Massachusetts who shall have served in the armed forces of the United States during the Vietnam conflict, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section one of chapter sixty-three of the acts of the current year, providing additional funds for the suitable recognition of those residents of Massachusetts who shall have served in the armed forces of the United States

during the Vietnam conflict, shall be issued and may be renewed one or more times for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and seventy-three, and the bonds which the state treasurer is authorized to issue under section two of said chapter sixty-three shall be issued for maximum terms of ten years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-four, as recommended by the governor in a message to the general court, dated March fourteenth, nineteen hundred and sixty-nine, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

SECTION 2. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section twelve of chapter six hundred and forty-six of the acts of nineteen hundred and sixty-eight, as amended by section three of chapter sixty-three of the acts of the current year, providing additional funds for the suitable recognition of those residents of Massachusetts who shall have served in the armed forces of the United States during the Vietnam conflict, shall be issued for maximum terms of ten years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-five, as recommended by the governor in a message to the general court, dated March fourteenth, nineteen hundred and sixty-nine, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth.

Approved July 22, 1969.

Chap. 549. AN ACT FURTHER EXTENDING CERTAIN APPOINTMENTS FOR A LIMITED PERIOD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of the first paragraph of section fifteen of chapter thirty-one of the General Laws relative to the period for which a provisional appointment to fill a permanent position may be made, such provisional appointment, subject to other provisions of said section fifteen, may be authorized for a period of two years instead of one year.

SECTION 2. This act shall cease to be effective on June thirtieth, nineteen hundred and seventy; 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. *Approved July 22, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 22, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 549 of the Acts of 1969, entitled "AN ACT FURTHER EXTENDING CERTAIN APPOINTMENTS FOR A LIMITED PERIOD." and the enactment of which received my approval on July 22, 1969, 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:

This bill, in effect, continues the provisions of Section 4 of Chapter 743 of the Acts of 1962 for two additional years. Sections 4, 5 and 6 of said Chapter have been extended from time to time for an additional year since 1962. Since section 4 of Chapter 743 ceased to be effective on June 30, 1969, this emergency preamble is required.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 23, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at nine o'clock and forty 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 forty-nine of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 550. AN ACT AUTHORIZING THE REINSTATEMENT OF HAROLD E. ROSEN AS A MEMBER IN SERVICE IN THE CONTRIBUTORY RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

Harold E. Rosen may, at his election, again become a member in service of the contributory retirement system for public employees notwithstanding his election to become a member inactive, provided that he repays into said system the total amount of any allowance he received from the date of his retirement to the date of his again becoming a member in service; and notwithstanding any contrary provision of law, he shall receive the salary to which he would have been entitled as management analyst in the department of commerce and development, from March thirty-first, nineteen hundred and sixty-nine to the date of his reinstatement as a member in service of said system, had he not been receiving a retirement allowance during said period.

(*This Bill, returned by the acting governor, to the House of Representatives, the branch in which it originated, with his objections thereto, was passed by the House of Representatives, July 23, 1969, and, in concurrence, by the Senate, July 23, 1969, the objections of the acting governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".*)

Chap. 551. AN ACT REPEALING CERTAIN PROVISIONS OF LAW RELATIVE TO THE USE OF ELECTRONIC VOTING SYSTEMS AT ELECTIONS AND PRIMARIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to facilitate forthwith the use of electronic voting systems, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 33F of chapter 54 of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 5 of chapter 564 of the acts of 1967.

SECTION 2. The third paragraph of section 33H of said chapter 54, as so appearing, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — Each precinct tabulation sheet shall show the total number of names checked on the voting lists, the total number of ballots cast, the names of all persons voted for, the number of votes for each person and the title of the office for which he was a candidate, the number of blank ballots for each office and the number of affirmative and negative votes in answer to any question submitted to the voters. *Approved July 24, 1969.*

Chap. 552. AN ACT PROVIDING BENEFITS FOR THE WIDOWS OF CERTAIN SPECIAL JUSTICES.

Be it enacted, etc., as follows:

If a special justice who would be entitled upon resigning to a pension for life under section sixty-five B of chapter thirty-two of the General Laws dies before resigning and before the effective date of section sixty-five C of said chapter thirty-two, added by chapter six hundred and ninety-nine of the acts of nineteen hundred and sixty-eight, his widow shall receive a pension for life of two thirds of such pension for life at a lesser annual rate to which such special justice would have been entitled had he resigned on the effective date of said section sixty-five C of said chapter thirty-two, and had such pension for life at a lesser annual rate been computed under the first paragraph of said section sixty-five C.

The provisions of this act shall not apply unless such deceased special justice and his widow were living together at the time of his death, or, if living apart, were living apart, in the opinion of the retiring authority, for justifiable cause other than desertion or moral turpitude on the part of such widow. Any pension payable under this act shall terminate upon the remarriage of such widow. Any pension payable to the widow of such special justice shall not exceed four thousand dollars.

Approved July 24, 1969.

Chap. 553. AN ACT AUTHORIZING THE TOWNS OF ASHBURNHAM AND WESTMINSTER TO MAKE APPROPRIATIONS FROM THEIR RESPECTIVE STABILIZATION FUNDS TOWARD THE CONSTRUCTION OF A NEW SCHOOL BUILDING BELONGING TO THE ASHBURNHAM WESTMINSTER REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The towns of Ashburnham and Westminster, being the member towns of the Ashburnham Westminster Regional School

District, are hereby authorized to appropriate from their respective stabilization funds such sums of money and in such proportions as they may determine, without regard to the percentage of the cost allocated to each such town toward the construction of a new school building, or for an addition to the existing school building belonging to said district.

If the combined appropriation of said towns from their respective stabilization funds amounts to not less than seventy-five thousand dollars, and to the extent that it does not exceed one hundred thousand dollars, a sum equal to said appropriation shall be paid by the commonwealth as a matching stabilization fund payment under the provisions of section nine of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended.

SECTION 2. During the first ten years of the bond issue required to finance such construction, the town of Ashburnham shall pay annually towards its share of the payments required to retire said bond issue an additional sum, over and above its normal proportionate capital assessment, equal to one tenth of the difference between the amount of its appropriation from the stabilization fund and the amount the town would be required to appropriate from the stabilization fund consistent with the terms of the district agreement relating to the apportionment of capital costs; and the town of Westminster during said ten year period shall annually pay towards its share of the payments required to retire said bond issue the amount of its normal proportionate capital assessment reduced by the amount of the additional assessment required to be paid by the town of Ashburnham in accordance with the provisions of this section.

SECTION 3. This act shall take effect upon its acceptance by a majority of the voters present and voting thereon at a town meeting called for such purpose in each of said towns. *Approved July 24, 1969.*

Chap. 554. AN ACT RELATIVE TO THE PAYMENT BY THE NEWBURYPORT POLICE RELIEF ASSOCIATION, INC. OF SUMS OF MONEY TO RETIRED MEMBERS OF THE ASSOCIATION.

Be it enacted, etc., as follows:

The Newburyport Police Relief Association, Inc., a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the retirement of any member in good standing, to pay such member such sum, not exceeding two thousand dollars, as may be determined by vote of the directors of said corporation, and upon payment of said sum said member shall cease to be a member of or derive any benefits from said corporation. *Approved July 24, 1969.*

Chap. 555. AN ACT FURTHER REGULATING THE SALE, LEASE OR USE OF CERTAIN REAL ESTATE.

Be it enacted, etc., as follows:

SECTION 1. Section 15B of chapter 40 of the General Laws is hereby amended by adding at the end thereof the following paragraph: —

No land acquired by eminent domain by a city or town within the limits of another city or town, and no land of a district so acquired, may be sold or exchanged pursuant to this section unless it is offered to be

conveyed to the city or town wherein it lies for a minimum amount, specified by vote of the city council or a town or district meeting, for which the city, town or district owning it is willing to sell it, nor unless such offer is not accepted within six months after notice thereof is given to the mayor or selectman of the city or town wherein such land lies, nor unless such conveyance is made within three months after the expiration of such six months.

SECTION 2. The provisions of section fifteen of chapter forty of the General Laws shall not be deemed to apply or to have applied to sales, exchanges, leases, permits, licenses or agreements made or granted in accordance with section fifteen B of said chapter forty as in effect immediately prior to the effective date of this date.

Approved July 24, 1969.

Chap. 556. AN ACT FURTHER REGULATING THE POWERS OF THE STATE TAX COMMISSION TO GRANT ABATEMENTS OF STATE TAXES.

Be it enacted, etc., as follows:

SECTION 1. Section 27 of chapter 58 of the General Laws is hereby amended by striking out the third sentence, as appearing in section 1 of chapter 468 of the acts of 1964, and inserting in place thereof the following sentence: — No certificate for the abatement of any tax or excise shall be issued under this section unless application therefor is made to the commission within five years from the time that the return with respect to such tax or excise was required to be filed, determined without regard to any extension of time, or within one year from the date of payment of such tax or excise, or for an amount exceeding the sum which in equity and good conscience ought to be abated under all the circumstances of the case.

SECTION 2. Section 6 of chapter 58A of the General Laws is hereby amended by striking out the last sentence, as appearing in section 1 of chapter 523 of the acts of 1958, and inserting in place thereof the following two sentences: — The commission shall have authority to act on any such application after the date of any such denial if the applicant has not seasonably taken an appeal from such denial. During the period allowed for the taking of an appeal, the commission may by agreement with the applicant abate the tax in whole or in part in final settlement of said application, and shall also have the authority granted to it by section seven to abate in whole or in part any tax as to which an appeal has been seasonably taken.

SECTION 3. Section one of this act shall apply to applications for abatement filed on and after its effective date. Section two of this act shall apply to applications for abatement filed with the state tax commission on and after its effective date and to applications for abatement previously filed with it upon which no action has been taken as of its effective date.

Approved July 24, 1969.

Chap. 557. AN ACT CONFORMING THE EXEMPTION FOR A DEPENDENT UNDER THE PERSONAL INCOME TAX LAW TO THAT UNDER THE FEDERAL INTERNAL REVENUE CODE.

Be it enacted, etc., as follows:

SECTION 1. Section 5B of chapter 62 of the General Laws is hereby amended by striking out paragraph (4), as amended by section 16 of

chapter 796 of the acts of 1967, and inserting in place thereof the following paragraph: —

(4) An exemption of six hundred dollars for each individual who qualifies for exemption as a dependent under section one hundred and fifty-one (*e*) of the federal Internal Revenue Code, as amended and in effect for the taxable year.

SECTION 2. This act shall apply with respect to taxable years ending on and after December thirty-first, nineteen hundred and sixty-nine.

Approved July 24, 1969.

Chap. 558. AN ACT RELATIVE TO THE TAXATION OF BOATS AND AIRPLANES UNDER THE SALES AND USE TAX LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 64H of the General Laws is hereby amended by inserting after section 25 the following section: —

Section 25A. The director of the division of motorboats shall not issue a certificate of number for a motorboat under section three of chapter ninety B and the aeronautics commission shall not register a federal certificate for an aircraft under section forty-nine of chapter ninety, except in the case of a renewal by the same owner, until the owner shall furnish evidence, on such forms as shall be prescribed by the commissioner, that any tax due under the provisions of this chapter has been paid or that no such tax is due.

SECTION 2. Section 27 of said chapter 64H, as appearing in section 1 of chapter 757 of the acts of 1967, is hereby amended by adding the following paragraph: —

Where a trade-in of an airplane is received by a dealer in airplanes, who has registered his federal dealer's aircraft registration, upon the sale of another airplane to a consumer or user, the tax shall be imposed only on the difference between the sales price of the airplane purchased and the amount allowed on the airplane traded in on such purchase. When any airplane traded in is subsequently sold to a consumer or user, the tax provided for in this section shall apply.

SECTION 3. Section 7 of chapter 64I of the General Laws is hereby amended by striking out paragraph (*b*), as appearing in section 2 of chapter 757 of the acts of 1967, and inserting in place thereof the following paragraph: —

(*b*) Sales exempt from the taxes imposed under chapter sixty-four H; provided, however, that in the case of the purchase of any motor vehicle or trailer, as defined in section one of chapter ninety, or any boat or airplane, other than from a vendor who is regularly engaged in the business of making sales at retail of such motor vehicles, trailers, boats or airplanes, the receipts from which are exempt from the tax imposed under said chapter sixty-four H, the purchaser thereof, except when said purchaser is the spouse, mother, father, brother, sister or child of the seller, shall pay the tax imposed by this chapter.

SECTION 4. Said chapter 64I is hereby further amended by inserting after section 26 the following section: —

Section 26A. The director of the division of motorboats shall not issue a certificate of number for a motorboat under section three of chapter ninety B and the aeronautics commission shall not register a

federal certificate for an aircraft under section forty-nine of chapter ninety, except in the case of a renewal by the same owner, until the owner shall furnish evidence, on such forms as shall be prescribed by the commissioner, that any tax due under the provisions of this chapter has been paid or that no such tax is due.

SECTION 5. Section 28 of said chapter 64I, as appearing in section 2 of chapter 757 of the acts of 1967, is hereby amended by adding the following paragraph: —

Where a trade-in of an airplane is received by a dealer in airplanes, who has registered his federal dealer's aircraft registration, upon the sale of another airplane to a consumer or user, the tax shall be imposed only on the difference between the sales price of the airplane purchased and the amount allowed on the airplane traded in on such purchase. When any airplane traded in is subsequently sold to a consumer or user, the tax provided for in this section shall apply.

SECTION 6. This act shall apply to sales of boats and airplanes made and certificates of number of motorboats issued and registration of federal aircraft certificates made on and after its effective date.

Approved July 24, 1969.

Chap. 559. AN ACT PROVIDING FOR THE ESTABLISHMENT OF A LIEN ON UNPAID SALES AND USE TAXES.

Be it enacted, etc., as follows:

SECTION 1. Section 33 of chapter 58 of the General Laws, added by section 1 of chapter 577 of the acts of 1967, is hereby amended by striking out, in line 2, the word "sixty-four G" and inserting in place thereof the word: — sixty-four I.

SECTION 2. This act shall apply to assessments made or deemed to have been made on and after its effective date.

Approved July 24, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 24, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 559 of the Acts of 1969, entitled "AN ACT PROVIDING FOR THE ESTABLISHMENT OF A LIEN ON UNPAID SALES AND USE TAXES." and the enactment of which received my approval on July 24, 1969, 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:

Because the sales and use tax law was made permanent subsequent to the enactment of the lien statute, the latter does not apply to unpaid sales and use taxes. This proposal would extend the lien law so that it applies to all sales and use taxes assessed or deemed to be assessed on

and after its effective date. In order to assist the tax department in the prompt and complete collection of unpaid sales and use taxes, this act should take effect immediately.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 25, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at ten o'clock and forty-seven 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 fifty-nine of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 560. AN ACT AUTHORIZING THE USE OF A STANDARD DEDUCTION IN COMPUTING INHERITANCE TAXES.

Be it enacted, etc., as follows:

The first paragraph of section 27 of chapter 65 of the General Laws, as most recently amended by section 1 of chapter 550 of the acts of 1967, is hereby further amended by inserting after the sixth sentence the following three sentences: — In lieu of allowing any itemized deductions on account of debts or expenses of administration or a credit for federal estate taxes, the commissioner shall allow a standard deduction for aggregate values of less than one hundred thousand dollars determined under a table of deductions issued by him and approved by the commission. Such standard deduction shall represent a reasonable amount for debts, expenses and taxes for each bracket of gross taxable property or the gross value of the probate estate up to one hundred thousand dollars. If an executor, administrator, trustee or any person liable to taxation under this chapter does not elect in writing within two hundred and ten days of the filing of his bond to itemize deductions on account of debts or expenses of administration and federal estate taxes, the standard deduction under said table of deductions shall be used to compute and assess the tax due under this chapter.

Approved July 24, 1969.

Chap. 561. AN ACT LIMITING THE TIME FOR THE ASSESSMENT AND COLLECTION OF INHERITANCE TAXES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 65 of the General Laws is hereby amended by inserting after section 33 the following section: —

Section 33A. Taxes imposed by this chapter and by corresponding provisions of earlier laws shall be assessed and collected within ten years of the date of death of the decedent or, in the case of future interests, within ten years of the date that the right of possession or enjoyment of property accrues; provided, however, that written notice

of such death or of such accrual has been given to the commissioner within five years of the date of such death or accrual. If notice is not given within such time, the commissioner's right to assess and collect any tax due shall continue until five years after the giving of such notice. Notice to the commissioner of the death of the decedent shall be conclusively presumed to have been given upon the date of filing of the inventory.

SECTION 2. This act shall apply to taxes unpaid on its effective date as well as to taxes assessed thereafter. *Approved July 24, 1969.*

Chap. 562. AN ACT CLARIFYING THE AMOUNT OF ESTATE TAX CREDIT APPLICABLE TO INHERITANCE TAXES DUE UPON FUTURE INTERESTS.

Be it enacted, etc., as follows:

Chapter 65A of the General Laws is hereby amended by striking out section 3, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 3. If after the payment of the tax under this chapter there shall become payable a tax under chapter sixty-five upon any future interest in any property owned by such decedent or subject to such tax as a part of or in connection with his estate, such part of the tax paid under this chapter as is attributable to such future interest shall be credited against the tax under said chapter sixty-five, but the amount so credited shall not in any event exceed the amount of the tax on such future interest. *Approved July 24, 1969.*

Chap. 563. AN ACT RELATIVE TO TEMPORARY AND ASSISTANT TREASURERS AND ASSISTANT CLERKS IN DISTRICTS AND PROVIDING FOR THE APPOINTMENT OF A TEMPORARY TREASURER TO TERMINATE THE AFFAIRS OF THE FORMER PENTUCKET WELFARE DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 41 of the General Laws is hereby amended by striking out section 122, as most recently amended by section 13 of chapter 45 of the acts of 1967, and inserting in place thereof the following section: —

Section 122. Unless otherwise provided by law, if the office of treasurer of a district is vacant, or if the treasurer is absent, or unable to perform his duties because of disability, the prudential committee, if any, otherwise the commissioners, may appoint a temporary treasurer to hold such office and exercise the powers and perform the duties thereof until another is duly elected or appointed and qualifies according to law or until the treasurer who was disabled or absent resumes his duties. Any such temporary treasurer shall be sworn to and give bond for the faithful performance of his duties in accordance with the provisions of law applicable to the treasurer whose position he fills, and if he fails so to do within ten days after his appointment, the prudential committee, if any, otherwise the commissioners, shall rescind the appointment and appoint another.

SECTION 2. Said chapter 41 is hereby amended by inserting after section 123 the following section: —

Section 123A. In a district, the prudential committee, if any, otherwise the commissioners, may in writing appoint an assistant treasurer who may be an employee of the district, and an assistant clerk of the district. Such assistants shall be sworn to the faithful performance of their duties and a record shall be made of any such appointment and oath. They shall be citizens of the United States and residents of the commonwealth, and shall give bond annually for the faithful performance of their duties in a form approved, and in an amount determined by the commissioner of corporations and taxation. Unless a temporary treasurer or a temporary clerk has been appointed in accordance with law, the assistant treasurer or the assistant clerk, as the case may be, may, in the absence of the treasurer or clerk, as the case may be, perform the duties of such office and in the performance of such duties shall have the powers and be subject to the requirements and penalties applicable thereto.

SECTION 3. The selectmen of the towns comprising the former Pentucket Welfare District, established under the provisions of section forty-four of chapter one hundred and seventeen of the General Laws, shall appoint a suitable person as the treasurer of said district for the sole purpose of terminating the affairs of said district. Such termination shall be determined by the commissioner of public welfare. Said treasurer shall, pursuant to the authorization of the selectmen of said towns, distribute to each member town of said district its proportionate share of the funds on hand in the district treasury. *Approved July 24, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 24, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 563 of the Acts of 1969, entitled "AN ACT RELATIVE TO TEMPORARY AND ASSISTANT TREASURERS AND ASSISTANT CLERKS IN DISTRICTS AND PROVIDING FOR THE APPOINTMENT OF A TEMPORARY TREASURER TO TERMINATE THE AFFAIRS OF THE FORMER PENTUCKET WELFARE DISTRICT." and the enactment of which received my approval on July 24, 1969, 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:

Section 3 of this act authorizes the selectmen of the towns comprising the former Pentucket Welfare District to appoint a treasurer of said former district for the sole purpose of terminating the affairs of said district. The former treasurer of this district died before closing out the final accounts relative to the state takeover of the welfare system. Thus, in order to expedite the termination of the affairs of the former Pentucket Welfare District it is necessary that a treasurer for the district be appointed immediately.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 25, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at ten o'clock and forty-eight 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 sixty-three of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 564. AN ACT EXTENDING THE PROVISIONS OF THE CONDOMINIUM LAW TO NONRESIDENTIAL BUILDINGS.

Be it enacted, etc., as follows:

Section 1 of chapter 183A of the General Laws is hereby amended by striking out the definition of "Building", as amended by chapter 868 of the acts of 1967, and inserting in place thereof the following definition: —

"Building", a structure designed or used for any purpose, private or public, and containing two or more units comprising part of the condominium.

Approved July 24, 1969.

Chap. 565. AN ACT AUTHORIZING THE DIVISION OF FISHERIES AND GAME TO UNDERTAKE A PROGRAM OF MANAGEMENT TO PROVIDE SPORT FISHING AT COOK POND IN THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

The division of fisheries and game in the department of natural resources is hereby authorized to undertake a program of management to provide sport fishing at Cook pond in the city of Fall River.

Approved July 24, 1969.

Chap. 566. AN ACT DESIGNATING THE DIRECTOR OF FISHERIES AND GAME AS A MEMBER OF THE WATER RESOURCES COMMISSION AND PROVIDING FOR THE APPOINTMENT BY THE GOVERNOR OF AN ADDITIONAL MEMBER OF SAID COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 21 of the General Laws is hereby amended by striking out section 8, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 8. The division of water resources shall be under the supervision and control of the water resources commission, hereinafter in this section and in sections nine to fifteen, inclusive, called the commission, which shall consist of the commissioner of agriculture, the commissioner of commerce and development, the metropolitan district commissioner, the commissioner of natural resources, the commissioner of public

health, the commissioner of public works, the director of the division of fisheries and game and four persons to be appointed by the governor with the advice and consent of the council. The four persons appointed by the governor shall each represent a different major type of water user. Any member ex officio may designate a person to act as his representative at meetings of the commission and, in so far as is practicable, such member shall designate the same person for each such meeting. Upon the expiration of the term of office of an appointive member of said commission his successor shall be appointed, in like manner, for a term of three years.

SECTION 2. The additional appointive member provided for by section eight of chapter twenty-one of the General Laws, as amended by section one of this act, shall serve for a term of three years.

Approved July 24, 1969.

Chap. 567. AN ACT PROVIDING FOR THE RETURN OF CERTAIN DEPOSITS BY CERTAIN SELF-INSURERS UNDER THE WORKMEN'S COMPENSATION ACT.

Be it enacted, etc., as follows:

Paragraph (2) (*a*) of section 25A of chapter 152 of the General Laws is hereby amended by adding the following sentence: — If an employer engaged in interstate or foreign commerce certifies that the laws of the United States provide for liability for injury to or death of its employees, the deposit may be returned to the employer less such amount as determined by the division as necessary to satisfy against liability that may already have arisen under this chapter; and provided that such determination by the division shall be reviewable by the superior court for the county in which the employer resides, or, in the case of a corporation, where said corporation has a usual place of business.

Approved July 24, 1969.

Chap. 568. AN ACT PROVIDING FOR REIMBURSEMENT BY THE COMMONWEALTH TO THE TOWN OF HADLEY 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 Hadley, subject to appropriation and subject to the approval of the commissioner of veterans' services, such sum, not exceeding four thousand two hundred and ninety-one dollars and forty-two 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-four, nineteen hundred and sixty-five, nineteen hundred and sixty-six and nineteen hundred and sixty-seven, under the provisions of section six of chapter one hundred and fifteen of the General Laws, had said town made a proper and seasonable report thereof to said commissioner as required by said section six.

Approved July 24, 1969.

Chap. 569. AN ACT AUTHORIZING THE STATE TREASURER TO RECEIVE THE PRINCIPAL OF CERTAIN FUNDS.

Be it enacted, etc., as follows:

Chapter 10 of the General Laws is hereby amended by inserting after section 17A, the following section: —

Section 17B. The state treasurer may receive the principal of any funds given or bequeathed to the commonwealth or to any department, office, commission, board or institution where there is no specific statutory authority to receive said fund; provided, however, that acceptance of said fund shall be subject to the approval of the governor. Upon request of the agency the state treasurer shall, subject to appropriation, expend the income of the fund, and such parts of the principal as may be subject to the control of the agency, in such manner as the agency may direct, subject to any condition affecting the administration thereof. Such funds shall be invested safely by the state treasurer, and he shall be responsible for the faithful management of the same to the same extent that he is responsible for other funds held by him.

Approved July 24, 1969.

Chap. 570. AN ACT EXEMPTING CHAPLAINS AT STATE INSTITUTIONS FROM THE PROVISIONS OF THE CIVIL SERVICE, TENURE, LEGAL HOLIDAY, WORK HOURS AND OVERTIME LAWS.

Be it enacted, etc., as follows:

Chapter 30 of the General Laws is hereby amended by inserting after section 9D the following section: —

Section 9E. No person employed as a chaplain by the commonwealth shall be classified under chapter thirty-one or be subject to the provisions of sections nine A, nine B, nine D, or twenty-four A of chapter thirty, or sections thirty A or thirty B of chapter one hundred and forty-nine.

Approved July 24, 1969.

Chap. 571. AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF FRAMINGHAM TO THE SOUTH MIDDLESEX REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT.

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 to sell and convey, by a deed approved as to form by the attorney general, to the South Middlesex Regional Vocational Technical School District, for the purpose of enabling said district to establish and maintain a regional vocational school thereon, a certain parcel of land located at the corner of Fountain and Winter streets in the town of Framingham, and bounded and described as follows:

Southerly by Fountain street, nine hundred seventy-five and 15/100 feet (975.15) more or less;

Westerly by Winter street, nine hundred ninety and 00/100 feet (990) more or less;

Northerly by land of the commonwealth of Massachusetts, eleven hundred ninety and 00/100 feet (1190) more or less;

Easterly by other land of the commonwealth of Massachusetts, and by land of the town of Framingham, eleven hundred fifty and 00/100 feet (1150) more or less;

Southeasterly on a curve by land of the town of Framingham and Fountain street, sixty-six and 54/100 feet (66.54) more or less.

Containing twenty-seven and 80/100 acres (27.80) more or less.

Meaning and intending to convey a portion of the premises conveyed to the commonwealth 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.

In the event that the construction of said regional vocational school is not begun on the land hereby authorized to be conveyed within three years from the effective date of this act, title to said land shall revert to the commonwealth.

The aforementioned parcel of land shall not be conveyed by the commonwealth to said district unless said district 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.

SECTION 2. Chapter six hundred and eighty-eight of the acts of nineteen hundred and sixty-five, as amended by chapter two hundred and forty-five of the acts of nineteen hundred and sixty-seven, is hereby repealed. *Approved July 24, 1969.*

Chap. 572. AN ACT EXEMPTING GREENHOUSES LOCATED IN RESIDENTIAL AREAS FROM CERTAIN ZONING ORDINANCES AND BY-LAWS.

Be it enacted, etc., as follows:

The last sentence of section 5 of chapter 40A of the General Laws, as amended by chapter 340 of the acts of 1962, is hereby further amended by striking out, in lines 8 and 9, the words "except greenhouses located in residential areas". *Approved July 24, 1969.*

Chap. 573. AN ACT AUTHORIZING THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY TO PROVIDE FERRY SERVICE BETWEEN HYANNIS, NANTUCKET AND MARTHA'S VINEYARD.

Be it enacted, etc., as follows:

Section 16 of chapter 701 of the acts of 1960 is hereby amended by striking out the last paragraph, added by chapter 413 of the acts of 1965, and inserting in place thereof 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 to and from said islands, and may also provide such ferry service from May first to September thirtieth to and from inner Lewis Bay, in the town of Barnstable, to and from the islands of Martha's Vineyard and Nantucket, and may acquire any business enterprise necessary or convenient for such purposes. *Approved July 25, 1969.*

Chap. 574. AN ACT DIRECTING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO CHARGE PERSONS SIXTY-FIVE YEARS OF AGE AND OLDER A REDUCED FARE ON ITS RAPID TRANSIT AND SURFACE LINES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to relieve forthwith the hardship to elderly persons by reason of the fares charged by the Massachusetts Bay Transportation Authority, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 161A of the General Laws is hereby amended by inserting after subsection (*e*) the following subsection: —

(*e*½) Notwithstanding the provisions of this section or of section fifteen of chapter one hundred and fifty-nine, the Authority shall charge persons sixty-five years and older who reside in a city or town comprising the territory of said Authority one half the regular adult cash fare, if said half fare is a multiple of five, or, if not such a multiple, one half the regular adult cash fare adjusted to the next lowest amount which is a multiple of five, for transportation on its rapid transit lines and on its surface lines provided that such person shall first obtain an identification card from the Authority stating that the holder is eligible for a reduced fare. Such identification card shall be issued by the Authority for a fee of fifty cents upon the furnishing by the applicant of evidence reasonably sufficient to establish said age.

SECTION 2. This act shall take effect as of August fifteenth, nineteen hundred and sixty-nine. *Approved July 28, 1969.*

Chap. 575. AN ACT RELATIVE TO THE INFORMATION WHICH THE STATE SECRETARY IS REQUIRED TO SEND EVERY VOTER RELATIVE TO MEASURES TO BE SUBMITTED TO THE PEOPLE.

Be it enacted, etc., as follows:

Section 53 of chapter 54 of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 64 of the acts of 1945, and inserting in place thereof the following sentence: — The secretary shall cause to be printed in type of a size not less than ten point and sent to each person whose name appears upon said lists, with copies of the measures to which they refer, arguments for and against measures to be submitted to the people under the forty-eighth article of the amendments to the constitution, provided that the arguments are filed with him as provided in section fifty-four.

Approved July 28, 1969.

Chap. 576. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO REIMBURSE THE OWNERS OF RECORD OF CERTAIN REAL ESTATE IN THE TOWN OF WINTHROP FOR DAMAGE THEY SUSTAINED BY REASON OF THE DUMPING OF SEWAGE IN WINTHROP HARBOR.

Be it enacted, etc., as follows:

Chapter 553 of the acts of 1968 is hereby amended by striking out all after the enacting clause and inserting in place thereof the following: —

Notwithstanding any provisions of law to the contrary, including provisions relative to settlement of claims against the commonwealth, the metropolitan district commission is hereby authorized and directed to reimburse those persons who, on the effective date of this act, are the owners of record of the real estate in the town of Winthrop identified by street numbers in the following list, in the amounts shown on said list, for damage to said real estate by reason of the dumping of sewage into Winthrop Harbor:

149 Washington Avenue	$600.00
56 Washington Avenue	500.00
25 Washington Avenue	500.00
91 Washington Avenue	300.00
28 Washington Avenue	600.00
125 Washington Avenue	700.00
150 Washington Avenue	400.00
145 Washington Avenue	600.00
156 Washington Avenue	300.00
27 Washington Avenue	600.00
55 Washington Avenue	400.00
115 Washington Avenue	300.00
139 Washington Avenue	600.00
80 Washington Avenue	450.00
206 Washington Avenue	400.00
97 Washington Avenue	350.00
170 Washington Avenue	500.00
106 Washington Avenue	500.00
94 Washington Avenue	400.00
200 Washington Avenue	450.00
75 Washington Avenue	400.00
162 Washington Avenue	600.00
90 Washington Avenue	400.00
835 Shirley Street	350.00
821 Shirley Street	200.00
827 Shirley Street	700.00
985 Shirley Street	300.00
777 Shirley Street	580.00
1079 Shirley Street	450.00
915 Shirley Street	450.00
841 Shirley Street	300.00
887 Shirley Street	250.00
870 Shirley Street	250.00
885 Shirley Street	300.00
831 Shirley Street	375.00
783 Shirley Street	300.00
911 Shirley Street	450.00
11 Lewis Terrace	300.00
12 Lewis Terrace	300.00
33 Lewis Terrace	350.00
32 Elmwood Court	400.00
2 Elmwood Court	200.00
3 Elmwood Court	300.00
19 Lewis Avenue	600.00

6 Lewis Avenue	$400.00
15 Lewis Avenue	300.00
21 Sturgis Street	300.00
64 Grand View Avenue	400.00
19 Dix Street	475.00
40 Pico Avenue	500.00
275 River Road	700.00
246 River Road	600.00
280 River Road	200.00
296 River Road	100.00
284 River Road	450.00
47 Seaview Avenue	350.00
40 Seaview Avenue	400.00
95 Terrace Avenue	690.00
41 Bay View Avenue	200.00
67 Bay View Avenue	325.00
33 Bay View Avenue	500.00
40 Willow Avenue	450.00
19 Bates Avenue	400.00

Approved July 28, 1969.

Chap. 577. AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE TOWN OF WINCHESTER AND AUTHORIZING THE TOWN TO ACQUIRE LAND AND BUILDINGS OWNED BY MARYCLIFF ACADEMY, INC., TO REMODEL AND EQUIP SAID BUILDINGS AND TO BORROW MONEY FOR SAID PURPOSES, AND ALSO PROVIDING FOR STATE AID IN CONNECTION THEREWITH.

Be it enacted, etc., as follows:

SECTION 1. The town of Winchester is hereby authorized to acquire for school purposes certain land and buildings in said town owned by Marycliff Academy, Inc. and after such acquisition said town may remodel, renovate, equip and furnish said buildings. For said purposes said town may appropriate and expend such sums as may be necessary, not exceeding, in the aggregate, one million ninety thousand dollars.

SECTION 2. For the purpose of raising a part of said appropriation the treasurer of said town, with the approval of the selectmen, is hereby authorized to borrow on behalf of the town from time to time such sums as may be necessary, not exceeding, in the aggregate, one million fifty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words Winchester School Acquisition Loan, Act of 1969. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of any limitation or requirement contained in section seven thereof.

SECTION 3. Said treasurer with the approval of the selectmen may also make temporary loans under the provisions of section seventeen of chapter forty-four of the General Laws in anticipation of the proceeds of the bonds or notes authorized by section two.

SECTION 4. Upon acquisition of the land and buildings referred to in section one, said town shall be entitled to receive a state school construction grant, provided the school building, after remodeling, meets the standards required for an approved school project under the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended. The estimated approved cost of said project shall be deemed to be eight hundred and fifteen thousand dollars. The final approved cost of said project shall be determined by the state board of education and shall include the actual costs to said town of acquiring the aforesaid land and buildings and the cost of equipping and furnishing the same.

SECTION 5. The vote passed by the town of Winchester on June fifth, nineteen hundred and sixty-nine appropriating the sum of one million ninety thousand dollars and authorizing the borrowing of one million fifty thousand dollars for acquiring for school purposes certain land and buildings in the town and owned by Marycliff Academy, Inc., for remodeling and renovating said buildings and for equipping and furnishing said buildings, is hereby validated, ratified and confirmed in all respects. *Approved July 30, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 30, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Francis W. Sargent, 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 577 of the Acts of 1969, entitled "AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE TOWN OF WINCHESTER AND AUTHORIZING THE TOWN TO ACQUIRE LAND AND BUILDINGS OWNED BY MARYCLIFF ACADEMY, INC., TO REMODEL AND EQUIP SAID BUILDINGS AND TO BORROW MONEY FOR SAID PURPOSES, AND ALSO PROVIDING FOR STATE AID IN CONNECTION THEREWITH." and the enactment of which received my approval on July 30, 1969, 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 town of Winchester desires to purchase the land and buildings owned by Marycliff Academy. However, the option to purchase such land and buildings expires on July 31st and postponement of the operation of this act would deny the town the right to purchase this property which will be used for educational purposes by the town.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 30, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massa-

chusetts at five o'clock and fifteen minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter five hundred and seventy-seven of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 578. AN ACT AUTHORIZING THE EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE TO MAKE FURTHER GRANTS TO THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY FOR THE PURPOSE OF PROVIDING FOR THE CONTINUATION OF COMMUTER RAILROAD SERVICE TO AND FROM THE CITY OF BOSTON UNTIL JULY THIRTY-FIRST, NINETEEN HUNDRED AND SEVENTY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 728 of the acts of 1968 is hereby amended by inserting after the word "sixty-nine", in line 7, the words: — , and may thereafter make further grants to said authority of not more than four million eight hundred sixty thousand dollars for not more than ninety per cent of the cost to said authority of service provided no later than July thirty-first, nineteen hundred and seventy.

SECTION 2. Section 2 of said chapter 728 is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph: —

The provisions of this section shall be applicable only to service provided prior to August first, nineteen hundred and seventy.

SECTION 3. Section 1 of chapter 161A of the General Laws is hereby amended by striking out the definition of "Commuters" and inserting in place thereof the following definition: —

"Commuters", all persons whose residence is in one of the fourteen cities or towns or one of the sixty-four cities or towns and whose place of work is in a city or town other than the city or town of residence, regardless of the means of transport of such persons to and from their places of work. *Approved July 30, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 30, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts:*

DEAR MR. SECRETARY:—I, Francis W. Sargent, 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 578 of the Acts of 1969, entitled "AN ACT AUTHORIZING THE EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE TO MAKE FURTHER GRANTS TO THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY FOR THE PURPOSE OF PROVIDING FOR THE CONTINUATION OF COMMUTER RAILROAD SERVICE TO AND FROM THE CITY OF BOSTON UNTIL JULY THIRTY-FIRST, NINETEEN HUNDRED AND SEVENTY." and the enact-

ment of which received my approval on July 30, 1969, 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:

Since the grants to the Massachusetts Bay Transportation Authority for the purpose of providing the continuation of commuter railroad service expire on July 31, 1969, it is imperative that the commuting public suffer no disruption of service.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 30, 1969.

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

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 579. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF THE COUNTY OF DUKES COUNTY, ITS 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 COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the county of Dukes county, its 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-nine:

DUKES COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$7,500 00
2.	For reduction of county debt		34,000 00
3.	For county commissioners, salaries and expenses . . .		8,746 10
	1. Personal services	$8,161 10	
	2. Contractual services	100 00	
	3. Supplies and materials	300 00	
	4. Current charges and obligations . .	60 00	
	5. Equipment	125 00	

Item		Subtotal	Total
4.	For transportation and expenses of county and acting commissioners		$500 00
5.	For clerk of courts, salary and expenses		6,775 35
	1. Personal services	$6,041 75	
	2. Contractual services	540 00	
	3. Supplies and materials	180 00	
	4. Current charges and obligations	13 60	
6.	For county treasurer, salaries and expenses		5,707 00
	1. Personal services	5,012 00	
	2. Contractual services	285 00	
	3. Supplies and materials	390 00	
	4. Current charges and obligations	20 00	
7.	For sheriff, salary and expenses		4,812 00
	1. Personal services	4,192 00	
	2. Contractual services	500 00	
	3. Supplies and materials	100 00	
	4. Current charges and obligations	20 00	
8.	For registry of deeds, salaries and expenses		20,590 20
	1. Personal services	15,905 20	
	2. Contractual services	2,680 00	
	3. Supplies and materials	1,970 00	
	4. Current charges and obligations	35 00	
8a.	For registry of probate, salaries and expenses		1,245 00
	2. Contractual services	1,000 00	
	3. Supplies and materials	145 00	
	5. Equipment	100 00	
9.	For law library, salaries and expenses		1,800 00
	1. Personal services	200 00	
	4. Current charges and obligations	1,600 00	
10.	For highways, including state highways, bridges and land damages		32,600 00
12.	For criminal costs in superior court		5,747 84
	1. Personal services	447 84	
	2. Contractual services	5,300 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		3,566 00
	1. Personal services	336 00	
	2. Contractual services	3,230 00	
14.	For district courts, salaries and expenses District Court of Edgartown		35,197 11
	1. Personal services	26,758 86	
	2. Contractual services	7,416 75	
	3. Supplies and materials	614 00	
	4. Current charges and obligations	167 50	
	5. Equipment	240 00	
15.	For medical examiners and commitments of insane		1,500 00
16.	For jail and house of correction, maintenance and operation		9,432 58
	1. Personal services	5,232 58	
	2. Contractual services	3,350 00	
	3. Supplies and materials	550 00	
	5. Equipment	300 00	

Item		Subtotal	Total
18.	For court houses and registry buildings, maintenance and operation		$10,770 00
	1. Personal services	$5,766 80	
	2. Contractual services	4,500 00	
	3. Supplies and materials	450 00	
	5. Equipment	53 20	
20.	For agricultural school or county aid to agriculture, maintenance and operation		21,937 00
	1. Personal services	17,986 30	
	2. Contractual services	1,720 00	
	3. Supplies and materials	1,295 00	
	4. Current charges and obligations	725 00	
	5. Equipment	210 70	
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		2,000 00
23c.	For public health program		5,000 00
25.	For contributory retirement system and supervisory expenses		12,684 40
26.	For miscellaneous and contingent expenses		17,652 60
27.	For unpaid bills of previous years		1,653 48
28.	For reserve fund		7,500 00
29.	For advertising recreational, industrial and agricultural advantages of the county		29,967 70
33.	For police training school		500 00
35.	For county planning commission		12,500 00
38.	For county airport, maintenance and operation		72,215 56
	1. Personal services	40,290 56	
	2. Contractual services	6,000 00	
	3. Supplies and materials	10,200 00	
	4. Current charges and obligations	3,350 00	
	5. Equipment	12,375 00	
39.	For group insurance		9,000 00
42.	For rodent control		8,519 76
43.	For woodtick control		1,250 00
44.	For communication system		24,775 11
	Total amount of appropriations		$418,544 79
	Less estimated amount available for reduction of county tax		95,506 68
	And the county commissioners of the County 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		$323,038 11

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 the county of Dukes county a certification of the amounts above appropriated as set forth in the approved schedules. 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 the 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

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.

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.

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; 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-eight.

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 expenditure shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. This act shall take effect upon its passage.

Approved July 31, 1969.

Chap. 580. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF BARNSTABLE COUNTY, ITS 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 COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Barnstable county, its 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-nine:

BARNSTABLE COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$143,574 10
2.	For reduction of county debt		290,300 00
3.	For county commissioners, salaries and expenses		26,939 72
	1. Personal services	$24,424 72	
	2. Contractual services	1,850 00	
	3. Supplies and materials	525 00	
	4. Current charges and obligations	140 00	

Item		Subtotal	Total
4.	For transportation and expenses of county and acting commissioners		$1,200 00
5.	For clerk of courts, salaries and expenses		35,830 73
	1. Personal services	$31,336 83	
	2. Contractual services	2,580 00	
	3. Supplies and materials	900 00	
	4. Current charges and obligations	281 00	
	5. Equipment	732 90	
6.	For county treasurer, salaries and expenses		38,868 45
	1. Personal services	34,540 45	
	2. Contractual services	1,550 00	
	3. Supplies and materials	825 00	
	4. Current charges and obligations	614 00	
	5. Equipment	1,339 00	
7.	For sheriff, salary and expenses		16,580 00
	1. Personal services	11,320 00	
	2. Contractual services	775 00	
	3. Supplies and materials	830 00	
	4. Current charges and obligations	355 00	
	5. Equipment	3,300 00	
8.	For registry of deeds, salaries and expenses		254,620 54
	1. Personal services	156,583 44	
	2. Contractual services	80,155 00	
	3. Supplies and materials	12,695 00	
	4. Current charges and obligations	150 00	
	5. Equipment	5,037 10	
8a.	For registry of probate, salaries and expenses		5,978 70
	2. Contractual services	1,600 00	
	3. Supplies and materials	3,250 00	
	4. Current charges and obligations	500 00	
	5. Equipment	628 70	
9.	For law library, salaries and expenses		7,912 10
	1. Personal services	1,627 10	
	3. Supplies and materials	35 00	
	4. Current charges and obligations	6,250 00	
10.	For highways, including state highways, bridges and land damages		230,660 00
	2. Contractual services	21,210 00	
	6. All other	209,450 00	
12.	For criminal costs in superior court		75,283 86
	1. Personal services	22,684 66	
	2. Contractual services	51,460 00	
	3. Supplies and materials	700 00	
	4. Current charges and obligations	95 00	
	5. Equipment	344 20	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		41,000 00
	1. Personal services	11,100 00	
	2. Contractual services	29,900 00	
14.	For district courts, salaries and expenses		
	District Court, Appellate Division		125 00
	2. Contractual services	100 00	
	3. Supplies and materials	25 00	

Item		Subtotal	Total
	District Court of Barnstable		$193,752 62
	1. Personal services	$165,551 13	
	2. Contractual services	20,514 21	
	3. Supplies and materials	5,675 00	
	4. Current charges and obligations	994 00	
	5. Equipment	1,018 28	
	District Court of Provincetown		110,879 85
	1. Personal services	91,872 95	
	2. Contractual services	9,975 00	
	3. Supplies and materials	2,625 00	
	4. Current charges and obligations	5,941 00	
	5. Equipment	465 90	
15.	For medical examiners and commitments of insane		11,760 00
16.	For jail and house of correction, maintenance and operation		316,778 56
	1. Personal services	217,596 56	
	2. Contractual services	27,000 00	
	3. Supplies and materials	59,770 00	
	4. Current charges and obligations	2,952 00	
	5. Equipment	9,460 00	
17.	For training school		9,000 00
18.	For court houses and registry buildings, maintenance and operation		64,113 79
	1. Personal services	41,273 19	
	2. Contractual services	15,000 00	
	3. Supplies and materials	7,000 00	
	4. Current charges and obligations	291 00	
	5. Equipment	549 60	
18a.	For sewage system		3,599 80
20.	For agricultural school or county aid to agriculture, maintenance and operation		67,841 65
	1. Personal services	59,618 90	
	2. Contractual services	5,500 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	150 00	
	5. Equipment	572 75	
22.	For hospital		953,106 40
	1. Personal services	705,482 40	
	2. Contractual services	55,000 00	
	3. Supplies and materials	115,000 00	
	4. Current charges and obligations	57,600 00	
	5. Equipment	20,024 00	
23.	For health service		93,850 40
	1. Personal services	79,850 40	
	2. Contractual services	12,000 00	
	3. Supplies and materials	1,700 00	
	4. Current charges and obligations	300 00	
24.	For noncontributory pensions		20,056 56
25.	For contributory retirement system and supervisory expenses		72,782 92
26.	For miscellaneous and contingent expenses		33,251 04

Item		Subtotal	Total
27.	For unpaid bills of previous years		$3,592 59
28.	For reserve fund		50,000 00
29.	For advertising recreational advantages of the county		75,000 00
31.	For police radio system		76,740 44
32.	For state fire patrol		6,050 00
32a.	For maintenance of forest fire apparatus		2,000 00
33.	For police training school and bureau of criminal investigation		52,727 32
35.	For Cape Cod planning and economic development commission		45,596 61
37.	For drug abuse information bureau		21,163 80
38.	For airplane		1,890 00
39.	For group insurance		35,583 00
40.	For advertising and promoting county fairs		500 00
41.	For fire fighters' training school		3,000 00
	Total amount of appropriations		$3,493,490 55
	Less estimated amount available for reduction of county tax		1,411,947 60
	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		$2,081,542 95

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 Barnstable county a certification of the amounts above appropriated as set forth in the approved schedules. 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 the 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

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 and a graduate nurse who becomes a registered nurse may be paid an increased salary rate on account of such promotion, subject to approval by the county personnel board, and a person may receive an increased cash salary in lieu of maintenance formerly received, with like approval.

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.

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; 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-eight.

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 expenditure shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. This act shall take effect upon its passage.

Approved July 31, 1969.

Chap. 581. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY TO CONTRIBUTE TO THE COST OF THE INSTALLATION OF A COMPUTER SYSTEM AT BERKSHIRE COMMUNITY COLLEGE.

Be it enacted, etc., as follows:

SECTION 1. Subject to appropriation, the county commissioners of Berkshire county are hereby authorized to contribute to the cost of the installation of a computer system at Berkshire Community College in the city of Pittsfield in an amount not exceeding ten thousand dollars.

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

Approved July 31, 1969.

Chap. 582. AN ACT DIRECTING THE MASSACHUSETTS AERONAUTICS COMMISSION TO EXPEND CERTAIN SUMS TO ASSIST CIVIL AIR PATROL ACTIVITIES.

Be it enacted, etc., as follows:

The Massachusetts aeronautics commission is hereby authorized and directed to expend the sum of fifteen thousand dollars for the purchase of civil air patrol aviation education training aid books and materials necessary in carrying out crash, rescue and emergency operations and the organization thereof and for cadet training activities.

Approved July 31, 1969.

Chap. 583. AN ACT AUTHORIZING THE DISTRICT ATTORNEY FOR THE NORFOLK DISTRICT TO APPOINT THREE SPECIAL ASSISTANT DISTRICT ATTORNEYS.

Be it enacted, etc., as follows:

Chapter 12 of the General Laws is hereby amended by inserting after section 20A the following section:—

Section 20B. The district attorney for the Norfolk district may appoint three attorneys-at-law to serve as special assistant district attorneys and may remove them at pleasure. Such special assistants shall have all the powers of assistant district attorneys, and shall receive from the commonwealth such salary, not exceeding six thousand dollars, as the district attorney may determine.

Approved July 31, 1969.

Chap. 584. AN ACT FURTHER REGULATING THE AWARDING OF PRIZES FOR SUGGESTIONS BY STATE OFFICERS AND EMPLOYEES.

Be it enacted, etc., as follows:

Section 31A of chapter 7 of the General Laws is hereby amended by striking out the second paragraph, as appearing in chapter 546 of the acts of 1954, and inserting in place thereof the following paragraph: —

Said suggestion awards board shall from time to time award cash prizes to the officers or employees who have submitted suggestions which, in the opinion of the board, merit an award for increasing the efficiency of the state service. The board shall, subject to the approval of the governor, establish rules relative to the receiving and judging of such suggestions, the amount of the awards to be given, and the qualifications of the contestants, and may, subject to appropriation, expend sums for awards of cash and for investigation, publicity, clerical and other services and expenses necessary to carry out the purposes of this section. *Approved July 31, 1969.*

Chap. 585. AN ACT PROVIDING FOR REIMBURSEMENT BY THE COMMONWEALTH TO THE TOWN OF ROCKLAND 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 Rockland, subject to appropriation and subject to the approval of the commissioner of veterans' services, such sum, not exceeding seventeen thousand four hundred and thirty-one dollars and twenty-four cents, as said town would have been entitled to receive in reimbursement for veterans' benefits paid by it during the period from October first, nineteen hundred and sixty-six to November thirtieth, nineteen hundred and sixty-seven under the provisions of section six of chapter one hundred and fifteen of the General Laws, had said town made a proper and seasonable report thereof to said commissioner as required by said section six. *Approved July 31, 1969.*

Chap. 586. AN ACT RELATIVE TO SEARCH WARRANTS IN CONNECTION WITH HARMFUL DRUGS AND IMPLEMENTS USED THEREWITH.

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by inserting after section 187F the following section: —

Section 187G. If a person makes a complaint under oath to a district court, or a justice of the peace authorized to issue warrants in criminal cases, that he has reason to believe that any harmful drug, article, implement or other paraphernalia used in, for, or in connection with the unlawful possession or use of any harmful drug is kept or deposited by a person named therein in a store, shop, warehouse, building, place of residence, vehicle, steamboat, vessel, airplane or any place whatever, such person not being authorized by law to possess the same, such court or justice of the peace, if it appears that there is probable cause to believe that said complaint is true, shall issue a search warrant to a sheriff, deputy sheriff, chief of police, police officer, constable or inspector of the department commanding him to search such premises, and if any harm-

ful drugs, articles, implements or other paraphernalia used in, for, or in connection with the unlawful possession or use of any harmful drug are found therein to seize and securely keep the same, until final action, and to arrest the person in possession thereof, and to return forthwith the warrant with his doings thereon to a district court having jurisdiction in the town where said drug is alleged to be kept or deposited.

For the purposes of this section, the term "harmful drug" shall mean and include any compound or derivative of barbituric acid, amphetamines, ergot or any hypnotic or somnifacient drug.

Approved July 31, 1969.

Chap. 587. AN ACT RELATIVE TO THE REGISTRATION OF CERTAIN ALIENS AS BARBERS.

Be it enacted, etc., as follows:

Section 87H of chapter 112 of the General Laws, as most recently amended by chapter 490 of the acts of 1963, is hereby further amended by adding the following three paragraphs:—

Every applicant for a license shall furnish evidence that he is a citizen of the United States or shall present to the board a copy of his declaration of intention to become a citizen of the United States, certified by the clerk of the court in which it was filed, or a certificate from the Immigration and Naturalization Service of the United States, showing that, in accordance with law, he has declared his intention to become such citizen, and no license shall be issued to an applicant who fails to comply with these provisions. Unless an applicant who is an alien and who is subsequently licensed presents to the board his completed naturalization papers showing that he is a citizen of the United States within five years following the filing of the copy or certificate hereinbefore referred to his license shall be revoked.

Every alien shall first serve as an apprentice for at least three years under the supervision of a registered barber before being eligible to take the examination for a fully registered barber. An alien shall not be allowed to take the apprentice examination unless his passport states that he is a barber and he presents two affidavits satisfactory to the board stating that he is at least eighteen years of age and that he has been a barber for at least two years in a foreign country. This examination shall consist of a haircut, shampoo, shave, face massage and scalp massage.

The apprentice examination fee shall be twenty-five dollars and he shall be entitled to two reexaminations within the year at a fee of fifteen dollars each. The apprentice license shall expire one year from the date of issue and may be renewed annually for a fee of ten dollars.

Approved July 31, 1969.

Chap. 588. AN ACT PROVIDING FOR THE ISSUANCE OR RENEWAL OF A BARBER CERTIFICATE FOR A TWO YEAR PERIOD.

Be it enacted, etc., as follows:

The second paragraph of section 87H of chapter 112 of the General Laws is hereby amended by striking out the second, third and fourth

sentences and inserting in place thereof the following three sentences:—Each such certificate of registration issued by the board shall expire on December thirty-first of the second year following the date of its issue. The board may renew any such registration, and issue a certificate thereof, upon the payment of a renewal fee of fifteen dollars. Any person holding a certificate or renewal certificate which has expired may have such certificate or renewal certificate reinstated within one year of the date of expiration upon payment of a fee of twenty dollars. *Approved July 31, 1969.*

Chap. 589. AN ACT RELATIVE TO EXPENDITURES FOR THE CARE, MAINTENANCE AND REPAIR OF NORFOLK COUNTY HOSPITAL.

Be it enacted, etc., as follows:

The county commissioners of Norfolk county are hereby authorized to expend for the year nineteen hundred and sixty-nine the sums set forth in this act for the care, maintenance and repair of the Norfolk county hospital, 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 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 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

Transfers within an appropriation between classes and between subclasses within a main group may be made by 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 and a graduate

nurse who becomes a registered nurse may be paid an increased salary rate on account of such promotion, subject to approval by the county personnel board, and a person may receive an increased cash salary in lieu of maintenance formerly received, with like approval.

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 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.

NORFOLK COUNTY.

Item		
1.	For personal services	$1,056,176 15
2.	For contractual services	55,500 00
3.	For supplies and materials	275,000 00
4.	For current charges and obligations	68,893 32
5.	For equipment	33,945 00
8.	For debt and interest	46,050 00
10.	For unpaid bills of previous years	1,293 26
11.	For reserve fund	10,000 00
12.	For group insurance	22,000 00
	For total expenditures	$1,568,857 73

Approved July 31, 1969.

Chap. 590. AN ACT DESIGNATING A CERTAIN SWIMMING POOL IN THE CITY OF FITCHBURG AS THE GUSTAV A. "SWEDE" JOHNSON SWIMMING POOL.

Be it enacted, etc., as follows:

The swimming pool being constructed in the city of Fitchburg by the department of public works shall, upon its completion, be known and designated as the Gustav A. "Swede" Johnson swimming pool in memory of Gustav A. Johnson who was prominent for his work with the youth of said city. A suitable marker bearing such designation shall be attached thereto in a conspicuous place by the department of natural resources. *Approved July 31, 1969.*

Chap. 591. AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL AND CONVEY 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, a certain parcel of land located on

Dudley road in the town of Framingham, bounded and described as follows: —

Northerly, by land of the commonwealth, approximately 790 feet; Northeasterly by Dudley road, approximately 775 feet; Southeasterly, by a way known as Park road, approximately 1019 feet; and Westerly, by other land of the commonwealth, 1000 feet more or less.

Meaning and intending to sell and convey a portion of the premises conveyed to the commonwealth by the United States of America by deed dated January 4, 1955 and 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 July 31, 1969.

Chap. 592. AN ACT INCREASING THE AMOUNT OF A CERTAIN BENEFIT WHICH MAY BE PAID BY THE WALTHAM POLICE RELIEF ASSOCIATION INCORPORATED TO CERTAIN MEMBERS PRIOR TO THEIR RETIREMENT.

Be it enacted, etc., as follows:

Chapter 314 of the acts of 1959 is hereby amended by striking out section 1, as amended by chapter 594 of the acts of 1961, and inserting in place thereof the following section: —

Section 1. The Waltham Police Relief Association Incorporated, a corporation duly organized under the laws of the commonwealth, is hereby authorized, upon the retirement of any member in good standing from the police department of the city of Waltham, to pay such member such sum, not exceeding two thousand five hundred dollars, as may be determined by vote of the board of directors of said corporation. Said association is hereby further authorized to pay to a member upon the death of his wife such sum, not exceeding five hundred dollars, as may be determined by said board.

Approved July 31, 1969.

Chap. 593. AN ACT AUTHORIZING THE TOWN OF BURLINGTON TO ABATE AND REFUND CERTAIN SEWER ASSESSMENTS FOR THE YEARS NINETEEN HUNDRED AND SIXTY-SEVEN TO NINETEEN HUNDRED AND SIXTY-NINE, INCLUSIVE.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the town of Burlington is hereby authorized to abate any sewer assessments levied either by the Burlington Water and Sewer District, or by said town, during the years nineteen hundred and sixty-seven to nineteen hundred and sixty-nine, inclusive. Said town is hereby further authorized to appropriate and thereafter to refund to any persons who have paid such sewer assessments during any of said years any amounts so paid. Any funds appropriated for the purposes of this act shall be raised by taxation in said town.

Approved July 31, 1969.

Chap. 594. AN ACT AUTHORIZING THE CITY OF EVERETT TO GRANT RETROACTIVE PAY RAISES TO CERTAIN MEMBERS OF ITS POLICE AND FIRE FORCES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the city of Everett may grant a pay raise to members of its police force, excluding the chief of police, and to members of its fire force, excluding the chief of the fire department, which raise may be retroactive to January first of the current year, and may appropriate money for the payment thereof.

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

Approved August 4, 1969.

Chap. 595. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF HAMPSHIRE COUNTY, ITS 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 COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Hampshire county, its 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-nine:

HAMPSHIRE COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$800 00
3.	For county commissioners, salaries and expenses		25,430 74
	1. Personal services	$23,980 74	
	2. Contractual services	625 00	
	3. Supplies and materials	615 00	
	4. Current charges and obligations	210 00	
4.	For transportation and expenses of county and acting commissioners		300 00
5.	For clerk of courts, salaries and expenses		41,259 15
	1. Personal services	37,497 85	
	2. Contractual services	1,665 00	
	3. Supplies and materials	600 00	
	4. Current charges and obligations	310 50	
	5. Equipment	1,185 80	
6.	For county treasurer, salaries and expenses		29,416 70
	1. Personal services	27,326 70	
	2. Contractual services	1,050 00	
	3. Supplies and materials	650 00	
	4. Current charges and obligations	390 00	

Item		Subtotal	Total
7.	For sheriff, salary and expenses		$10,312 00
	1. Personal services	$9,782 50	
	2. Contractual services	200 00	
	3. Supplies and materials	20 00	
	4. Current charges and obligations	309 50	
8.	For registry of deeds, salaries and expenses		72,169 86
	1. Personal services	56,074 96	
	2. Contractual services	11,000 00	
	3. Supplies and materials	3,693 40	
	4. Current charges and obligations	331 50	
	5. Equipment	1,070 00	
8a.	For registry of probate, salaries and expenses		4,917 00
	2. Contractual services	2,415 00	
	3. Supplies and materials	1,900 00	
	4. Current charges and obligations	602 00	
9.	For law library, salaries and expenses		12,235 00
	2. Contractual services	800 00	
	3. Supplies and materials	25 00	
	4. Current charges and obligations	11,000 00	
	5. Equipment	410 00	
10.	For highways, including state highways, bridges and land damages		226,025 00
	2. Contractual services	15,150 00	
	6. All other	210,875 00	
11.	For examination of dams		2,500 00
12.	For criminal costs in superior court		114,295 34
	1. Personal services	25,252 44	
	2. Contractual services	86,997 90	
	3. Supplies and materials	695 00	
	4. Current charges and obligations	885 00	
	5. Equipment	465 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		68,955 00
	1. Personal services	15,890 00	
	2. Contractual services	52,750 00	
	3. Supplies and materials	115 00	
	4. Current charges and obligations	200 00	
14.	For district courts, salaries and expenses		
	District Court of Hampshire		162,360 66
	1. Personal services	146,270 66	
	2. Contractual services	10,321 55	
	3. Supplies and materials	2,752 00	
	4. Current charges and obligations	2,207 55	
	5. Equipment	808 90	
	District Court of Eastern Hampshire		26,552 25
	1. Personal services	24,248 25	
	2. Contractual services	930 00	
	3. Supplies and materials	245 00	
	4. Current charges and obligations	1,039 00	
	5. Equipment	90 00	
15.	For medical examiners and commitments of insane		17,400 00

Item		Subtotal	Total
16.	For jail and house of correction, maintenance and operation		$221,965 02
	1. Personal services	$148,025 02	
	2. Contractual services	15,700 00	
	3. Supplies and materials	47,610 00	
	4. Current charges and obligations	4,580 00	
	5. Equipment	6,050 00	
17.	For training school		2,500 00
18.	For court houses and registry buildings, maintenance and operation		41,523 70
	1. Personal services	23,573 70	
	2. Contractual services	7,998 00	
	3. Supplies and materials	7,549 00	
	4. Current charges and obligations	2,153 00	
	5. Equipment	250 00	
20.	For agricultural school or county aid to agriculture, maintenance and operation		76,652 12
	1. Personal services	67,472 72	
	2. Contractual services	6,375 00	
	3. Supplies and materials	1,700 00	
	4. Current charges and obligations	370 00	
	5. Equipment	734 40	
21.	For state reservation, maintenance and operation (Mount Tom)		10,312 50
21a.	For state reservation, maintenance and operation (Deer Hill)		2,000 00
24.	For noncontributory pensions		17,201 38
25.	For contributory retirement system and supervisory expenses		63,576 36
26.	For miscellaneous and contingent expenses		6,686 91
27.	For unpaid bills of previous years		1,930 71
28.	For reserve fund		20,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		6,725 00
31.	For radio system for fire protection		500 00
32.	For forest development		4,000 00
38.	For county airport		500 00
39.	For group insurance		21,000 00
	Total amount of appropriations		$1,312,002 40
	Less estimated amount available for reduction of county tax		298,266 14
	And the county commissioners of Hampshire County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		$1,013,736 26

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 Hampshire county a certification of the amounts above appropriated as set forth in the approved schedules. 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 the 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

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.

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.

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; 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-eight.

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. This act shall take effect upon its passage.

Approved August 4, 1969.

Chap. 596. AN ACT PROVIDING A PENALTY OF IMPRISONMENT FOR A THIRD OR SUBSEQUENT VIOLATION OF THE LAW PROHIBITING THE RESALE OF TICKETS TO CERTAIN EVENTS WITHOUT BEING LICENSED.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 185F, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 185F. Whoever violates any provision of section one hundred and eighty-five A to section one hundred and eighty-five G, inclusive, or any rule or regulation of the commissioner made under section one hundred and eighty-five E, shall be punished by a fine of not more than five hundred dollars; provided, however, that whoever, after being convicted of a second violation of section one hundred and eighty-five A, again violates said section shall, for such third or subsequent offense, be punished by such fine and by imprisonment in a jail or house of correction for not more than one year.

Approved August 4, 1969.

Chap. 597. AN ACT DEFINING CERTAIN WORDS RELATIVE TO POLLUTION ABATEMENT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 44 of the General Laws, as most recently amended by chapter 23 of the acts of 1968, is hereby further amended by adding the two following definitions:—

"Sewage" shall mean wastewater from homes, public buildings, commercial or industrial establishments, or any combination thereof, and shall include any surface or ground water that may be present therein.

"Sewage treatment and disposal facilities" shall mean any wastewater treatment facility used for treating, neutralizing or stabilizing sewage including treatment or disposal plants; the necessary intercepting, outfall and outlet sewers; pumping stations integral to such facilities; and equipment and appurtenances related to the foregoing.

SECTION 2. The first paragraph of section 1 of chapter 83 of the General Laws, as appearing in chapter 736 of the acts of 1964, is hereby amended by adding the following two sentences:—Such works for sewage treatment and disposal may include any wastewater treatment facility for treating, neutralizing or stabilizing sewage including treatment or disposal plants; the necessary intercepting, outfall and outlet sewers; pumping stations integral to such facilities; and equipment and appurtenances related to the foregoing. For the purposes of this chapter the word "sewage" shall mean wastewater from homes, public buildings, commercial or industrial establishments, or any combination thereof, and shall include any surface or ground water that may be present therein. *Approved August 4, 1969.*

Chap. 598. AN ACT FURTHER REGULATING THE TRANSFER OF COMMON CARRIER RIGHTS ISSUED BY THE DEPARTMENT OF PUBLIC UTILITIES.

Be it enacted, etc., as follows:

The first paragraph of section 11 of chapter 159B of the General Laws is hereby amended by striking out the first paragraph thereof and inserting in place thereof the following paragraph:—

Any irregular route certificate or any permit may be wholly assigned and transferred, and any regular route certificate or license may be assigned and transferred, in whole or in part, if consistent with the public interest and with the approval and consent of the department after public notice in the manner provided in paragraph (*b*) of section three and a public hearing at which the proposed transferee shall have established to the satisfaction of the department his willingness, fitness and ability to perform or furnish transportation for compensation under such certificate, permit or license in conformance with all lawful requirements, orders, rules and regulations of the department established under this chapter; provided, however, that no certificate and no permit shall be transferred except in connection with the sale to the transferee of a bona fide business of the transferor, who shall not thereafter for the period of at least one year hold any certificate or permit containing authority similar to that so transferred. *Approved August 4, 1969.*

Chap. 599. AN ACT FURTHER REGULATING THE FILING OF CERTAIN STATEMENTS UNDER THE BUSINESS AND MANUFACTURING CORPORATION EXCISE.

Be it enacted, etc., as follows:

SECTION 1. Section 42 of chapter 63 of the General Laws, as most recently amended by section 64 of chapter 698 of the acts of 1966, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

If the allocation and apportionment provisions of this chapter are not reasonably adapted to approximate the net income derived from business carried on within this commonwealth, a corporation may apply to the commissioner to have its income derived from business carried on within this commonwealth determined by a method other

than that set forth in section thirty-eight. Such application shall be made by attaching to its duly-filed return a statement of the reasons why the corporation believes that the allocation and apportionment provisions of this chapter are not reasonably adapted to approximate its net income derived from business carried on within this commonwealth and a description of the method of allocation sought by it. A corporation which so applies shall, upon receipt of a request therefor from the commissioner, file with the commissioner, under oath of its treasurer, a statement of such additional information as the commissioner may require.

SECTION 2. This act shall apply to taxable years ending on and after December thirty-first, nineteen hundred and sixty-nine.

Approved August 4, 1969.

Chap. 600. AN ACT REVISING THE EXEMPTIONS AND RATES UNDER THE INHERITANCE TAX LAW.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 1 of chapter 65 of the General Laws is hereby amended by striking out the table, as most recently amended by section 1 of chapter 463 of the acts of 1967, and inserting in place thereof the following table: —

RELATIONSHIP OF BENEFICIARY TO DECEASED.	RATE PER CENTUM OF TAX ON VALUE OF PROPERTY OR INTEREST.								
	On Value not over $10,000.	On Excess above $10,000, not over $25,000.	On Excess above $25,000, not over $50,000.	On Excess above $50,000, not over $100,000.	On Excess above $100,000, not over $250,000.	On Excess above $250,000, not over $500,000.	On Excess above $500,000, not over $750,000.	On Excess above $750,000, not over $1,000,000.	On Excess above $1,000,000.
CLASS A. Husband, wife, father, mother, child, grandchild	1.8%	3.0%	4.3%	5.5%	6.8%	8.0%	9.3%	10.5%	11.8%
CLASS B. Lineal ancestor, except father or mother, lineal descendant, except child or grandchild; wife or widow of a son; husband of a daughter	3.0%	4.3%	6.8%	8.0%	9.3%	10.5%	11.8%	13.0%	14.3%
CLASS C. Brother, sister, half brother, half sister, nephew, niece, step-child or step-parent	5.5%	8.0%	10.5%	13.0%	14.3%	15.5%	16.8%	18.0%	19.3%
CLASS D. All others	8.0%	10.5%	11.8%	13.0%	14.3%	15.5%	16.8%	18.0%	19.3%

SECTION 2. Said section 1 of said chapter 65 is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

Provided, however, that no property or interest therein, which shall pass or accrue to or for the use of a husband or wife unless its value exceeds thirty thousand dollars or to or for the use of any other person in Class A unless its value exceeds fifteen thousand dollars, and no other property or interest therein unless its value exceeds five thousand dollars shall be subject to the tax imposed by this chapter, and no tax shall be exacted upon any property or interest so passing or accruing which shall reduce the value of such property or interest below said amounts.

SECTION 3. This act shall apply with respect to property or interests therein passing or accruing upon the deaths of persons who die on or after January first, nineteen hundred and seventy.

Approved August 4, 1969.

Chap. 601. AN ACT REDEFINING THE WORD "DEPENDENT" AS USED IN THE LAW RELATIVE TO VETERANS' BENEFITS TO INCLUDE STUDENTS AT INSTITUTIONS OF HIGHER EDUCATION UP TO AGE TWENTY-THREE.

Be it enacted, etc., as follows:

Section 1 of chapter 115 of the General Laws is hereby amended by striking out the definition of "Dependent", as appearing in section 35 of chapter 627 of the acts of 1954, and inserting in place thereof the following definition:—

"Dependent", the wife, husband, widow, child, mother or father of a veteran, as hereinafter defined, including any person who stood in the relationship of a parent to such veteran for the five years next preceding the commencement of his wartime service; provided, that no child of a veteran who is more than eighteen years of age shall be deemed a dependent, unless such child is attending school for the purpose of completing a regulation high school course or its equivalent, or unless he is mentally or physically unable to support himself, and his disability existed before he attained that age, or unless he is under twenty-three years of age, and is a student as defined in clause (iii) of paragraph (4) of section five B of chapter sixty-two.

Approved August 4, 1969.

Chap. 602. AN ACT FURTHER REGULATING THE EXPENDITURE OF MONEY FROM THE UNEMPLOYMENT TRUST FUND UNDER THE EMPLOYMENT SECURITY LAW.

Be it enacted, etc., as follows:

Section 53A of chapter 151A of the General Laws is hereby amended by striking out the first paragraph, as appearing in chapter 512 of the acts of 1957, and inserting in place thereof the following paragraph:—

Money credited to the commonwealth's account in the unemployment trust fund by the secretary of the treasury of the United States, pursuant to section nine hundred and three of the federal social security act, as amended, may be (1) withdrawn for the payment of

benefits under this chapter and (2) requisitioned and used for the payment of expenses incurred for the administration of this chapter and for public employment offices pursuant to a specific legislative appropriation; provided, that the expenses are incurred and the money is requisitioned after the enactment of an appropriation law which:—(a) specifies the purposes for which such money is appropriated and the amounts appropriated therefor; (b) limits the period within which such money may be expended to a period ending not more than two years after the date of the enactment of the appropriation law; and (c) limits the amount which may be used during a twelve-month period beginning on July first and ending on the next June thirtieth to an amount which does not exceed the amount by which the aggregate of the amounts credited to the commonwealth's account pursuant to section nine hundred and three of the federal social security act, as amended, during the same twelve-month period and the fourteen preceding twelve-month periods, exceeds the aggregate of the amounts used pursuant to this subsection and charged against the amounts credited to the commonwealth's account during any of such fifteen twelve-month periods. For the purposes of this subsection, amounts used during any such twelve-month period shall be charged against equivalent amounts which were first credited and which are not already so charged; except that no amount obligated during any such twelve-month period may be charged against any amount credited during such a twelve-month period earlier than the fourteenth preceding such period. *Approved August 4, 1969.*

Chap. 603. AN ACT INCREASING LICENSURE FEES OF THE BOARD OF REGISTRATION IN NURSING AND PROVIDING FOR THE BIENNIAL RENEWAL OF SUCH LICENSES.

Be it enacted, etc., as follows:

SECTION 1. Section 74 of chapter 112 of the General Laws is hereby amended by striking out the third, fourth and fifth sentences and inserting in place thereof the following three sentences:—An applicant who furnishes satisfactory proof that he is of good moral character and a graduate of a school for nurses approved by the board shall, upon payment of twenty-five dollars, be examined by the board, and, if found qualified, shall be registered, with a right to use the title registered nurse and to practice as such, and shall receive a certificate thereof from the board, signed by its chairman and secretary. An applicant failing to pass an examination satisfactory to the board shall be entitled to additional examinations under the rules of the board but shall file a new application and pay a fee of twenty-five dollars for each such examination. Every person registered hereunder who continues to hold himself out as a registered nurse shall, on or before his birthday in each even-numbered year, renew his registration for the ensuing two-year period by payment of four dollars to the board, and thereupon the board shall issue a certificate showing that the holder thereof is entitled to practice as a registered nurse for the period covered by said payment; provided, that if a birthday of any person who shall be registered hereunder shall occur within three months after such original registration, such person need not renew his

registration until the birthday in the even-numbered year next following the birthday aforesaid.

SECTION 2. Section 74A of said chapter 112 is hereby amended by striking out the third, fourth and fifth sentences and inserting in place thereof the following three sentences:—An applicant who furnishes satisfactory proof that he is of good moral character and that he is a graduate of a school for practical nurses approved by the board or was a student in good standing at an accredited school of professional nursing before completing the program of studies and, at the time of withdrawal, had completed a program of study, theory and clinical practice equivalent to that required for graduation from an approved school of practical nursing, shall, upon payment of twenty-five dollars, be examined by the board and, if found qualified, shall be licensed, with a right to use the title licensed practical nurse and to practice as such, and shall receive a certificate thereof from the board, signed by its chairman and secretary. An applicant failing to pass an examination satisfactory to the board shall be entitled to additional examinations under the rules of the board but shall file a new application and pay a fee of twenty-five dollars for each such examination. Every person licensed hereunder who continues to hold himself out as a licensed practical nurse shall, on or before his birthday in each odd-numbered year, renew his license for the ensuing two-year period by payment of four dollars to the board, and thereupon the board shall issue a certificate showing that the holder is entitled to practice as a licensed practical nurse for the period covered by said payment; provided, that if a birthday of any person who shall be licensed hereunder shall occur within three months after such original licensing, such person need not renew his license until the birthday in the odd-numbered year next following the birthday aforesaid.

SECTION 3. Section 76 of said chapter 112, as amended by section 8 of chapter 350 of the acts of 1953, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:—The fee for registration or licensing without examination under this section shall be twenty-five dollars.

SECTION 4. Section 76A of said chapter 112, added by section 1 of chapter 599 of the acts of 1966, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:—The fee for certification under this section shall be twenty-five dollars and for renewal three dollars.

SECTION 5. Chapter 371 of the acts of 1956 is hereby amended by striking out section 1, as most recently amended by section 3 of chapter 21 of the acts of 1964, and inserting in place thereof the following section:—

Section 1. Notwithstanding any contrary provision of section seventy-four A of chapter one hundred and twelve of the General Laws, any person of good moral character who was graduated prior to August first, nineteen hundred and forty-four, from a school for attendants which was located within the commonwealth shall, upon application and upon the payment of twenty-five dollars, be examined by the board of registration in nursing, and, if found qualified, shall be licensed as a practical nurse as provided in said section seventy-four A.

SECTION 6. Every person licensed as a practical nurse who holds himself out as a practical nurse shall on or before his birthday in the year nineteen hundred and seventy renew his license for the ensuing year by payment of one dollar to the board of registration in nursing and thereupon said board shall issue a certificate showing that the holder thereof is entitled to practice as a licensed practical nurse for the period covered by the payment; provided, that if the birthday of any person who shall be licensed hereunder shall occur within three months after such original licensing, such person need not renew his license until his birthday in the year nineteen hundred and seventy-one.

SECTION 7. This act shall take effect on January first, nineteen hundred and seventy. *Approved August 4, 1969.*

Chap. 604. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO SELL AND CONVEY TO THE TOWN OF NATICK A CERTAIN PARCEL OF LAND SITUATED IN SAID TOWN.

Be it enacted, etc., as follows:

The commonwealth, acting through its department of natural resources, is hereby authorized to sell and convey to the town of Natick, by deed approved as to form by the attorney general, all of its right, title and interest of whatever nature, kind or description in a certain parcel of land in said town bounded and described as follows:—

Beginning at a point lying 41.25 feet, more or less, south of land now or formerly of the Boston and Albany Railroad Corp.; thence running south 74 degrees, 00 minutes, 15 seconds, East 52.54 feet to a point; thence running Easterly on an arc with a curve to the left, 879.76 feet to a point; thence turning and running Westerly on an arc with a curve to the right 455.55 feet to a point; thence turning and running Southerly 8.25 feet to a point; thence turning and running Northwesterly on an arc with a curve to the right 331.93 feet to a point; thence running North 68 degrees, 59 minutes, 00 seconds, West 154.72 feet to the point of beginning. Being parcel marked "W.D., 0.46 Acres, Comm. of Mass." shown on sheets 3 and 4 of a plan entitled, "Commonwealth of Massachusetts, Metropolitan Water Works, Lake Cochituate, Land Plans, Scale 100 feet to 1 inch, October, 1910."

The deed conveying said premises shall contain a provision saving the commonwealth harmless from any and all damages which said town may be required to pay as a result of any litigation involving the use of the land authorized to be conveyed by this act.

Approved August 4, 1969.

Chap. 605. AN ACT AUTHORIZING THE TOWN OF METHUEN TO PAY CERTAIN SCHOOL CUSTODIANS A CERTAIN SUM OF MONEY FOR OVERTIME WORK.

Be it enacted, etc., as follows:

The town of Methuen is hereby authorized to appropriate and pay to certain custodians in the school department of said town the sum of

one thousand eight hundred and three dollars and sixty cents for overtime work performed during the year nineteen hundred and sixty-seven and the sum of four thousand two hundred and fifty-seven dollars and twenty-six cents for overtime work performed during the year nineteen hundred and sixty-eight as set forth on a list on file in the office of the director of accounts in the department of corporations and taxation.

Approved August 4, 1969.

Chap. 606. AN ACT RELATIVE TO EXPENDITURES FOR THE CARE, MAINTENANCE AND REPAIR OF THE MIDDLESEX COUNTY HOSPITAL.

Be it enacted, etc., as follows:

The county commissioners of Middlesex county are hereby authorized to expend for the year nineteen hundred and sixty-nine the sums set forth in this act for the care, maintenance and repair of the county hospital, 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 county commissioners and with the county treasurer a certification of the amounts set forth in the approved schedules for such hospital. 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 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

Transfers within an appropriation between classes and between subclasses within a main group may be made by 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 and a graduate nurse who becomes a registered nurse may be paid an increased salary rate on account of such promotion, subject to approval by the county personnel board, and a person may receive an increased cash salary in lieu of maintenance formerly received, with like approval.

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 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.

MIDDLESEX COUNTY.

Item		
1.	For personal services	$2,060,375 36
2.	For contractual services	110,000 00
3.	For supplies and materials	420,000 00
4.	For current charges and obligations	140,000 00
5.	For equipment	70,927 30
8.	For debt and interest	50,000 00
10.	For unpaid bills of previous years	45,372 17
11.	For reserve fund	50,000 00
12.	For group insurance	62,285 00
	For total expenditures	$3,008,959 83

Approved August 4, 1969.

Chap. 607. AN ACT RELATIVE TO THE PENSION PAYABLE BY THE CITY OF BOSTON TO MICHAEL J. DESISTO.

Be it enacted, etc., as follows:

Section 1 of chapter 605 of the acts of 1962 is hereby amended by striking out the second to the fifth sentences, inclusive, and inserting in place thereof the following three sentences: — Such pension shall be equal to the annual rate of regular compensation which would have been payable to him had he continued in service in the grade held by him at the time of his retirement. Upon his death leaving Lillian F. DeSisto, his wife, surviving him, said city shall pay to her, so long as she remains unmarried, an annuity of three thousand dollars, increased by three hundred and twelve dollars for each child of said Michael J. DeSisto during such time as such child is under eighteen years of age, or over said age and physically or mentally incapacitated from earning. If said Lillian F. DeSisto remarries, said city shall pay, in lieu of the aforesaid annuity to her, an annuity of five hundred and twenty dollars to or for the benefit of each such child during such period.

Approved August 4, 1969.

Chap. 608. AN ACT RELATING TO THE CONSTRUCTION AND FINANCING OF WASTEWATER TREATMENT FACILITIES BY THE CITY OF LEOMINSTER.

Be it enacted, etc., as follows:

SECTION 1. In addition to all powers heretofore conferred upon the city of Leominster, hereinafter called the city, by general or special laws, with respect to the construction, operation and maintenance of sewers, sewerage systems and sewage treatment and disposal facilities, and the financing thereof, said city is authorized to construct, reconstruct, maintain, operate, enlarge and improve wastewater treatment facilities. For the purposes of this act, the words "wastewater treatment facilities" shall mean facilities which can be used for treating, neutralizing or stabilizing sewage, sanitary wastes, industrial wastes and storm water either separately or together, may include sewers for carrying wastewater or treated wastewater to or from the treatment facilities, and shall be deemed to be "abatement facilities" as defined in section thirty of chapter twenty-one of the General Laws.

SECTION 2. The city, acting by its mayor with the approval of the city council, may contract with any party who is or may be a substantial user of wastewater treatment facilities constructed or to be constructed by the city. Contracts entered into under this section may be for a term not exceeding fifty years, may provide for payments by such user to the city and set forth the method for securing such payments. Any such contract may also provide for cooperation between the city and the user with respect to the planning, construction, reconstruction, maintenance and operation of the wastewater treatment facilities. Provisions of contracts securing payments to the city thereunder may include mortgages of real property or pledges of, or the creation of security interests in, personal property, either directly between the user and the city, or with the aid of one or more other persons acting as trustees or agents for either party. To the extent necessary, such users are hereby authorized to enter into such contracts with the city and take such actions from time to time as may be necessary to carry out their obligations thereunder.

SECTION 3. For the purpose of financing the construction of wastewater treatment facilities pursuant to section one, the city may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, four million dollars, and may issue bonds or notes therefor which shall bear on their face the words, City of Leominster, Wastewater Treatment Facilities Loan, Act of 1969. 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 statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of any limitation or requirement contained in section seven or eight thereof, and also except that, notwithstanding the provisions of section seventeen of said chapter forty-four, temporary notes issued in anticipation of the money to be derived from the sale of bonds or notes authorized under this act may mature not more than two years from their dates.

SECTION 4. This act shall take effect upon its acceptance by the city of Leominster. *Approved August 4, 1969.*

Chap. 609. AN ACT AUTHORIZING THE TREASURER OF MIDDLESEX COUNTY TO PAY A CERTAIN SUM OF MONEY TO THE JOHN W. MURRAY CO., INC.

Be it enacted, etc., as follows:

The treasurer of Middlesex county is hereby authorized to pay to the John W. Murray Co., Inc. from available funds the sum of one hundred dollars for a desk purchased by the probation department of the district court of Natick from said corporation on December first, nineteen hundred and sixty-seven, the bill for which is legally unenforceable against said county. *Approved August 4, 1969.*

Chap. 610. AN ACT FURTHER REGULATING APPEALS FROM AN ADVERSE DECISION OF THE BOARD OF APPEALS RELATIVE TO VARIANCES FROM ZONING ORDINANCES OR BY-LAWS.

Be it enacted, etc., as follows:

Chapter 40A of the General Laws is hereby amended by striking out section 20, as appearing in section 2 of chapter 368 of the acts of 1954, and inserting in place thereof the following section:—

Section 20. After acceptance of this section or corresponding provisions of earlier laws as provided in section four of chapter four, no appeal or petition under paragraph three of section fifteen for a variance from the terms of such an ordinance or by-law with respect to a particular parcel of land or the building thereon, and no application under paragraph two of section fifteen for a special exception to the terms of any such ordinance or by-law, which has been unfavorably acted upon by the board of appeals shall be considered on its merits by said board within two years after the date of such unfavorable action except with the consent of all but one of the members of the planning board, or of the board of selectmen in a town having no planning board. *Approved August 4, 1969.*

Chap. 611. AN ACT FURTHER REGULATING THE BORROWING POWERS OF THE SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE BUILDING AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith urgently needed facilities for students at the Southeastern Massachusetts Technological Institute, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 703 of the acts of 1964 is hereby amended by striking out the third paragraph, as appearing in section 7 of chapter 703 of the acts of 1964, and inserting in place thereof the following paragraph: —

The Authority is further authorized to provide by resolution at one time or from time to time for the issue of interest-bearing or discounted notes for the purposes and in the amounts that bonds may be issued as provided above. Such notes shall be payable within three years from

their respective dates, but the principal of and any interest on notes issued for such period or for a shorter period may be renewed or paid from time to time by the issue of other notes hereunder; provided that the period from the date of an original note issued prior to July first, nineteen hundred and sixty-nine to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed ten years, and the period from the date of an original note issued after July first, nineteen hundred and sixty-nine to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed five years.

SECTION 2. The fourth sentence of the fifth paragraph of said section 7 of said chapter 703, as amended by chapter 669 of the acts of 1966, is hereby further amended by striking out, in line 11, the word "sixty-seven" and inserting in place thereof the word: — seventy.

Approved August 6, 1969.

Chap. 612. AN ACT VALIDATING THE ACTION OF THE TOWN OF BRAINTREE TAKEN AT A SPECIAL TOWN MEETING INCREASING THE SALARY FIXED FOR THE CURRENT YEAR FOR CERTAIN ELECTED OFFICIALS OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one hundred and eight of chapter forty-one of the General Laws or any other provision of law to the contrary, the action of the town of Braintree, taken on May nineteen in the current year at a special town meeting, rescinding the vote taken at the annual town meeting which fixed the salary of the treasurer, tax collector and town clerk, and the action taken at said special town meeting which fixed the salary of the treasurer at ninety-seven hundred and fifty dollars and the salary of the tax collector at ten thousand and five hundred dollars and the salary of the town clerk at ninety-four hundred dollars, all three to be retroactive to the beginning of the fourteenth week of the current year, and which raised and appropriated the sum of sixteen hundred and eighty-seven dollars and fifty cents for the payment of the increases in said salaries, is hereby confirmed and validated.

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

Approved August 6, 1969.

Chap. 613. AN ACT MAKING CERTAIN FUNDS AVAILABLE FOR THE CONSTRUCTION OF A CERTAIN BRIDGE OVER THE CONNECTICUT RIVER.

Be it enacted, etc., as follows:

Section 1 of chapter 471 of the acts of 1968 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—Said department shall expend for said purposes such sums as may be available under chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven.

Approved August 6, 1969.

Chap. 614. AN ACT INCREASING CERTAIN BENEFITS UNDER THE MASSACHUSETTS EMPLOYMENT SECURITY LAW.

Be it enacted, etc., as follows:

SECTION 1. Subsection (*o*) of section 1 of chapter 151A of the General Laws is hereby amended by striking out the last sentence, added by section 3 of chapter 719 of the acts of 1956, and inserting in place thereof the following sentence:—For the purpose of determining wages paid in the highest quarter as provided in subsection (*w*), the director may combine the incomplete parts of the quarters occurring at the beginning and the end of the base period, and such incomplete combined periods shall be considered as a quarter.

SECTION 2. Subsection (*e*) of section 25 of said chapter 151A, as most recently amended by chapter 677 of the acts of 1958, is hereby further amended by inserting after the word "cause", in line 3, the following words:—attributable to the employing unit or its agent.

SECTION 3. Section 29 of said chapter 151A is hereby amended by striking out subsection (*a*), as most recently amended by section 5 of chapter 480 of the acts of 1967, 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 equal to fifty per cent of his average weekly wage in the base period, rounded to the next highest dollar, but not less than ten dollars nor more than sixty-two dollars; provided, however, that the weekly benefit rate so determined shall not be in excess of five dollars of the weekly benefit rate to which the individual would have been entitled under the provisions of this subsection in effect immediately prior to October fifth, nineteen hundred and sixty-nine.

SECTION 4. Said section 29 of said chapter 151A is hereby further amended by striking out subsection (*a*), as amended by section 3 of this act, 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 equal to fifty per cent of his average weekly wage in the base period, rounded to the next highest dollar, but not less than ten dollars nor more than fifty-two and one half per cent of the average weekly wage of all employees covered by this chapter. On or before the first day of October of each year, the total wages reported on contribution reports for the twelve months ending March thirty-first of such year shall be divided by the average monthly number of insured employees (determined by dividing the total insured employees reported on contribution reports for the twelve months ending March thirty-first by twelve). The average annual wage thus obtained shall be divided by fifty-two and the average weekly wage thus determined, rounded to the nearest cent. Fifty-two and one half per cent of this amount, rounded to the next highest dollar, shall establish the maximum weekly benefit rate paid any individual whose benefit year commences on or after the first Sunday of October of each year and prior to the first Sunday of October the following year.

SECTION 5. Subsection (*c*) of said section 29 of said chapter 151A, as most recently amended by chapter 476 of the acts of 1962, is hereby further amended by striking out the last sentence and inserting in

place thereof the following two sentences:—In no instance shall the dependency benefits as provided in this subsection be more than fifty per cent of the individual's weekly benefit rate except that if such amount of dependency benefits includes a fractional part of a dollar it shall be raised to the next highest dollar. The amount of dependency benefits determined as of the beginning of an individual's benefit year shall not be reduced for the duration of such benefit year.

SECTION 6. Sections one, three and five of this act shall take effect on October fifth, nineteen hundred and sixty-nine, and shall apply only to individuals whose benefit years begin on or after said effective date. Section two of this act shall take effect on October fifth, nineteen hundred and sixty-nine, and shall apply only to individuals whose benefit years or dates of reopening a claim begin on or after said effective date. Section four of this act shall take effect on October fourth, nineteen hundred and seventy, and shall apply only to individuals whose benefit years begin on or after said effective date.

Approved August 6, 1969.

Chap. 615. AN ACT AUTHORIZING THE CITY OF MALDEN TO INCREASE THE RETIREMENT ALLOWANCE OF ANY FORMER EMPLOYEE RETIRED FOR ACCIDENTAL DISABILITY.

Be it enacted, etc., as follows:

The city of Malden may, by two thirds vote of the city council and with the approval of the mayor, increase the retirement allowance of any former employee thereof who has been retired under any provision of chapter thirty-two of the General Laws on account of injuries sustained or hazard undergone in the performance of his duty, to an amount not exceeding thirty-five hundred dollars annually; provided, that the increase for any individual shall not exceed five hundred dollars in any one year.

Approved August 6, 1969.

Chap. 616. AN ACT DESIGNATING THE SWIMMING POOL UNDER CONSTRUCTION IN THE TOWN OF SOUTH HADLEY AS THE BUTTERY BROOK MEMORIAL SWIMMING POOL.

Be it enacted, etc., as follows:

The swimming pool under construction by the department of public works in the town of South Hadley shall be designated and known as the Buttery Brook Memorial Swimming Pool, in memory of the veterans of all wars from the town of South Hadley. A suitable marker bearing said designation shall be attached thereto by said department.

Approved August 6, 1969.

Chap. 617. AN ACT ESTABLISHING A SUITABLE MEMORIAL FOR FRANK G. RICO AT THE MASSASOIT STATE PARK.

Be it enacted, etc., as follows:

The commissioner of natural resources is hereby authorized to designate a suitable portion of, or a facility at, the Massasoit state park as a memorial to Frank G. Rico of Taunton, a former member of the house of representatives, and to erect a suitable marker thereat to that effect.

Approved August 6, 1969.

Chap. 618. AN ACT CONTINUING THE ACCELERATED PROGRAM OF FOREST MANAGEMENT ON STATE FOREST LANDS.

Be it enacted, etc., as follows:

The commissioner of natural resources is hereby authorized and directed to continue the accelerated forest management program on lands under the control of the department of natural resources. Said program shall include a complete inventory of forest resources, the marking, cutting and sale of mature and commercially valuable timber on said lands and the making of necessary silvicultural improvements thereon. Said department may expend for such program such sums as may be appropriated therefor. *Approved August 6, 1969.*

Chap. 619. AN ACT AUTHORIZING THE ADMISSION OF CRIPPLED CHILDREN FROM OUTSIDE THE COMMONWEALTH TO THE MASSACHUSETTS HOSPITAL SCHOOL.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by striking out section 62J, as appearing in section 1 of chapter 508 of the acts of 1954, and inserting in place thereof the following section:—

Section 62J. The Massachusetts hospital school shall be maintained primarily for the education and care of crippled and deformed children of the commonwealth. When there is no child of the commonwealth on the entrance waiting list, crippled children from outside the commonwealth may be admitted to said hospital school, subject to such rules and regulations as the board of trustees may adopt; provided, however, that all costs for the care and treatment of such children are paid by their sponsors or other persons or agencies.

Approved August 6, 1969.

Chap. 620. AN ACT PROVIDING ADDITIONAL REMEDIES FOR THE COLLECTION OF STATE TAXES.

Be it enacted, etc., as follows:

Chapter 58 of the General Laws is hereby amended by adding after section 35, added by chapter 530 of the acts of 1969, the following twelve sections:—

Section 36. (*a*) If any person liable to pay any tax neglects or refuses to pay the same within ten days after demand, it shall be lawful for the commissioner to collect such tax, and such further sum as shall be sufficient to cover the expenses of the levy, by levy upon all property and rights to property, except such property as is exempt under section twenty-four of chapter sixty, belonging to such person or on which there is a lien provided in this chapter for the payment of such tax. If the commissioner makes a finding that the collection of such tax is in jeopardy, notice and demand for immediate payment of such tax may be made by the commissioner and, upon failure or refusal to pay such tax, collection thereof by levy shall be lawful without regard to the ten-day period provided in this section.

(*b*) The term "levy" as used in this chapter includes the power of distraint and seizure by any means. A levy shall extend only to

property possessed and obligations existing at the time thereof. In any case in which the commissioner may levy upon property or rights to property, he may seize and sell such property or rights to property, whether real or personal, tangible or intangible.

(*c*) Whenever any property or right to property upon which levy has been made by virtue of subsection (*a*) is not sufficient to satisfy the claim of the commonwealth for which levy is made, the commissioner may, thereafter, and as often as may be necessary, proceed to levy in like manner upon any other property liable to levy of the person against whom such claim exists, until the amount due from him, together with all expenses, is fully paid.

Section 37. (*a*) Except as otherwise provided in subsection (*b*), any person in possession of, or obligated with respect to, property or rights to property subject to levy upon which a levy has been made shall, upon demand of the commissioner, surrender such property or rights, or discharge such obligation, to the commissioner, except such part of the property or rights as is, at the time of such demand, subject to an attachment or execution under any judicial process.

(*b*) (*1*) A levy on an organization with respect to life insurance or endowment contract issued by such organization shall, without necessity for the surrender of the contract document, constitute a demand by the commissioner for payment of the amount described in paragraph two and the exercise of the right of the person against whom the tax is assessed to the advance of such amount. Such organization shall pay over such amount ninety days after service of notice of levy. Such notice shall include a certification by the commissioner that a copy of such notice has been mailed to the person against whom the tax is assessed at his last known address.

(*2*) Such levy shall be deemed to be satisfied if such organization pays over to the commissioner the amount which the person against whom the tax is assessed could have had advanced to him by such organization on the date prescribed in paragraph one for the satisfaction of such levy, increased by the amount of any advance, including contractual interest thereon, made to such person on or after the date such organization had actual notice or knowledge of the existence of the lien with respect to which such levy is made, other than an advance, including contractual interest thereon, made automatically to maintain such contract in force under an agreement entered into before such organization had such notice or knowledge.

(*3*) The satisfaction of a levy under paragraph two shall be without prejudice to any civil action for the enforcement of any lien imposed by section thirty-three with respect to such contract.

(*c*) (*1*) Any person who fails or refuses to surrender any property or rights to property, subject to levy, upon demand by the commissioner, shall be liable in his own person and estate to the commonwealth in a sum equal to the value of the property or rights not so surrendered, but not exceeding the amount of taxes for the collection of which such levy has been made, together with costs and interest on such sum at the rate of six per cent per annum from the date of such levy. Any amount, other than costs, recovered under this paragraph shall be credited against the tax liability for the collection of which such levy was made.

(2) In addition to the personal liability imposed by paragraph (1), if any person required to surrender property or rights to property fails or refuses to surrender such property or rights to property without reasonable cause, such person shall be liable for a penalty equal to fifty per cent of the amount recoverable under paragraph (1). No part of such penalty shall be credited against the tax liability for the collection of which such levy was made.

(*d*) Any person in possession of, or obligated with respect to, property or rights to property subject to levy upon which a levy has been made, who, upon demand by the commissioner, surrenders such property or rights to property, or discharges such obligation, to the commissioner, or who pays a liability under paragraph (1) of subsection (*c*) shall be discharged from any obligation or liability to the delinquent taxpayer with respect to such property or rights to property arising from such surrender or payment. In the case of a levy which is satisfied pursuant to subsection (*b*), such organization shall also be discharged from any obligation or liability to any beneficiary arising from such surrender or payment.

Section 38. If a levy has been made or is about to be made on any property, or right to property, any person having custody or control of any books or records, containing evidence or statements relating to the property, or right to property subject to levy, shall, upon demand of the commissioner, exhibit such books or records to the commissioner.

Section 39. (*a*) As soon as practicable after seizure of property, notice in writing shall be given by the commissioner to the owner of the property, or, in the case of personal property, the possessor thereof, or shall be left at his usual place of abode or business, if he has such within the commonwealth. If the owner cannot be readily located, or has no dwelling or place of business within the commonwealth, the notice may be mailed to his last known address. Such notice shall specify the sum demanded and shall contain, in the case of personal property, an account of the property seized and, in the case of real property, a description with reasonable certainty of the property seized.

(*b*) The commissioner shall as soon as practicable after the seizure of the property give notice to the owner, in the manner prescribed in subsection (*a*), and shall cause a notification to be published in some newspaper published or generally circulated within the county wherein such seizure is made, or, if there be no newspaper published or generally circulated in such county, shall post such notice at the city or town hall nearest the place where the seizure is made, and in not less than two other public places. Such notice shall specify the property to be sold and the time, place, manner and conditions of the sale thereof. Whenever levy is made without regard to the ten-day period provided in section thirty-five, public notice of sale of the property seized shall not be made within such ten-day period unless section thirty-nine is applicable.

(*c*) If any property liable to levy is not divisible, so as to enable the commissioner by sale of a part thereof to raise the whole amount of the tax and expenses, the whole of such property shall be sold.

(*d*) The time of sale shall not be less than ten days nor more than forty days from the time of giving public notice under subsection

(*b*). The sale may be adjourned from time to time but such adjournments shall not be for a period to exceed in all one month.

(*c*) (*1*) Before the sale the commissioner shall determine a minimum price for which the property shall be sold, and if no person offers for such property at the sale the amount of the minimum price, the property shall be declared to be purchased at such price for the commonwealth; otherwise the property shall be declared to be sold to the highest bidder. In determining the minimum price, the commissioner shall take into account the expense of making the levy and sale.

(*2*) The commission may by regulations prescribe the manner and other conditions of the sale of property seized by levy.

(*3*) If payment in full is required at the time of acceptance of a bid and is not then and there paid, the commissioner shall forthwith proceed to again sell the property in the manner provided in this subsection. If the conditions of the sale permit part of the payment to be deferred, and if such part is not paid within the prescribed period, suit may be instituted against the purchaser for the purchase price or such part thereof as has not been paid, together with interest at the rate of six per cent per annum from the date of the sale; or, in the discretion of the commissioner, the sale may be declared by the commissioner to be null and void for failure to make full payment of the purchase price and the property may again be advertised and sold as provided in subsections (*b*) and (*c*) and this subsection. In the event of such readvertisement and sale any new purchaser shall receive such property, or rights to property, free and clear of any claim or right to the former defaulting purchaser, of any nature whatsoever, and the amount paid upon the bid price by such defaulting purchaser shall be forfeited.

Section 40. If the commissioner determines that any property seized is liable to perish or become greatly reduced in price or value by keeping, or that such property cannot be kept without great expense, he shall appraise the value of such property and, if the owner of the property can be readily found, shall give him notice of such determination of the appraised value of the property. The property shall be returned to the owner if, within such time as may be specified in the notice, the owner either pays to the commissioner an amount equal to the appraised value, or gives bond in such form, with such sureties, and in such amount as the commissioner shall prescribe, to pay the appraised amount at such time as the commissioner determines to be appropriate in the circumstances.

If the owner does not pay such amount or furnish such bond in accordance with this section, the commissioner shall as soon as practicable make public sale of the property in accordance with such regulations as may be prescribed by the commission.

Section 41. (*a*) Any person whose property has been levied upon shall have the right to pay the amount due, together with the expenses of the proceeding, if any, to the commissioner at any time prior to the sale thereof, and upon such payment the commissioner shall restore such property to him, and all further proceedings in connection with the levy on such property shall cease from the time of such payment.

(*b*) (*1*) The owners of any real property sold as provided in section thirty-nine, their heirs, executors, or administrators, or any person having any interest therein, or a lien thereon, or any person in their behalf, shall be permitted to redeem the property sold, or any particular tract of such property, at any time within one hundred and twenty days after the sale thereof.

(*2*) Such property or tract of property shall be permitted to be redeemed upon payment to the purchaser, or in case he cannot be found in the country in which the property to be redeemed is situated, then to the commissioner for the use of the purchaser, his heirs, or assigns, the amount paid by such purchaser and interest thereon at the rate of twenty per cent per annum.

(*c*) When any lands sold are redeemed as provided in this section, the commissioner shall cause entry of the fact to be made upon the record mentioned in section forty-four and such entry shall be evidence of such redemption.

Section 42. (*a*) In the case of property sold as provided in section thirty-nine, the commissioner shall give the purchaser a certificate of sale upon payment in full of the purchase price. In the case of real property, such certificate shall set forth the real property purchased, for whose taxes the same was sold, the name of the purchaser and the price paid therefor.

(*b*) In the case of any real property sold as provided in section thirty-nine and not redeemed in the manner and within the time provided in section forty-one, the commissioner shall execute to the purchaser of such real property at such sale, upon his surrender of the certificate of sale, a deed of the real property so purchased by him, reciting the facts set forth in the certificate.

(*c*) If real property is declared purchased by the commonwealth at a sale pursuant to section thirty-nine, the commissioner shall at the proper time execute a deed therefor, and without delay cause such deed to be duly recorded in the proper registry of deeds.

Section 43. (*a*) In all cases of sale pursuant to section thirty-nine of property, other than real property, the certificate of such sale—

(*1*) Shall be prima facie evidence of the right of the commissioner to make such sale and conclusive evidence of the regularity of his proceedings in making the sale; and

(*2*) Shall transfer to the purchaser all right, title and interest of the party delinquent in and to the property sold; and

(*3*) If such property consists of stocks, shall be notice, when received, to any corporation, company or association of such transfer, and shall be authority to such corporation, company or association to record the transfer on its books and records, in the same manner as if the stocks were transferred or assigned by the party holding the same, in lieu of any original or prior certificate, which shall be void, whether canceled or not; and

(*4*) If the subject of sale is securities or other evidences of debt, shall be a good and valid receipt to the person holding the same, as against any person holding or claiming to hold possession of such securities or other evidences of debt; and

(*5*) If such property consists of a motor vehicle, shall be notice, when received, to the registrar of motor vehicles of the commonwealth,

or to any public official charged with the registration of title to motor vehicles in any other state, of such transfer and shall be authority to the registrar or to such official to record the transfer on his books and records in the same manner as if the certificate of title to such motor vehicle were transferred or assigned by the party holding the same, in lieu of any original or prior certificate, which shall be void, whether canceled or not.

(*b*) In the case of the sale of real property pursuant to section thirty-nine the deed of sale given pursuant to section forty-one shall be prima facie evidence of the facts therein stated; and if the proceedings of the commissioner as set forth have been substantially in accordance with the provisions of law, such deed shall be considered and operate as a conveyance of all the right, title and interest the party delinquent had in and to the real property thus sold at the time the lien of the commonwealth attached thereto.

(*c*) A certificate of sale of personal property given or a deed to real property executed pursuant to section forty-two shall discharge such property from all liens, encumbrances and titles over which the lien of the commonwealth with respect to which the levy was made had priority.

Section 44. The commissioner shall keep a record of all sales of real property under section thirty-nine and of all redemptions of such property. The record shall set forth the tax for which any such sale was made, the dates of seizure and sale, the name of the party assessed and all proceedings in making such sale, the amount of expenses, the names of the purchasers and the date of the deed. A copy of such record, or any part thereof, certified by the commissioner shall be the evidence in any court of the truth of the facts therein stated.

Section 45. The commissioner shall determine the expenses to be allowed in all cases of levy and sale.

Section 46. (*a*) Any money realized by proceedings under sections thirty-six through forty-seven, whether by seizure, by surrender under section thirty-seven, except pursuant to paragraph (2) of subsection (*c*) thereof, or by sale of seized property, or by sale of property redeemed by the commonwealth, if the interest of the commonwealth in such property was a lien arising under the provisions of this title, shall be applied as follows:—

First, against the expenses of the proceedings;

The amount, if any, remaining after payment of such expenses shall be applied against the liability in respect of which the levy was made or the sale was conducted.

Any surplus proceeds remaining thereafter shall, upon application and satisfactory proof in support thereof, be credited or refunded by the commissioner to the person or persons legally entitled thereto.

Section 47. (*a*) It shall be lawful for the commissioner, under regulations prescribed by the commission, to release the levy upon all or part of the property or rights to property levied upon where the commissioner determines that such action will facilitate the collection of the liability, but such release shall not operate to prevent any subsequent levy.

(*b*) If the commissioner determines that property has been wrongfully levied upon, it shall be lawful for the commissioner to return—

(*1*) the specific property levied upon,

(*2*) an amount of money equal to the amount of money levied upon, or

(*3*) an amount of money equal to the amount of money received by the commonwealth from a sale of such property.

Property may be returned at any time. An amount equal to the amount of money levied upon or received from such sale may be returned at any time before the expiration of nine months from the date of such levy. For purposes of clause (3), if property is declared purchased by the commonwealth at a sale pursuant to subsection (*e*) of section thirty-nine, relating to manner and conditions of sale, the commonwealth shall be treated as having received an amount of money equal to the minimum price determined pursuant to such section or, if larger, the amount received by the commonwealth from the resale of such property. For purposes of clauses (2) and (3), the commissioner shall certify the amount of such money to the state treasurer, who shall pay it forthwith without specific appropriation, from the proceeds of the tax to which such money was originally credited. *Approved August 6, 1969.*

Chap. 621. AN ACT RELATIVE TO EXTENSIONS OF TIME FOR FILING CORPORATION EXCISE RETURNS.

Be it enacted, etc., as follows:

SECTION 1. Section 68B of chapter 63 of the General Laws, inserted by section 1 of chapter 283 of the acts of 1961, is hereby amended by adding the following paragraph: —

If the corporation does not pay at least eighty per cent of the tax shown on the return for the taxable year on or before the date prescribed by this chapter for payment of the tax, any extension of time for filing a return granted hereunder shall be null and void, and the return filed hereunder shall be considered a late return and the penalty provision contained in section thirty-one A of chapter fifty-eight shall be applicable to said return.

SECTION 2. This act shall apply to applications for extension of time filed on and after its effective date. *Approved August 6, 1969.*

Chap. 622. AN ACT ELIMINATING THE PROVISION THAT EXPENSES INCURRED IN THE ADMINISTRATION AND ENFORCEMENT OF THE SO-CALLED MOTOR FUEL SALES ACT BE LIMITED TO THE RECEIPTS FROM LICENSE FEES.

Be it enacted, etc., as follows:

Section 295B of chapter 94 of the General Laws is hereby amended by striking out the third paragraph, as appearing in chapter 443 of the acts of 1957. *Approved August 6, 1969.*

Chap. 623. AN ACT PROVIDING FOR SERVICE OUTSIDE THE COMMONWEALTH IN CERTAIN EQUITY PROCEEDINGS.

Be it enacted, etc., as follows:

Section 3 of chapter 223A of the General Laws, inserted by chapter 760 of the acts of 1968, is hereby amended by inserting after the word "action", in line 2, the words: — in law or equity.

Approved August 6, 1969.

Chap. 624. AN ACT PROVIDING FOR THE ACQUISITION OF LAND AND FOR THE ACQUISITION OR CONSTRUCTION OF BUILDINGS TO BE USED EXCLUSIVELY BY THE MASSACHUSETTS DIVISION OF EMPLOYMENT SECURITY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the acquisition of land and for the acquisition or construction of buildings and for such improvements, facilities, landscaping, and fixed equipment as may be required to be used exclusively by the division of employment security and for the expenses of the director of the division of employment security in carrying out the provisions of this act there is hereby appropriated from the account of the commonwealth in the unemployment trust fund held pursuant to section nine hundred and three of the Social Security Act, as amended, the sum of four million, seven hundred seventy-two thousand, four hundred nineteen dollars and twenty-seven cents.

SECTION 2. The money expended in compliance with this act shall be subject to the limitations set forth in section fifty-three A of chapter one hundred and fifty-one A of the General Laws but in no event shall said division of employment security obligate funds provided under this act in a total amount during any fiscal year which shall exceed the aggregate of the amounts credited to the account of the commonwealth by the federal government pursuant to Title IX of the Social Security Act during such fiscal year and the fourteen preceding fiscal years, less the aggregate of the amounts of such funds used by the commonwealth and charged against the amounts credited to the account of the commonwealth during any of such fifteen fiscal years.

SECTION 3. All expenditures of funds hereby appropriated shall be for expenses incurred after the effective date of this act.

SECTION 4. No part of the moneys appropriated by section one of this act shall be encumbered nor shall any contractual obligation be incurred hereunder after the close of the two-year period which begins on the effective date of this act. Any unencumbered moneys appropriated by section one shall revert to the account of the commonwealth in the unemployment trust fund at the earliest practical date but in no event later than at the close of such two-year period. Any unexpended funds appropriated by section one shall revert to the account of the commonwealth in the unemployment trust fund at the earliest practical date but in no event later than the time of the payment of all expenditures for the acquisition of land and for the acquisition or construction of buildings in each city or town.

SECTION 5. The director may, on behalf of and in the name of the commonwealth, acquire by purchase or otherwise, on such terms and conditions and in such manner as he may deem proper, or may take by eminent domain, under chapter seventy-nine of the General Laws, such lands, including buildings thereon as may be necessary for the purposes of this act; provided, however, that before a taking is made, the director shall give security to the state treasurer, in such amount and in such form as may be determined by the attorney general, for the payment of such damages and costs as may be awarded for the land or other property so taken or injured; and provided, further, that if, upon petition of the owner and notice to the director, any security taken appears to the attorney general to have become insufficient, he shall require the director to give further security, to his satisfaction, to the state treasurer. If the director fails to so comply, any person entitled to such damages may treat the taking of his property or the proceedings by which the right to inflict injury thereon was acquired as void and any interference by said director with the use and enjoyment of his property as unlawful.

SECTION 6. The construction, razing, demolishing or remodeling of any building under this act shall be under the control and direction of the bureau of building construction in accordance with the provisions of chapter seven of the General Laws. *Approved August 6, 1969.*

Chap. 625. AN ACT PROVIDING FOR CREDITABLE SERVICE TOWARDS RETIREMENT FOR CERTAIN SERVICE IN THE ARMED FORCES.

Be it enacted, etc., as follows:

SECTION 1. 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 chapter 671 of the acts of 1966, is hereby further amended by inserting after the word "position", in line 5, the words: — or when employed in any governmental unit in a position which is subject to the provisions of sections one to twenty-eight, inclusive.

SECTION 2. Paragraph (*c*) of subdivision (8) of section 3 of said chapter 32 is hereby amended by inserting after the first sentence the following sentence: — In any case where creditable service is allowed for any period served in the armed forces, where a member became employed in a position in a governmental unit other than the governmental unit wherein he was employed prior to entering such military service, the cost of any pension attributable to such creditable service shall be divided equally between the two retirement systems involved, and the actuary shall, on the same basis, determine the amount to be transferred from the special fund for military service credit, established under the provisions of subdivision (4) of section twenty-two, of the system of the governmental unit by which the member was employed prior to entering such military service to the special fund for military service credit in the second retirement system.

SECTION 3. The provisions of sections one and two of this act shall be effective in the case of any member of a retirement system who had been a member of a retirement system established under the provisions of chapter thirty-two of the General Laws, prior to entering military

service and who on the termination of such military service had within two years after such termination become a member of the retirement system of a governmental unit other than that by which he was employed prior to such military service. *Approved August 6, 1969.*

Chap. 626. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO RECONVEY CERTAIN LAND OF THE COMMONWEALTH LOCATED IN THE TOWN OF DEDHAM BACK TO SAID TOWN.

Be it enacted, etc., as follows:

The department of public works on behalf of the commonwealth is hereby authorized and directed to reconvey to the town of Dedham a parcel of land between the northbound and southbound lanes of route 128 and between route 109 and route 1A in said town.

Approved August 6, 1969.

Chap. 627. AN ACT TO PROTECT THE APPALACHIAN TRAIL.

Be it enacted, etc., as follows:

Chapter 132A of the General Laws is hereby amended by adding the following section:—

Section 12. The commissioner on behalf of the commonwealth may acquire by purchase, gift, eminent domain or otherwise such land, including rights-of-way and easements for the purpose of protecting or enhancing scenic beauty, as he may deem necessary to establish, protect and develop a trail across the commonwealth between the Connecticut and Vermont state line to be known as the Appalachian Trail, and he may provide shelters and other facilities thereon; provided, however, that the power of eminent domain shall not be utilized to acquire a strip of land bordering said trail no greater than two hundred feet in overall width. Any department or agency of the commonwealth or any political subdivision, district or authority may transfer to the department land or rights in land for said purposes on such terms and conditions as may be agreed upon, or may enter into an agreement with the commissioner providing for the establishment and protection of said trail. The Appalachian Trail shall be held, developed and administered under this chapter primarily as a footpath and the natural scenic beauty thereof shall be preserved insofar as is practicable; provided, however, that the commissioner may permit other uses of the trail and land acquired hereunder, by the owner of adjoining land or others, in such manner and at such seasons as will not substantially interfere with the primary use of the trail. Nothing in this section shall be construed to limit the right of the public to pass over existing public roads which may be or become part of the trail, nor prevent the department from performing such work as is necessary for the purpose of forest fire prevention and control, insect pest and disease control and the removal of damage caused by natural disaster. The commissioner may grant temporary or permanent rights-of-way across lands acquired under this section under such terms and conditions as he may deem advisable. The commissioner may enter

into cooperative agreements with agencies of the federal government or with private organizations to provide for the maintenance of the trail. No person who has granted a right-of-way for said trail across his land, or his successor in title, shall be liable to any user of the trail for injuries suffered on said right-of-way unless the injuries are caused by his willful or wanton misconduct. Expenses authorized under this section, including the acquisition of land or easements therein, awards of damages, surveying and mapping, and the cost of development and construction, and expenses incidental thereto, may be paid out of funds heretofore or hereafter made available for the purposes of this chapter.

Approved August 6, 1969.

Chap. 628. AN ACT PROVIDING FOR THE PAYMENT OF CERTAIN VETERANS' BENEFITS BY THE COMMONWEALTH IN THE EVENT OF REFUSAL OR DELAY BY A CITY OR TOWN TO MAKE SUCH PAYMENTS.

Be it enacted, etc., as follows:

Section 2 of chapter 115 of the General Laws is hereby amended by adding the following paragraph:—

He may, by written notice, order a city or town to pay veterans' benefits to an applicant on an application approved by the commissioner. If a city or town refuses or does not make such payment within fourteen days from receipt of such notice he shall notify the state treasurer of such refusal or failure and thereafter such benefits shall be paid to the applicant by the commonwealth. If the commonwealth shall be called upon to pay any such benefits on behalf of any such city or town, the total of any such benefits paid in any such calendar year shall be assessed upon such city or town, or deducted from funds that may be due such city or town from the commonwealth.

Approved August 6, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 6, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Francis W. Sargent, 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 628 of the Acts of 1969, entitled "AN ACT PROVIDING FOR THE PAYMENT OF CERTAIN VETERANS' BENEFITS BY THE COMMONWEALTH IN THE EVENT OF REFUSAL OR DELAY BY A CITY OR TOWN TO MAKE SUCH PAYMENTS." and the enactment of which received my approval on August 6, 1969, 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 insure prompt payment of veterans' benefits to an applicant on an application approved by the Commissioner of Veterans' Services

where a city or town has delayed said payment, and to insure that there will be no delay to a veteran entitled to such benefits, it is necessary that this law take effect immediately.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 7, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at ten o'clock and fifteen minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and twenty-eight of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 629. AN ACT EXEMPTING FROM THE OPERATION OF THE STATE INCOME TAX LAW CERTAIN PAYMENTS MADE BY AN EMPLOYER INTO A PENSION OR RETIREMENT FUND AND INCOME DERIVED FROM A QUALIFIED TRUST FORMING PART OF A PENSION OR RETIREMENT PLAN.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 62 of the General Laws is hereby amended by striking out clauses (*i*) and (*j*), as appearing in section 2 of chapter 485 of the acts of 1947, and inserting in place thereof the following clauses: —

(*i*) Payments made by an employer to or under a stock bonus, pension, profit-sharing or annuity plan qualifying under section four hundred and one of the federal Internal Revenue Code, as amended and in effect for the taxable year, to the extent that such payments are deductible under section four hundred and four of said Code; or payments made by an employer to any other trust forming part of a pension, annuity, disability, death benefit, profit-sharing or stock bonus plan of such employer, the income of which is exempt under clause (*j*) and which, except for the provisions of this clause, might be deemed to be taxable income of the employee in the year in which such payment is made, but nothing contained in this clause shall exempt from taxation amounts distributed by such a trust.

(*j*) Income of a qualified trust, as defined under section four hundred and one of the federal Internal Revenue Code, as amended and in effect for the taxable year, or of any other trust forming part of a pension, annuity, disability, death benefit, profit-sharing or stock bonus plan of an employer for the exclusive benefit of some or all of his employees or their beneficiaries, to which contributions are made by such employer or employees, or both, for the purpose of distributing to such employees or their beneficiaries the corpus and income of the fund accumulated by the trust in accordance with such plan, it being impossible under the trust

instrument, at any time prior to the satisfaction of all liabilities with respect to employees and their beneficiaries under the trust, for any part of the corpus or income to be, within the taxable year or thereafter, used for, or diverted to, purposes other than for the exclusive benefit of his employees or their beneficiaries.

SECTION 2. This act shall apply with respect to taxable years commencing after December thirty-first, nineteen hundred and sixty-eight.

Approved August 6, 1969.

Chap. 630. AN ACT REQUIRING HOUSING AUTHORITIES TO PROVIDE ADEQUATE SECURITY FOR ITS TENANTS.

Be it enacted, etc., as follows:

Section 26EE of chapter 121 of the General Laws is hereby amended by adding the following paragraph:—

A housing authority shall furnish adequate security for the protection of the person and property of its tenants by contract for police protection with the local police department in which the authority is located.

Approved August 6, 1969.

Chap. 631. AN ACT RELATIVE TO THE MEMBERSHIP OF THE RECREATION COMMISSION OF THE CITY OF NEWTON.

Be it enacted, etc., as follows:

Notwithstanding any provision of section fourteen of chapter forty-five of the General Laws, the city of Newton may by ordinance establish a recreation commission consisting of a recreation commissioner and one resident from each of the wards in said city. The powers conferred by said section, except the power of eminent domain, may be exercised by a committee consisting of one member of the recreation commission of said city, such member to be appointed and designated in accordance with the ordinances of said city. The other members of the commission shall be designated or elected in such manner and for such terms as the board of aldermen may determine.

Approved August 6, 1969.

Chap. 632. AN ACT VALIDATING THE ACTION OF THE TOWN OF WESTPORT IN GRANTING RETROACTIVE PAY RAISES TO CERTAIN EMPLOYEES OF SAID TOWN AND IN APPROPRIATING A CERTAIN SUM FOR RETROACTIVE PAYMENTS UNDER ONE OF THE AGREEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of law to the contrary, the town of Westport, at a special town meeting called for that purpose, may approve a labor agreement by and between said town and the American Federation of State, County, and Municipal Employees, for all permanent full-time highway department employees of said town granting them certain wage and fringe benefits retroactive to January first, nineteen hundred and sixty-nine, and may appropriate from available funds the sum of five thousand dollars to carry out the terms of said contract, and may also approve

the labor agreement between said town and the Westport Permanent Firefighters Association, Local 1802 International Association of Firefighters AFL-CIO retroactive to January first, nineteen hundred and sixty-nine.

SECTION 2. Any action taken by the town of Westport at the special town meeting held on June tenth, nineteen hundred and sixty-nine, shall be as valid and effective as though section one of this act had been in full force and effect at the time of the posting of the warrant for said meeting. *Approved August 6, 1969.*

Chap. 633. AN ACT PROVIDING FOR INCREASED AMOUNTS OF ACCIDENTAL DEATH INSURANCE ON THE LIVES OF EMPLOYEES OF THE COMMONWEALTH AND CERTAIN SUBDIVISIONS WHOSE DEATH, WHILE IN THE PERFORMANCE OF THEIR DUTIES, OCCURS AS THE RESULT OF A ROBBERY OR ATTEMPTED ROBBERY.

Be it enacted, etc., as follows:

Section 10A of chapter 32A of the General Laws, inserted by section 5 of chapter 389 of the acts of 1960, is hereby amended by inserting after the first sentence the following sentence: — Notwithstanding the maximum dollar limits of the aforesaid amounts of group accidental death and dismemberment insurance and subject to such provisions of the group policy as may be provided by the commission, if a death occurs to an employee while in the performance of his duties and if such death occurs as the natural and proximate result of a robbery or attempted robbery, a further additional amount of accidental death insurance shall be payable in an amount equal to three times the sum of additional group life and group accidental death and dismemberment insurance applicable to said employee insured under this section.

Approved August 6, 1969.

Chap. 634. AN ACT EXTENDING THE TIME DURING WHICH THE TOWN OF MIDDLEBOROUGH MAY LEVY ASSESSMENTS FOR THE COST OF CERTAIN BETTERMENTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the failure of the town of Middleborough to comply with the provisions of sections one and two of chapter eighty and section forty-two I of chapter forty of the General Laws, said town may levy and collect assessments for betterments comprising water and sewer extension programs for the years nineteen hundred and sixty-six, nineteen hundred and sixty-seven, nineteen hundred and sixty-eight and nineteen hundred and sixty-nine.

SECTION 2. The recording by the town of Middleborough of the orders, plans, estimates and assessments required under the provisions of sections one and two of chapter eighty and of section forty-two I of chapter forty of the General Laws is hereby validated and confirmed, notwithstanding the failure of said town to record the same within the time prescribed by said sections. *Approved August 6, 1969.*

Chap. 635. AN ACT RELATIVE TO MUNICIPAL BORROWING FOR THE CONSTRUCTION OF REGIONAL INCINERATORS.

Be it enacted, etc., as follows:

Setcion 8 of chapter 44 of the General Laws is hereby amended by inserting after clause (17) the following clause: —

(18) For the construction of a regional incinerator for the purpose of disposing solid waste, refuse and garbage by two or more communities, twenty years, but the indebtedness so incurred shall not exceed three per cent of the last preceding equalized valuation of the city or town and shall be subject to the approval of the emergency finance board.

Approved August 6, 1969.

Chap. 636. AN ACT RELATIVE TO THE CORPORATE POWERS OF THE WALTHAM FIREFIGHTERS WELFARE AND RELIEF ASSOCIATION.

Be it enacted, etc., as follows:

Waltham Firefighters Welfare and Relief 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 to such member such sum, not exceeding five hundred dollars, as may be determined by vote of said corporation.

Approved August 6, 1969.

Chap. 637. AN ACT FURTHER REGULATING THE RIGHT OF THE REGISTRAR OF MOTOR VEHICLES TO SUSPEND OR REVOKE A CERTIFICATE OF REGISTRATION OR A LICENSE.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by striking out section 22, as most recently amended by chapter 332 of the acts of 1968, and inserting in place thereof the following section: —

Section 22. (*a*) The registrar may suspend or revoke without a hearing any certificate of registration or any license issued under this chapter whenever the holder thereof has committed a violation of the motor vehicle laws of a nature which would give the registrar reason to believe that continuing operation by such holder is and will be so seriously improper as to constitute an immediate threat to the public safety. Upon such suspension or revocation, the registrar shall forthwith send written notice thereof to the licensee or registrant, as the case may be. Such notice shall specify the time and place of the violation. The registrar may order the license of such operator or the registration certificate and number plates to be delivered to him; and neither the certificate of registration nor the license shall be reissued unless, upon examination or investigation, or after a hearing, the registrar determines that the operator shall again be permitted to operate. Said operator shall be entitled to a hearing within thirty days of the suspension or revocation, and the registrar shall so advise him in his notice of suspension or revocation. The registrar, under the same conditions and for the same cause, may also suspend the right of any person to operate motor vehicles in the commonwealth under section ten until he shall have received a license from the registrar or until his right to operate has been restored by the registrar.

(*b*) The registrar may, after due hearing, suspend or revoke any certificate of registration or any license issued under this chapter, when he has reason to believe the holder thereof is an incompetent person to operate motor vehicles, or is operating a motor vehicle improperly. At least fourteen days prior to any such suspension or revocation, the registrar shall notify the operator in writing of his intention to suspend or revoke his license as of a specified date. Said notice shall specify the reasons for the intended suspension or revocation and shall inform the operator of his right to request in writing a hearing within seven days of his receipt of such notice on the question of whether there is just cause for such suspension or revocation. If he so requests, the registrar shall grant him a hearing, shall notify him of the date of such hearing and he shall not suspend or revoke the license or registration prior to the completion of the hearing. If, after such hearing, the registrar determines that there is just cause for suspension or revocation, he may suspend or revoke the license but, except as provided by law, or except when he finds that the operator is physically or mentally incapable of operating a motor vehicle, no suspension under this subsection shall be for a period in excess of thirty days. Failure on the part of the operator to request a hearing as aforesaid shall constitute a waiver of his right to a hearing and the registrar may thereafter suspend or revoke the license or certificate on the date originally specified.

(*c*) If the registrar shall receive official notice that any resident has been convicted in another state or country of operating under the influence of narcotic drugs and has had his right to operate in such state or country suspended, the registrar shall forthwith suspend his license, if any, or his right to operate in this commonwealth, and any reinstatement or renewal of such license or reinstatement of such right to operate shall be subject to the provisions of section twenty-four as if the operator had been convicted of operating under the influence of narcotic drugs in this commonwealth.

(*d*) Notice to any person whose license or registration certificate or right to operate is suspended or revoked under this section or notice to any person of intention to revoke or suspend his license or registration certificate under this section shall be in writing, shall be mailed by the registrar or any person authorized by him to the last address as appearing on the registrar's records or to his last and usual place of abode and a certificate of the registrar that such notice has been mailed in accordance with this section shall be deemed prima facie evidence and shall be admissible in any court of the commonwealth as to the facts contained therein.

If during the period of any such suspension or revocation and prior to its termination by the registrar a new or duplicate learner's permit, license or certificate of registration, or any renewal thereof, is issued, such learner's permit, license or certificate of registration shall be void and of no effect. *Approved August 6, 1969.*

Chap. 638. AN ACT FURTHER REGULATING THE BORROWING POWER OF 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 forthwith urgently needed facilities

for students at the University of Massachusetts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 773 of the acts of 1960 is hereby amended by striking out the third paragraph, as appearing in section 11 of chapter 684 of the acts of 1963, and inserting in place thereof the following paragraph: —

The Authority is further authorized to provide by resolution at one time or from time to time for the issue of interest-bearing or discounted notes for the purposes and in the amounts that bonds may be issued as provided above. Such notes shall be payable within three years from their respective dates, but the principal of and any interest on notes issued for such period or for a shorter period may be renewed or paid from time to time by the issue of other notes hereunder; provided that the period from the date of an original note issued prior to July first, nineteen hundred and sixty-nine to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed ten years, and the period from the date of an original note issued after July first, nineteen hundred and sixty-nine to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed five years.

SECTION 2. The fourth sentence of the fifth paragraph of said section 7 of said chapter 773, as amended by chapter 670 of the acts of 1966, is hereby further amended by striking out, in line 11, the word "sixty-seven" and inserting in place thereof the word: — seventy.

Approved August 7, 1969.

Chap. 639. AN ACT INCREASING THE AMOUNT WHICH THE MASSACHUSETTS STATE COLLEGE BUILDING AUTHORITY MAY BORROW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith urgently needed facilities for students at the state colleges, 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 7 of chapter 703 of the acts of 1963, as amended by section 1 of chapter 623 of the acts of 1964, is hereby further amended by striking out, in line 10, the word "fifteen" and inserting in place thereof the word: — thirty.

SECTION 2. Said section 7 of said chapter 703 is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph: —

The Authority is further authorized to provide by resolution at one time or from time to time for the issue of interest-bearing or discounted notes for the purposes and in the amounts that bonds may be issued as provided above. Such notes shall be payable within three years from their respective dates, but the principal of and any interest on notes issued for such period or for a shorter period may be renewed or paid

from time to time by the issue of other notes hereunder; provided that the period from the date of an original note issued prior to July first, nineteen hundred and sixty-nine to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed ten years, and the period from the date of an original note issued after July first, nineteen hundred and sixty-nine to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed five years.

SECTION 3. The fourth sentence of the fifth paragraph of said section 7 of said chapter 703, as amended by chapter 668 of the acts of 1966, is hereby further amended by striking out, in line 11, the word "sixty-seven" and inserting in place thereof the word: — seventy.

SECTION 4. Section 10 of chapter 703 is hereby amended by striking out the last paragraph, as amended by section 2 of chapter 623 of the acts of 1964, 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 and outstanding at any one time shall not exceed thirty million dollars, in the aggregate, for all projects of the Authority.

Approved August 7, 1969.

Chap. 640. AN ACT AUTHORIZING THE TOWN OF LAKEVILLE TO ACQUIRE, ADMINISTER AND MAINTAIN THE PROPERTY OF CERTAIN CEMETERIES LOCATED THEREIN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Lakeville is hereby authorized to take by eminent domain, or acquire by purchase, gift or otherwise, title to certain land in said town used, or formerly used, as private cemeteries and known as the following cemeteries: Hafford, Booth (No. 1), Booth (No. 2), Keith, Lang, Enoch Davis Lot, Howland, Malbone, Haskins (No. 1), Haskins (No. 2), Haskins (No. 3), Pierce, Precinct, Thompson Hill, Strowbridge, Pickens (No. 1), Pickens (No. 2), Richmond, Sampson, Ward, Pond, Clark, Haskell, Robbins, Veterans' Graves, Canedy, McCully, Mullein Hill, and Douglass, and thereafter to hold, administer and maintain said land and cemeteries, for cemetery purposes, subject to all rights heretofore existing in any burial lots located within said cemeteries. Upon the acquisition of said land by said town, said cemeteries shall be and become public burial grounds, places or cemeteries.

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 cemeteries and for other purposes, and also any property devised or bequeathed to said cemeteries 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, in trust with any savings bank as authorized by law, or with any other banking institution, for the benefit of said cemeteries, 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 cemeteries 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 cemeteries 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 passage.

Approved August 7, 1969.

Chap. 641. AN ACT AUTHORIZING CERTAIN MINORS TO DONATE BLOOD WITHOUT PARENTAL PERMISSION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to alleviate the critical shortage of blood in the commonwealth by permitting certain minors to donate blood forthwith without parental permission, 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 111 of the General Laws is hereby amended by inserting after section 184B the following section: —

Section 184C. A minor eighteen years of age or older may donate his blood without the prior assent thereto by his parent or guardian.

Approved August 7, 1969.

Chap. 642. AN ACT COMBINING THE OFFICES OF THE TOWN TREASURER AND TAX COLLECTOR OF THE TOWN OF WESTON INTO THE OFFICE OF TOWN TREASURER AND COLLECTOR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law, the offices of town treasurer and tax collector of the town of Weston shall, in accordance with the vote of said town under article two of the special town meeting held June twelfth, nineteen hundred and sixty-nine, be merged into one office called town treasurer and collector and the powers and duties formerly exercised by the town treasurer and the tax collector shall be exercised by said town treasurer and collector.

SECTION 2. The board of selectmen of the town of Weston shall appoint, regardless of residence, the town treasurer and collector for a term of one year.

SECTION 3. Upon the appointment and qualification of said town treasurer and collector as provided in section two, the terms of office of the persons holding the offices of town treasurer and tax collector, respectively, shall cease and terminate and the provisions of law relative to town treasurers and to collector of taxes shall, except insofar as the same may be inconsistent with the provisions of this act, apply to said town treasurer and collector.

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

Approved August 7, 1969.

Chap. 643. AN ACT PROVIDING THAT THE COMMONWEALTH PAY CITIES AND TOWNS THE FULL COST OF THE TRANSPORTATION OF STUDENTS IN ORDER TO ELIMINATE OR REDUCE RACIAL IMBALANCE.

Be it enacted, etc., as follows:

Section 37D of chapter 71 of the General Laws, as added by section 1 of chapter 641 of the acts of 1965, is hereby further amended by inserting after the third paragraph the following paragraph: —

Whenever a city, town or regional school district provides transportation for children who live more than one and one half miles from the schools to which they are assigned for the purpose of eliminating or reducing racial imbalance, the state treasurer shall annually on or before November twentieth pay to such city, town and member towns of a regional school district, subject to appropriation, one hundred per cent of said cost as approved by the commissioner.

Approved August 7, 1969.

Chap. 644. AN ACT RELATIVE TO THE RATE OF INTEREST UPON DEPOSITS BY GAS, WATER, ELECTRIC LIGHT OR POWER CUSTOMERS.

Be it enacted, etc., as follows:

Section 16 of chapter 158 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — If a corporation which has a franchise in and the use of the public streets of a town for the supply and distribution of gas, water, electric light or power, or for the maintenance of communication by wire or otherwise, holds for a longer period than six months money which is collected in advance from its customers to guarantee it against loss of charges or tolls, it shall pay annually upon said guaranty fund interest, at a rate fixed from time to time by the department of public utilities, to the depositors thereof which shall be applied to the payment of charges and tolls by said depositors.

Approved August 7, 1969.

Chap. 645. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC UTILITIES TO ESTABLISH RULES AND REGULATIONS.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by inserting after section 76B the following section: —

Section 76C. The department may establish from time to time such reasonable rules and regulations consistent with this chapter as may be necessary to carry out the administration thereof.

Approved August 7, 1969.

Chap. 646. AN ACT DESIGNATING THE NEW DORMITORY BUILDING AT THE WRENTHAM STATE SCHOOL AS THE FRED HEFFRON HALL.

Be it enacted, etc., as follows:

The new dormitory building at the Wrentham state school shall be designated and known as the Fred Heffron hall in recognition of over forty-five years of dedicated service of Fred Heffron to said state school, the department of mental health and the commonwealth. A suitable marker bearing said designation shall be placed thereat by said department. *Approved August 7, 1969.*

Chap. 647. AN ACT TO CHANGE THE DESIGNATION OF HATHORNE STATE SCHOOL TO HATHORNE REGIONAL CENTER.

Be it enacted, etc., as follows:

SECTION 1. The Hathorne state school in the town of Danvers shall, on the effective date of this act, be designated and known as the Hathorne regional center.

SECTION 2. Section 14 of chapter 19 of the General Laws, as appearing in section 1 of chapter 735 of the acts of 1966, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

Belchertown state school, Walter E. Fernald state school, Paul A. Dever state school, Hathorne regional center, North Reading rehabilitation center, Rutland Heights mental health rehabilitation center and Wrentham state school shall establish and maintain, subject to appropriation, research and demonstration projects in vocational rehabilitation in cooperation with the federal vocation rehabilitation program. *Approved August 7, 1969.*

Chap. 648. AN ACT AUTHORIZING SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE TO ESTABLISH AN OCEANOGRAPHIC EXPERIMENTAL STATION IN THE TOWN OF WESTPORT AND PROVIDING FOR A STUDY BY THE DEPARTMENT OF NATURAL RESOURCES OF THE ADVISABILITY OF CONSTRUCTING A HARBOR THEREAT.

Be it enacted, etc., as follows:

SECTION 1. The department of natural resources is hereby authorized and directed to transfer to the Southeastern Massachusetts Technological Institute a certain tract of land not exceeding twenty acres in the town of Westport located in the area known as Gooseberry neck, which tract shall be selected and designated by said Southeastern Massachusetts Technological Institute and the department of natural resources, and which shall be used for the construction thereon of an oceanographic experimental station for scientific study and research.

SECTION 2. Notwithstanding the provisions of section one, the public shall be permitted to fish in the waters surrounding said tract; provided, however, that only fin fish may be taken from said waters unless otherwise authorized by said Southeastern Massachusetts Technological Institute. Whoever violates the provisions of this section shall be punished by a fine not exceeding one hundred dollars for each offense.

SECTION 3. The department of natural resources shall make a study of the advisability and cost of constructing a protected harbor on Gooseberry neck in the town of Westport by connecting the various ponds thereon, more especially in connection with the needs of sports fishermen in the area and docking facilities for an experimental oceanographic station to be maintained thereat by Southeastern Massachusetts Technological Institute. Said department shall report to the general court the results of its study, and its recommendations, if any, together with drafts of such legislation as may be 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 in June, nineteen hundred and seventy. *Approved August 7, 1969.*

Chap. 649. AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL AND CONVEY CERTAIN LAND TO THE TOWN OF SHREWSBURY.

Be it enacted, etc., as follows:

The commissioner of mental health, acting for and on behalf of the commonwealth, is hereby authorized, subject to the approval of the commissioner of administration, to sell and convey to the town of Shrewsbury, by a deed approved as to form by the attorney general, all of the right, title and interest of the commonwealth in and to a certain parcel of land located in the town of Shrewsbury, county of Worcester, bounded and described as follows:

Beginning at a point on a stone wall; said point being N 82° 40′ W, 614.74 feet from the easterly sideline of Lake Street;

Thence S 09° 41′ W, 300.0 feet along a stone wall to a point;

Thence S 86° 00′ E, 276.96 feet through land of the commonwealth of Massachusetts to a point on a stone wall at land of Eva Stern;

Thence N 10° 46′ W, 300.0 feet along a stone wall by land of said Stern to a point, said point being the northeasterly corner of land of the commonwealth of Massachusetts;

Thence N 83° 10′ W, 171.0 feet along a stone wall by lands of said Stern, and by lands of Armenti and Bronzo Realty Trust to the point of beginning.

The above described parcel contains approximately 1 acre 21,870 square feet of land more or less and is shown on a plan entitled, "Plan of Land to be Acquired off Lake Street for Light Dept. Purposes — Town of Shrewsbury Engineering Dept., scale 1″=100′, February 1969, Edward S. Holland, Town Engineer."

Said conveyance 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 August 7, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 12, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 649 of the Acts of 1969, entitled "AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL AND CONVEY CERTAIN LAND TO THE TOWN OF SHREWSBURY." and the enactment of which received my approval on August 7, 1969, 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 town of Shrewsbury is planning to build a power plant on this piece of land and equipment has already been purchased for this project. Any unnecessary delay in the operation of this act would mean that the town would have to pay thousands of dollars for storage of this equipment. So that the town may take advantage of an early start in the building of this power plant, I declare the above facts constitute the emergency.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 12, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at two o'clock and fifteen minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and forty-nine of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 650. AN ACT FURTHER REGULATING THE RESPONSIBILITIES OF THE STATE EDUCATIONAL AGENCY IN ADMINISTERING THE NATIONAL SCHOOL LUNCH AND CHILD NUTRITION ACTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 548 of the acts of 1948 is hereby amended by striking out section 1 and inserting in place thereof the following section:—

Section 1. The board of education is hereby designated as the "State Educational Agency" to represent the commonwealth in dealing with the secretary of agriculture of the United States in carrying out the provisions of the National School Lunch Act as enacted into law on June four, nineteen hundred and forty-six, as amended, the Child Nutrition Act of 1966, as amended, and such other federal laws as

may be enacted relating to nutrition education and food services to children.

SECTION 2. Said chapter 548 is hereby further amended by striking out section 2, as amended by chapter 303 of the acts of 1949, and inserting in place thereof the following section:—

Section 2. Pursuant to any power of school committees to operate or provide for the operation of school food service programs in schools under their jurisdiction, a school committee of any town may establish, maintain, operate and expand a school food service program for the pupils in any school building under the jurisdiction of said committee, may make all contracts necessary to provide material, personnel and equipment needed to carry out the provisions of this act; and if necessary may expend funds to meet the matching requirements and any other provisions of said National School Lunch Act, and such other acts as are provided for in section one of this act.

SECTION 3. Said chapter 548 is hereby further amended by striking out section 3, as amended by chapter 256 of the acts of 1954, and inserting in place thereof the following section:—

Section 3. School committees may use therefor funds disbursed to them under the provisions of this act, gifts and other funds received from sale of school lunches and other meals under such programs. Such contributions received in the form of money, together with fees from sale of lunches, other meals and any allotments received from the state under the provisions of this act for said purposes, shall be deposited with the treasurer of such town or, in cases where the town is a member of a regional school district, with the treasurer of such district, and held as a separate account and expended by said school committee without appropriation, notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws. Nothing in this act shall prevent cities or towns from appropriating funds in addition to those provided from other sources.

SECTION 4. Said chapter 548 is hereby further amended by striking out section 4, as amended by section 1 of chapter 610 of the acts of 1965, and inserting in place thereof the following section:—

Section 4. The bureau of nutrition education and school food services, with the approval of the commissioner, shall prescribe regulations for the keeping of accounts and records and the making of reports by or under the supervision of school committees. Such accounts and records shall at all times be available for inspection and audit by authorized officials and shall be preserved for such period of time, not in excess of five years, as the bureau may lawfully prescribe. The bureau shall conduct or cause to be conducted such audits, inspections and administrative reviews of accounts, records and operations with respect to school food service programs as may be necessary to determine whether its agreements with school committees or other sponsors of school food service programs and other regulations made pursuant to this act are being complied with and to insure that school food service programs are effectively administered.

The bureau may by regulations establish standards and qualifications, which shall be subject to the approval of the board of education, for the positions of school food service 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 5. Said chapter 548 is hereby further amended by striking out section 5, added by chapter 417 of the acts of 1950, and inserting in place thereof the following section:—

Section 5. The bureau of nutrition education and school food services is hereby authorized to the extent that funds are available for that purpose, and, in cooperation with other appropriate agencies and organizations, to conduct studies as to the methods of improving and expanding school food service programs and promoting nutrition education in the schools, to conduct appraisals of the nutritive benefits of school food service programs and to report its findings and recommendations from time to time to the commissioner of education.

SECTION 6. Said chapter 548 is hereby further amended by striking out section 6, inserted by chapter 538 of the acts of 1951, and inserting in place thereof the following section:—

Section 6. The commissioner of education is hereby authorized to reimburse, from such funds as may be appropriated therefor, sponsors of nonprofit school food service programs to the extent that federal funds apportioned to the commonwealth are insufficient to provide the full reimbursement to which such sponsors may be entitled pursuant to the provisions of school food service agreements entered into by the department of education and such sponsors, in accordance with the provisions of the National School Lunch Act and the Child Nutrition Act of 1966, as amended.

The term "nonprofit school food service programs", as used in this section, shall mean the school's food services are administered, managed and operated solely by employees of the governing body of said school and all funds received in connection with such services shall be used solely for the operation and improvement of school food services for children.

Upon report to the commissioner of education on such blanks and in such form as he may prescribe, in accordance with the provisions of said National School Lunch Act and said Child Nutrition Act of 1966, of any expenditure hereunder, said commissioner shall, if he approves the same, certify to the comptroller such payments as are due and the state treasurer shall pay the same.

SECTION 7. Said chapter 548 is hereby further amended by striking out section 8, inserted by chapter 637 of the acts of 1953, and inserting in place thereof the following section:—

Section 8. Nothing in this act shall prevent the bureau of nutrition education and school food services from rendering technical, advisory and other assistance to any other schools of the commonwealth which may not be participating under the provisions of the National School Lunch Act and Child Nutrition Act and which may request such assistance in the operation of their school food service program; provided, however, that no financial assistance shall be furnished these schools unless they are complying with all the rules and regulations which may be in effect or be established under the provisions of said acts, as amended, and such other acts as are provided for in section one of this act.

SECTION 8. Said chapter 548 is hereby further amended by striking out section 10, added by chapter 889 of the acts of 1965, and inserting in place thereof the following section:—

Section 10. There shall be employed in the bureau of nutrition education and school food services a senior supervisor in education whose duties shall include, among others, the development, promotion, supervision and coordination of nutrition education in the schools of the commonwealth as provided for in section nine.

Approved August 7, 1969.

Chap. 651. AN ACT DESIGNATING A SKATING RINK UNDER CONSTRUCTION IN NORTH ADAMS AS THE VIETNAM VETERANS MEMORIAL SKATING RINK.

Be it enacted, etc., as follows:

Upon the completion by the department of public works of the skating rink being constructed in the city of North Adams said skating rink shall be known and designated as the Vietnam Veterans Memorial skating rink in memory of all veterans from the North Adams area. Said department shall erect at said skating rink a suitable marker bearing said designation. *Approved August 7, 1969.*

Chap. 652. AN ACT EXEMPTING PARAPLEGICS FROM PAYMENT OF A FEE FOR A HUNTING LICENSE.

Be it enacted, etc., as follows:

The second paragraph of section 11 of chapter 131 of the General Laws is hereby amended by striking out the next to the last sentence, as appearing in chapter 530 of the acts of 1968, and inserting in place thereof the following sentence: — No fee shall be charged for any license issued under this paragraph to a person over the age of seventy, or for a fishing or hunting license issued under this paragraph to a paraplegic, or for a fishing license issued under this paragraph to a person who is blind or mentally retarded. *Approved August 7, 1969.*

Chap. 653. AN ACT RELATIVE TO THE RIGHTS OF CERTAIN SCHOOL PERSONNEL EMPLOYED BY REGIONAL SCHOOL DISTRICTS.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by striking out section 42B, as amended by chapter 136 of the acts of 1956, and inserting in place thereof the following section:—

Section 42B. The provisions of this chapter relating to school personnel granted certificates in accordance with section thirty-eight G shall apply to all such school personnel employed by regional school districts. Any such school personnel serving at the discretion of a local school committee of a town in the district, excepting the superintendents of schools, whose position is superseded by reason of the establishment and operation of a regional school district shall be elected by the regional district school committee to serve at its discretion. *Approved August 7, 1969.*

Chap. 654. AN ACT PROVIDING FOR THE REDEMPTION OF BONDS BY THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY FROM ANY EXCESS IN THE RESERVE FUND PRIOR TO PAYMENTS TO THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 9 of chapter 701 of the acts of 1960 is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph: —

If as of the last day of December in any year the reserve fund shall exceed the amount established therefor, the Authority shall deposit such excess in the sinking fund, to be used within a reasonable time for the purchase or redemption of bonds outstanding. When there are no such bonds outstanding to be redeemed, then such excess funds shall be first paid to the commonwealth for any amounts which it may have paid to the Authority under the provisions hereof and the commonwealth shall thereupon distribute the amounts so received to the towns assessable for a deficiency, as provided in this section in proportion to the amounts for which they may be so assessed. *Approved August 8, 1969.*

Chap. 655. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF FRANKLIN COUNTY, ITS 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 COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Franklin county, its 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-nine:

FRANKLIN COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$5,000 00
3.	For county commissioners, salaries and expenses		14,132 74
	1. Personal services	$12,947 74	
	2. Contractual services	800 00	
	3. Supplies and materials	300 00	
	4. Current charges and obligations	85 00	
4.	For transportation and expenses of county and acting commissioners		800 00
5.	For clerk of courts, salaries and expenses		31,383 30
	1. Personal services	29,283 30	
	2. Contractual services	1,200 00	
	3. Supplies and materials	675 00	
	4. Current charges and obligations	225 00	

Item		Subtotal	Total
6.	For county treasurer, salaries and expenses		$18,148 74
	1. Personal services	$16,574 74	
	2. Contractual services	915 00	
	3. Supplies and materials	375 00	
	4. Current charges and obligations	284 00	
7.	For sheriff, salary and expenses		9,199 00
	1. Personal services	7,884 00	
	2. Contractual services	1,150 00	
	3. Supplies and materials	35 00	
	4. Current charges and obligations	130 00	
8.	For registry of deeds, salaries and expenses		54,692 40
	1. Personal services	39,719 40	
	2. Contractual services	8,643 00	
	3. Supplies and materials	5,995 00	
	4. Current charges and obligations	335 00	
8a.	For registry of probate, salaries and expenses		4,570 00
	2. Contractual services	2,315 00	
	3. Supplies and materials	755 00	
	4. Current charges and obligations	500 00	
	5. Equipment	1,000 00	
9.	For law library, salaries and expenses		11,078 40
	1. Personal services	3,446 15	
	2. Contractual services	563 00	
	3. Supplies and materials	69 25	
	4. Current charges and obligations	6,720 00	
	5. Equipment	280 00	
10.	For highways, including state highways, bridges and land damages		239,535 00
	2. Contractual services	8,335 00	
	3. Supplies and materials	150 00	
	6. All other	231,050 00	
11.	For examination of dams		3,000 00
12.	For criminal costs in superior court		63,463 56
	1. Personal services	15,038 56	
	2. Contractual services	47,350 00	
	3. Supplies and materials	505 00	
	4. Current charges and obligations	390 00	
	5. Equipment	180 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		29,910 00
	1. Personal services	6,135 00	
	2. Contractual services	23,450 00	
	3. Supplies and materials	125 00	
	4. Current charges and obligations	200 00	
14.	For district courts, salaries and expenses District Court of Greenfield		82,621 76
	1. Personal services	75,107 96	
	2. Contractual services	4,415 00	
	3. Supplies and materials	2,025 00	
	4. Current charges and obligations	723 80	
	5. Equipment	350 00	

Item		Subtotal	Total
	District Court of Orange	. . .	$25,683 35
	1. Personal services	$22,029 05	
	2. Contractual services	1,500 00	
	3. Supplies and materials	330 00	
	4. Current charges and obligations . .	1,824 30	
15.	For medical examiners and commitments of insane	. . .	7,840 00
16.	For jail and house of correction, maintenance and operation	. . .	140,172 91
	1. Personal services	99,369 11	
	2. Contractual services	9,055 00	
	3. Supplies and materials	19,560 00	
	4. Current charges and obligations . .	2,778 80	
	5. Equipment	5,410 00	
	6. All other	4,000 00	
17.	For training school	. . .	2,000 00
18.	For court houses and registry buildings, maintenance and operation	. . .	50,472 61
	1. Personal services	24,022 61	
	2. Contractual services	10,120 00	
	3. Supplies and materials	5,955 00	
	4. Current charges and obligations . .	175 00	
	5. Equipment	10,200 00	
20.	For agricultural school or county aid to agriculture, maintenance and operation . . .	. . .	72,839 58
	1. Personal services	64,736 83	
	2. Contractual services	5,495 00	
	3. Supplies and materials	1,415 00	
	4. Current charges and obligations . .	280 00	
	5. Equipment	912 75	
21.	For state reservation, maintenance and operation (Mount Sugarloaf)	. . .	10,393 80
	1. Personal services	2,098 80	
	2. Contractual services	1,275 00	
	3. Supplies and materials	420 00	
	4. Current charges and obligations . .	50 00	
	5. Equipment	50 00	
	6. All other	6,500 00	
23a.	For mental health clinic		10,440 00
23b.	For children's camp		3,000 00
24.	For noncontributory pensions		1,807 78
25.	For contributory retirement system and supervisory expenses		36,391 55
26.	For miscellaneous and contingent expenses		5,436 51
27.	For unpaid bills of previous years		875 26
28.	For reserve fund		50,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		13,725 00
31.	For radio system for fire protection		2,925 00
31a.	For police radio system		4,000 00
35.	For county planning board		14,154 04

Item		Total
36.	For Dutch elm disease	$5,000 00
39.	For group insurance	10,000 00
	Total amount of appropriations	$1,034,692 29
	Less estimated amount available for reduction of county tax	182,506 01
	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	$852,186 28

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 Franklin county a certification of the amounts above appropriated as set forth in the approved schedules. 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 the 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

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.

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.

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; 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-eight.

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. This act shall take effect upon its passage.

Approved August 8, 1969.

Chap. 656. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF BERKSHIRE COUNTY, ITS 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 COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Berkshire county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt re-

quirements, 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-nine:

BERKSHIRE COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$16,000 00
2.	For reduction of county debt		30,000 00
3.	For county commissioners, salaries and expenses		27,180 42
	1. Personal services	$25,229 42	
	2. Contractual services	835 00	
	3. Supplies and materials	462 00	
	4. Current charges and obligations	265 00	
	5. Equipment	389 00	
4.	For transportation and expenses of county and acting commissioners		1,200 00
5.	For clerk of courts, salaries and expenses		37,041 18
	1. Personal services	32,274 18	
	2. Contractual services	1,000 00	
	3. Supplies and materials	2,300 00	
	4. Current charges and obligations	472 00	
	5. Equipment	995 00	
6.	For county treasurer, salaries and expenses		25,349 07
	1. Personal services	23,096 30	
	2. Contractual services	775 00	
	3. Supplies and materials	975 00	
	4. Current charges and obligations	332 00	
	5. Equipment	170 77	
7.	For sheriff, salary and expenses		10,832 50
	1. Personal services	9,782 50	
	2. Contractual services	900 00	
	4. Current charges and obligations	150 00	
8.	For registry of deeds, salaries and expenses		49,172 00
	Northern District		
	1. Personal services	40,847 00	
	2. Contractual services	3,400 00	
	3. Supplies and materials	3,400 00	
	4. Current charges and obligations	1,400 00	
	5. Equipment	125 00	
	Middle District		75,461 47
	1. Personal services	62,371 47	
	2. Contractual services	4,000 00	
	3. Supplies and materials	8,475 00	
	4. Current charges and obligations	170 00	
	5. Equipment	445 00	
	Southern District		19,759 82
	1. Personal services	16,749 82	
	2. Contractual services	2,000 00	
	3. Supplies and materials	965 00	
	4. Current charges and obligations	45 00	

Item		Subtotal	Total
8a.	For registry of probate, salaries and expenses		$6,411 95
	2. Contractual services	$4,000 00	
	3. Supplies and materials	1,700 00	
	4. Current charges and obligations	300 00	
	5. Equipment	411 95	
9.	For law library, salaries and expenses		13,978 18
	1. Personal services	6,605 70	
	2. Contractual services	552 48	
	3. Supplies and materials	120 00	
	4. Current charges and obligations	6,700 00	
10.	For highways, including state highways, bridges and land damages		371,895 34
	1. Personal services	55,826 34	
	2. Contractual services	850 00	
	3. Supplies and materials	3,080 00	
	4. Current charges and obligations	829 00	
	5. Equipment	7,535 00	
	6. All other	303,775 00	
12.	For criminal costs in superior court		192,258 36
	1. Personal services	39,078 36	
	2. Contractual services	150,340 00	
	3. Supplies and materials	1,845 00	
	4. Current charges and obligations	450 00	
	5. Equipment	545 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		71,745 00
	1. Personal services	10,900 00	
	2. Contractual services	60,595 00	
	3. Supplies and materials	250 00	
14.	For district courts, salaries and expenses District Court of Northern Berkshire		47,945 20
	1. Personal services	39,573 40	
	2. Contractual services	1,375 00	
	3. Supplies and materials	3,590 00	
	4. Current charges and obligations	3,406 80	
	District Court of Central Berkshire		123,991 39
	1. Personal services	114,295 29	
	2. Contractual services	4,740 00	
	3. Supplies and materials	3,660 00	
	4. Current charges and obligations	790 00	
	5. Equipment	506 10	
	District Court of Southern Berkshire		30,311 63
	1. Personal services	26,306 63	
	2. Contractual services	2,435 00	
	3. Supplies and materials	840 00	
	4. Current charges and obligations	565 00	
	5. Equipment	165 00	
	Fourth District Court of Berkshire		35,543 50
	1. Personal services	31,183 50	
	2. Contractual services	1,800 00	
	3. Supplies and materials	1,425 00	
	4. Current charges and obligations	935 00	
	5. Equipment	200 00	

Item		Subtotal	Total
	District Court of Lee		$33,413 45
	1. Personal services	$28,614 45	
	2. Contractual services	1,000 00	
	3. Supplies and materials	1,925 00	
	4. Current charges and obligations	1,874 00	
	District Court of Williamstown		26,318 73
	1. Personal services	22,598 73	
	2. Contractual services	575 00	
	3. Supplies and materials	700 00	
	4. Current charges and obligations	2,095 00	
	5. Equipment	350 00	
	District Court — Juvenile Division		28,963 70
	1. Personal services	25,452 50	
	2. Contractual services	3,000 00	
	3. Supplies and materials	400 00	
	4. Current charges and obligations	100 00	
	5. Equipment	11 20	
	District Court — Appellate Division		50 00
15.	For medical examiners and commitments of insane		30,000 00
16.	For jail and house of correction, maintenance and operation		213,500 75
	1. Personal services	147,335 25	
	2. Contractual services	12,450 00	
	3. Supplies and materials	46,000 00	
	4. Current charges and obligations	1,456 50	
	5. Equipment	6,259 00	
17.	For training school		3,000 00
18.	For court houses and registry buildings, maintenance and operation		57,376 60
	1. Personal services	31,090 60	
	2. Contractual services	21,385 00	
	3. Supplies and materials	3,000 00	
	4. Current charges and obligations	1,418 00	
	5. Equipment	483 00	
20.	For agricultural school or county aid to agriculture, maintenance and operation		74,880 50
	1. Personal services	64,284 50	
	2. Contractual services	6,450 00	
	3. Supplies and materials	1,515 00	
	4. Current charges and obligations	2,298 00	
	5. Equipment	333 00	
21.	For state reservation, maintenance and operation (Mount Everett)		11,122 00
	1. Personal services	7,272 00	
	2. Contractual services	360 00	
	3. Supplies and materials	350 00	
	4. Current charges and obligations	3,140 00	
23a.	For county tuberculosis clinic		43,851 17
24.	For noncontributory pensions		2,224 98
25.	For contributory retirement system and supervisory expenses		62,746 82
26.	For miscellaneous and contingent expenses		15,217 15

Item		Total
27.	For unpaid bills of previous years	$4,393 54
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	6,000 00
31.	For radio system for fire protection	1,700 00
32.	For forest development	3,000 00
34.	For soil conservation district	325 00
35.	For industrial development commission	44,044 27
36.	For Dutch elm disease	5,000 00
39.	For group insurance	29,000 00
40.	For weather station	15,000 00
43.	For Berkshire Community College	10,000 00
	Total amount of appropriations	$1,972,205 67
	Less estimated amount available for reduction of county tax	407,875 73
	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	$1,564,329 94

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 Berkshire county a certification of the amounts above appropriated as set forth in the approved schedules. 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 the 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

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.

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.

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; 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-eight.

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. This act shall take effect upon its passage.

Approved August 8, 1969.

Chap. 657. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF NORFOLK COUNTY, ITS 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 COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Norfolk county, its 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-nine:

NORFOLK COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$37,865 00
2.	For reduction of county debt		215,000 00
3.	For county commissioners, salaries and expenses		53,693 67
	1. Personal services	$51,083 67	
	2. Contractual services	710 00	
	3. Supplies and materials	600 00	
	4. Current charges and obligations	500 00	
	5. Equipment	800 00	
4.	For transportation and expenses of county and acting commissioners		560 00
5.	For clerk of courts, salaries and expenses		163,667 54
	1. Personal services	146,368 54	
	2. Contractual services	8,690 00	
	3. Supplies and materials	4,485 00	
	4. Current charges and obligations	2,265 00	
	5. Equipment	1,859 00	
6.	For county treasurer, salaries and expenses		57,181 80
	1. Personal services	50,438 30	
	2. Contractual services	3,775 00	
	3. Supplies and materials	1,600 00	
	4. Current charges and obligations	1,068 50	
	5. Equipment	300 00	
7.	For sheriff, salary and expenses		13,990 50
	1. Personal services	12,857 00	
	2. Contractual services	75 00	
	3. Supplies and materials	475 00	
	4. Current charges and obligations	142 50	
	5. Equipment	441 00	
8.	For registry of deeds, salaries and expenses		439,573 71
	1. Personal services	370,219 21	
	2. Contractual services	25,200 00	
	3. Supplies and materials	18,125 00	
	4. Current charges and obligations	25,619 50	
	5. Equipment	410 00	

Item		Subtotal	Total
8a.	For registry of probate, salaries and expenses		$34,015 74
	1. Personal services	$3,837 60	
	2. Contractual services	11,815 00	
	3. Supplies and materials	13,000 00	
	4. Current charges and obligations	4,168 00	
	5. Equipment	1,195 14	
9.	For law library, salaries and expenses		11,345 50
	1. Personal services	5,570 50	
	2. Contractual services	40 00	
	3. Supplies and materials	135 00	
	4. Current charges and obligations	5,600 00	
10.	For highways, including state highways, bridges and land damages		676,538 25
	1. Personal services	142,756 25	
	2. Contractual services	83,300 00	
	3. Supplies and materials	4,800 00	
	4. Current charges and obligations	544 00	
	5. Equipment	3,888 00	
	6. All other	441,250 00	
11.	For examination of dams		4,000 00
12.	For criminal costs in superior court		556,666 24
	1. Personal services	204,839 99	
	2. Contractual services	318,187 00	
	3. Supplies and materials	26,370 00	
	4. Current charges and obligations	2,370 00	
	5. Equipment	4,899 25	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		311,279 56
	1. Personal services	80,894 56	
	2. Contractual services	229,520 00	
	3. Supplies and materials	550 00	
	4. Current charges and obligations	80 00	
	5. Equipment	235 00	
14.	For district courts, salaries and expenses		
	District Court of Northern Norfolk		149,116 27
	1. Personal services	132,534 27	
	2. Contractual services	8,700 00	
	3. Supplies and materials	4,850 00	
	4. Current charges and obligations	1,149 00	
	5. Equipment	1,883 00	
	District Court of East Norfolk		389,474 00
	1. Personal services	354,170 64	
	2. Contractual services	22,706 00	
	3. Supplies and materials	7,425 00	
	4. Current charges and obligations	2,532 00	
	5. Equipment	2,640 36	
	Municipal Court of Brookline		162,753 95
	1. Personal services	140,083 70	
	2. Contractual services	13,060 00	
	3. Supplies and materials	5,470 00	
	4. Current charges and obligations	2,247 00	
	5. Equipment	1,893 25	
	District Court of Western Norfolk		127,253 31
	1. Personal services	117,101 31	
	2. Contractual services	4,900 00	
	3. Supplies and materials	4,200 00	
	4. Current charges and obligations	1,052 00	

Item		Subtotal	Total
	District Court of Southern Norfolk		$112,741 79
	1. Personal services	$102,751 79	
	2. Contractual services	6,000 00	
	3. Supplies and materials	2,595 00	
	4. Current charges and obligations	820 00	
	5. Equipment	575 00	
	District Court — Juvenile Division		69,600 90
	1. Personal services	62,950 90	
	2. Contractual services	6,000 00	
	3. Supplies and materials	500 00	
	4. Current charges and obligations	150 00	
	District Court — Appellate Division		700 00
	1. Personal services	500 00	
	2. Contractual services	100 00	
	3. Supplies and materials	100 00	
15.	For medical examiners and commitments of insane		65,000 00
16.	For jail and house of correction, maintenance and operation		461,260 78
	1. Personal services	317,231 64	
	2. Contractual services	18,800 00	
	3. Supplies and materials	102,535 00	
	4. Current charges and obligations	4,000 00	
	5. Equipment	11,694 14	
	6. All other	7,000 00	
17.	For training school		35,000 00
18.	For court houses and registry buildings, maintenance and operation		506,188 16
	1. Personal services	232,999 16	
	2. Contractual services	109,100 00	
	3. Supplies and materials	69,250 00	
	4. Current charges and obligations	2,456 00	
	5. Equipment	12,383 00	
	6. All other	80,000 00	
19.	For construction of county buildings and purchase of land		190,000 00
20.	For agricultural school or county aid to agriculture, maintenance and operation		588,786 19
	1. Personal services	414,938 19	
	2. Contractual services	55,000 00	
	3. Supplies and materials	76,650 00	
	4. Current charges and obligations	14,225 00	
	5. Equipment	21,173 00	
	6. All other	6,800 00	
24.	For noncontributory pensions		125,000 00
25.	For contributory retirement system and supervisory expenses		151,209 09
26.	For miscellaneous and contingent expenses		13,000 00
27.	For unpaid bills of previous years		18,663 98
28.	For reserve fund		50,000 00

Item		Total
30.	For forest fire patrol	$5,400 00
39.	For group insurance	90,500 00
	Total amount of appropriations	$5,887,025 93
	Less estimated amount available for reduction of county tax	1,568,114 36
	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	$4,318,911 57

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 Norfolk county a certification of the amounts above appropriated as set forth in the approved schedules. 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 the 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

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.

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.

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; 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-eight.

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. This act shall take effect upon its passage.

Approved August 8, 1969.

Chap. 658. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF PLYMOUTH COUNTY, ITS 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 COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Plymouth county, its 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-nine:

PLYMOUTH COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$90,803 64
2.	For reduction of county debt		283,633 44
3.	For county commissioners, salaries and expenses		46,940 65
	1. Personal services	$43,408 65	
	2. Contractual services	1,400 00	
	3. Supplies and materials	1,300 00	
	4. Current charges and obligations	257 00	
	5. Equipment	575 00	
4.	For transportation and expenses of county and acting commissioners		1,000 00
5.	For clerk of courts, salaries and expenses		119,764 63
	1. Personal services	101,047 13	
	2. Contractual services	7,175 00	
	3. Supplies and materials	5,000 00	
	4. Current charges and obligations	2,766 00	
	5. Equipment	3,776 50	
6.	For county treasurer, salaries and expenses		69,523 38
	1. Personal services	36,243 38	
	2. Contractual services	1,450 00	
	3. Supplies and materials	3,425 00	
	4. Current charges and obligations	405 00	
	5. Equipment	28,000 00	
7.	For sheriff, salary and expenses		12,763 00
	1. Personal services	12,158 00	
	2. Contractual services	100 00	
	4. Current charges and obligations	505 00	
8.	For registry of deeds, salaries and expenses		270,936 45
	1. Personal services	223,359 55	
	2. Contractual services	21,645 00	
	3. Supplies and materials	10,500 00	
	4. Current charges and obligations	12,000 00	
	5. Equipment	3,431 90	
8a.	For registry of probate, salaries and expenses		23,922 27
	1. Personal services	1,995 07	
	2. Contractual services	9,450 00	
	3. Supplies and materials	8,300 00	
	4. Current charges and obligations	980 00	
	5. Equipment	3,197 20	
9.	For law library, salaries and expenses		13,898 12
	1. Personal services	3,698 12	
	3. Supplies and materials	200 00	
	4. Current charges and obligations	10,000 00	
10.	For highways, including state highways, bridges and land damages		356,925 00
11.	For examination of dams		2,000 00

Item		Subtotal	Total
12.	For criminal costs in superior court		$295,025 03
	1. Personal services	$84,515 03	
	2. Contractual services	199,240 00	
	3. Supplies and materials	2,300 00	
	4. Current charges and obligations	800 00	
	5. Equipment	8,170 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		180,607 00
	1. Personal services	61,517 00	
	2. Contractual services	118,840 00	
	3. Supplies and materials	250 00	
14.	For district courts, salaries and expenses		
	District Court of Brockton		261,985 62
	1. Personal services	229,453 72	
	2. Contractual services	12,715 90	
	3. Supplies and materials	7,725 00	
	4. Current charges and obligations	9,432 00	
	5. Equipment	2,659 00	
	Second District Court of Plymouth		170,486 89
	1. Personal services	151,777 09	
	2. Contractual services	8,950 00	
	3. Supplies and materials	4,750 00	
	4. Current charges and obligations	1,840 00	
	5. Equipment	3,169 80	
	Third District Court of Plymouth		103,471 37
	1. Personal services	92,128 87	
	2. Contractual services	4,000 00	
	3. Supplies and materials	4,675 00	
	4. Current charges and obligations	732 00	
	5. Equipment	1,935 50	
	Fourth District Court of Plymouth		90,678 54
	1. Personal services	72,178 54	
	2. Contractual services	6,577 00	
	3. Supplies and materials	3,250 00	
	4. Current charges and obligations	7,025 00	
	5. Equipment	1,648 00	
	District Court — Juvenile Division		58,406 78
	1. Personal services	52,268 03	
	2. Contractual services	3,900 00	
	3. Supplies and materials	900 00	
	4. Current charges and obligations	160 00	
	5. Equipment	1,178 75	
	District Court — Appellate Division		200 00
	2. Contractual services	200 00	
15.	For medical examiners and commitments of insane		49,810 00
16.	For jail and house of correction, maintenance and operation		627,549 40
	1. Personal services	379,894 90	
	2. Contractual services	40,000 00	
	3. Supplies and materials	100,000 00	
	4. Current charges and obligations	9,154 15	
	5. Equipment	20,500 35	
	6. All other	78,000 00	

Item		Subtotal	Total
17.	For training school		$32,000 00
18.	For court houses and registry buildings, maintenance and operation		211,979 64
	1. Personal services	$100,136 64	
	2. Contractual services	57,733 00	
	3. Supplies and materials	19,329 00	
	4. Current charges and obligations	6,082 00	
	5. Equipment	3,699 00	
	6. All other	25,000 00	
19.	For construction of county buildings and purchase of land		25,000 00
20.	For agricultural school or county aid to agriculture, maintenance and operation		116,273 54
	1. Personal services	98,770 54	
	2. Contractual services	8,200 00	
	3. Supplies and materials	4,200 00	
	4. Current charges and obligations	728 00	
	5. Equipment	4,375 00	
24.	For noncontributory pensions		40,000 00
25.	For contributory retirement system and supervisory expenses		131,651 87
26.	For miscellaneous and contingent expenses		14,994 40
27.	For unpaid bills of previous years		10,604 28
28.	For reserve fund		60,000 00
30.	For forest fire patrol		6,250 00
31.	For police radio system		250 00
32a.	For maintenance, forest fire apparatus		2,970 00
33.	For police training school and bureau of criminal investigation		35,460 68
38.	For county airplane		2,800 00
39.	For group insurance		32,000 00
	Total amount of appropriations		$3,852,565 62
	Less estimated amount available for reduction of county tax		871,287 30
	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		$2,981,278 32

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 Plymouth county a certification of the amounts above appro-

priated as set forth in the approved schedules. 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 the 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

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.

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.

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; 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-eight.

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. This act shall take effect upon its passage.

Approved August 8, 1969.

Chap. 659. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF BRISTOL COUNTY, ITS 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 COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the county of Bristol, its 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-nine:

BRISTOL COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$60,241 80
2.	For reduction of county debt		80,000 00
3.	For county commissioners, salaries and expenses		20,483 61
	1. Personal services	$19,046 61	
	2. Contractual services	1,000 00	
	3. Supplies and materials	325 00	
	4. Current charges and obligations	112 00	
4.	For transportation and expenses of county and acting commissioners		1,000 00

Item		Subtotal	Total
5.	For clerk of courts, salaries and expenses		$159,040 25
	1. Personal services	$143,825 25	
	2. Contractual services	11,500 00	
	3. Supplies and materials	3,300 00	
	4. Current charges and obligations	415 00	
6.	For county treasurer, salaries and expenses		80,975 15
	1. Personal services	72,368 15	
	2. Contractual services	4,500 00	
	3. Supplies and materials	2,350 00	
	4. Current charges and obligations	532 00	
	5. Equipment	1,225 00	
7.	For sheriff, salary and expenses		17,052 40
	1. Personal services	16,127 40	
	2. Contractual services	500 00	
	3. Supplies and materials	125 00	
	4. Current charges and obligations	300 00	
8.	For registry of deeds, salaries and expenses Northern District		128,505 45
	1. Personal services	97,049 45	
	2. Contractual services	18,260 00	
	3. Supplies and materials	4,425 00	
	4. Current charges and obligations	587 00	
	5. Equipment	8,184 00	
	Southern District		107,306 80
	1. Personal services	91,456 80	
	2. Contractual services	11,400 00	
	3. Supplies and materials	3,250 00	
	4. Current charges and obligations	500 00	
	5. Equipment	700 00	
	Fall River District		113,256 05
	1. Personal services	96,555 80	
	2. Contractual services	9,000 00	
	3. Supplies and materials	4,650 00	
	4. Current charges and obligations	550 00	
	5. Equipment	2,500 25	
8a.	For registry of probate, salaries and expenses		17,322 00
	1. Personal services	500 00	
	2. Contractual services	8,000 00	
	3. Supplies and materials	6,000 00	
	4. Current charges and obligations	2,020 00	
	5. Equipment	802 00	
9.	For law library, salaries and expenses — Taunton		15,235 60
	1. Personal services	7,732 60	
	2. Contractual services	265 00	
	3. Supplies and materials	90 00	
	4. Current charges and obligations	7,113 00	
	5. Equipment	35 00	
	For law library, salaries and expenses — New Bedford		15,186 00
	1. Personal services	7,821 00	
	2. Contractual services	335 00	
	3. Supplies and materials	80 00	
	4. Current charges and obligations	6,800 00	
	5. Equipment	150 00	

Item		Subtotal	Total
	For law library, salaries and expenses — Fall River		$15,157 00
	1. Personal services	$7,747 50	
	2. Contractual services	500 00	
	3. Supplies and materials	60 00	
	4. Current charges and obligations	6,800 00	
	5. Equipment	49 50	
10.	For highways, including state highways, bridges and land damages		373,550 00
11.	For examination of dams		8,500 00
12.	For criminal costs in superior court		272,031 73
	1. Personal services	80,397 23	
	2. Contractual services	187,510 00	
	3. Supplies and materials	2,850 00	
	4. Current charges and obligations	650 00	
	5. Equipment	624 50	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		200,238 80
	1. Personal services	70,978 80	
	2. Contractual services	127,445 00	
	3. Supplies and materials	1,100 00	
	4. Current charges and obligations	280 00	
	5. Equipment	435 00	
14.	For district courts, salaries and expenses		
	First District Court of Bristol		134,741 90
	1. Personal services	122,086 90	
	2. Contractual services	7,475 00	
	3. Supplies and materials	3,650 00	
	4. Current charges and obligations	930 00	
	5. Equipment	600 00	
	Second District Court of Bristol		197,692 73
	1. Personal services	160,930 48	
	2. Contractual services	13,763 10	
	3. Supplies and materials	5,850 00	
	4. Current charges and obligations	10,819 00	
	5. Equipment	843 25	
	6. All other	5,486 90	
	Third District Court of Bristol		254,567 18
	1. Personal services	224,064 68	
	2. Contractual services	15,450 00	
	3. Supplies and materials	8,525 00	
	4. Current charges and obligations	2,550 00	
	5. Equipment	3,977 50	
	Fourth District Court of Bristol		121,567 03
	1. Personal services	107,863 03	
	2. Contractual services	6,600 00	
	3. Supplies and materials	2,755 00	
	4. Current charges and obligations	1,809 00	
	5. Equipment	2,540 00	
	District Court — Juvenile Division		44,644 40
	1. Personal services	42,234 40	
	2. Contractual services	1,600 00	
	3. Supplies and materials	325 00	
	4. Current charges and obligations	300 00	
	5. Equipment	185 00	

Item		Subtotal	Total
	District Court — Appellate Division		$500 00
	1. Personal services	$300 00	
	2. Contractual services	160 00	
	3. Supplies and materials	40 00	
15.	For medical examiners and commitments of insane		63,186 50
16.	For jail and house of correction, maintenance and operation		457,874 38
	1. Personal services	320,081 38	
	2. Contractual services	30,000 00	
	3. Supplies and materials	95,000 00	
	4. Current charges and obligations	3,500 00	
	5. Equipment	9,293 00	
17.	For training school		12,000 00
18.	For court houses and registry buildings, maintenance and operation		383,843 47
	1. Personal services	203,000 70	
	2. Contractual services	127,392 00	
	3. Supplies and materials	20,080 20	
	4. Current charges and obligations	956 00	
	5. Equipment	2,414 57	
	6. All other	30,000 00	
20.	For agricultural school or county aid to agriculture, maintenance and operation		574,014 73
	1. Personal services	403,102 73	
	2. Contractual services	52,000 00	
	3. Supplies and materials	90,000 00	
	4. Current charges and obligations	9,000 00	
	5. Equipment	19,912 00	
24.	For noncontributory pensions		52,000 00
25.	For contributory retirement system and supervisory expenses		175,136 65
26.	For miscellaneous and contingent expenses		56,030 11
27.	For unpaid bills of previous years		33,503 28
28.	For reserve fund		50,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		45,000 00
30.	For forest fire patrol		6,350 00
39.	For group insurance		65,000 00
	Total amount of appropriations		$4,412,735 00
	Less estimated amount available for reduction of county tax		1,158,000 19
	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		$3,254,734 91

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 the county of Bristol a certification of the amounts above appropriated as set forth in the approved schedules. 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 the 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

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.

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.

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; 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-eight.

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. This act shall take effect upon its passage.

Approved August 8, 1969.

Chap. 660. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF ESSEX COUNTY, ITS 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 COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Essex county, its 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-nine:

ESSEX COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$114,167 50
2.	For reduction of county debt		287,000 00
3.	For county commissioners, salaries and expenses		69,036 94
	1. Personal services	$62,616 94	
	2. Contractual services	2,750 00	
	3. Supplies and materials	2,050 00	
	4. Current charges and obligations	360 00	
	5. Equipment	1,260 00	

Item		Subtotal	Total
4.	For transportation and expenses of county and acting commissioners		$800 00
5.	For clerk of courts, salaries and expenses		212,562 79
	1. Personal services	$192,382 79	
	2. Contractual services	11,300 00	
	3. Supplies and materials	6,500 00	
	4. Current charges and obligations	1,456 00	
	5. Equipment	924 00	
6.	For county treasurer, salaries and expenses		56,674 66
	1. Personal services	52,424 66	
	2. Contractual services	1,465 00	
	3. Supplies and materials	1,900 00	
	4. Current charges and obligations	625 00	
	5. Equipment	260 00	
7.	For sheriff, salary and expenses		17,333 94
	1. Personal services	16,763 94	
	2. Contractual services	400 00	
	4. Current charges and obligations	170 00	
8.	For registry of deeds, salaries and expenses Southern District		404,024 26
	1. Personal services	357,928 51	
	2. Contractual services	11,350 00	
	3. Supplies and materials	15,600 00	
	4. Current charges and obligations	17,782 75	
	5. Equipment	1,363 00	
	Northern District		181,690 28
	1. Personal services	157,612 03	
	2. Contractual services	7,500 00	
	3. Supplies and materials	6,010 00	
	4. Current charges and obligations	1,910 00	
	5. Equipment	8,658 25	
8a.	For registry of probate, salaries and expenses		27,595 00
	1. Personal services	2,340 00	
	2. Contractual services	8,650 00	
	3. Supplies and materials	5,800 00	
	4. Current charges and obligations	2,776 00	
	5. Equipment	8,029 00	
9.	For law library, salaries and expenses — Salem		20,368 97
	1. Personal services	8,926 79	
	2. Contractual services	402 00	
	3. Supplies and materials	40 00	
	4. Current charges and obligations	11,000 00	
	For law library, salaries and expenses — Lawrence		17,581 77
	1. Personal services	8,232 27	
	2. Contractual services	864 50	
	3. Supplies and materials	185 00	
	4. Current charges and obligations	8,300 00	
10.	For highways, including state highways, bridges and land damages		528,338 40
	1. Personal services	124,788 40	
	2. Contractual services	9,115 00	
	3. Supplies and materials	3,075 00	
	4. Current charges and obligations	800 00	
	5. Equipment	4,360 00	
	6. All other	386,200 00	

Item		Subtotal	Total
12.	For criminal costs in superior court		$349,382 91
	1. Personal services	$125,655 71	
	2. Contractual services	215,400 00	
	3. Supplies and materials	4,125 00	
	4. Current charges and obligations	1,945 00	
	5. Equipment	2,257 20	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		352,715 00
	1. Personal services	103,400 00	
	2. Contractual services	249,015 00	
	3. Supplies and materials	300 00	
14.	For district courts, salaries and expenses		
	First District Court of Essex		194,822 34
	1. Personal services	173,591 84	
	2. Contractual services	8,010 00	
	3. Supplies and materials	3,925 00	
	4. Current charges and obligations	7,251 00	
	5. Equipment	2,044 50	
	Second District Court of Essex		59,563 70
	1. Personal services	51,852 70	
	2. Contractual services	2,003 50	
	3. Supplies and materials	1,709 00	
	4. Current charges and obligations	3,520 00	
	5. Equipment	478 50	
	Third District Court of Essex		30,389 53
	1. Personal services	27,435 73	
	2. Contractual services	848 00	
	3. Supplies and materials	922 50	
	4. Current charges and obligations	1,066 80	
	5. Equipment	116 50	
	Central District Court of Northern Essex		183,785 03
	1. Personal services	154,318 37	
	2. Contractual services	18,910 00	
	3. Supplies and materials	6,035 00	
	4. Current charges and obligations	2,426 66	
	5. Equipment	2,095 00	
	District Court of Eastern Essex		61,280 05
	1. Personal services	51,637 80	
	2. Contractual services	3,320 00	
	3. Supplies and materials	2,260 00	
	4. Current charges and obligations	3,487 25	
	5. Equipment	575 00	
	District Court of Lawrence		176,880 26
	1. Personal services	161,329 26	
	2. Contractual services	8,950 00	
	3. Supplies and materials	2,525 00	
	4. Current charges and obligations	1,701 00	
	5. Equipment	2,375 00	
	District Court of Southern Essex		250,169 60
	1. Personal services	217,108 74	
	2. Contractual services	10,660 00	
	3. Supplies and materials	8,350 00	
	4. Current charges and obligations	10,960 00	
	5. Equipment	3,090 86	

Item		Subtotal	Total
	District Court of Newburyport		$66,938 52
	1. Personal services	$57,043 52	
	2. Contractual services	2,615 00	
	3. Supplies and materials	2,075 00	
	4. Current charges and obligations	4,600 00	
	5. Equipment	605 00	
	District Court of Peabody		129,919 82
	1. Personal services	111,367 28	
	2. Contractual services	4,037 50	
	3. Supplies and materials	4,410 00	
	4. Current charges and obligations	8,560 00	
	5. Equipment	1,545 04	
	District Court — Juvenile Division		44,828 32
	1. Personal services	41,268 32	
	2. Contractual services	2,505 00	
	3. Supplies and materials	565 00	
	4. Current charges and obligations	140 00	
	5. Equipment	350 00	
	District Court — Appellate Division		2,310 73
	1. Personal services	2,055 73	
	2. Contractual services	90 00	
	3. Supplies and materials	100 00	
	4. Current charges and obligations	65 00	
15.	For medical examiners and commitments of insane		64,780 00
16.	For jail and house of correction, maintenance and operation — Salem		321,884 12
	1. Personal services	241,956 17	
	2. Contractual services	14,093 00	
	3. Supplies and materials	58,300 00	
	4. Current charges and obligations	1,612 00	
	5. Equipment	5,047 95	
	6. All other	875 00	
	For jail and house of correction, maintenance and operation — Lawrence		264,034 36
	1. Personal services	189,985 36	
	2. Contractual services	10,000 00	
	3. Supplies and materials	60,000 00	
	4. Current charges and obligations	1,593 00	
	5. Equipment	2,456 00	
16a.	For industrial farm		189,962 90
	1. Personal services	154,882 90	
	2. Contractual services	6,280 00	
	3. Supplies and materials	23,000 00	
	4. Current charges and obligations	1,471 50	
	5. Equipment	4,328 50	
17.	For training school		336,758 66
	1. Personal services	263,070 66	
	2. Contractual services	15,640 00	
	3. Supplies and materials	47,275 00	
	4. Current charges and obligations	4,739 00	
	5. Equipment	6,034 00	
18.	For court houses and registry buildings, maintenance and operation		365,581 75
	1. Personal services	241,966 75	
	2. Contractual services	62,455 00	

Item		Subtotal	Total
	3. Supplies and materials	$27,290 00	
	4. Current charges and obligations	1,614 00	
	5. Equipment	8,256 00	
	6. All other	24,000 00	
18a.	For county hospital buildings		$3,800 00
20.	For agricultural school or county aid to agriculture, maintenance and operation		1,071,798 30
	1. Personal services	814,433 30	
	2. Contractual services	70,000 00	
	3. Supplies and materials	125,000 00	
	4. Current charges and obligations	22,000 00	
	5. Equipment	27,064 00	
	6. All other	13,301 00	
24.	For noncontributory pensions		125,759 31
25.	For contributory retirement system and supervisory expenses		309,918 18
26.	For miscellaneous and contingent expenses		94,240 37
27.	For unpaid bills of previous years		23,057 65
28.	For reserve fund		60,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		50,000 00
30.	For forest fire patrol		9,250 00
31.	For radio system for fire protection		780 00
32.	For forest development		2,525 94
34.	For conservation		25,000 00
39.	For group insurance		170,000 00
	Total amount of appropriations		$7,329,291 68
	Less estimated amount available for reduction of county tax		1,545,934 89
	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		$5,783,356 79

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 Essex county a certification of the amounts above appropriated as set forth in the approved schedules. 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 the 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

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.

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.

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; 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-eight.

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. This act shall take effect upon its passage.

Approved August 8, 1969.

Chap. 661. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF WORCESTER COUNTY, ITS 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 COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Worcester county, its 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-nine:

WORCESTER COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$128,425 00
2.	For reduction of county debt		275,000 00
3.	For county commissioners, salaries and expenses		53,780 79
	1. Personal services	$50,765 79	
	2. Contractual services	500 00	
	3. Supplies and materials	1,800 00	
	4. Current charges and obligations	500 00	
	5. Equipment	215 00	
4.	For transportation and expenses of county and acting commissioners		2,260 00
5.	For clerk of courts, salaries and expenses		288,356 75
	1. Personal services	270,874 25	
	2. Contractual services	5,925 00	
	3. Supplies and materials	7,250 00	
	4. Current charges and obligations	2,000 00	
	5. Equipment	2,307 50	
6.	For county treasurer, salaries and expenses		84,367 50
	1. Personal services	75,517 50	
	2. Contractual services	1,600 00	
	3. Supplies and materials	5,250 00	
	4. Current charges and obligations	740 00	
	5. Equipment	1,260 00	

Item		Subtotal	Total
7.	For sheriff, salary and expenses		$14,306 50
	1. Personal services	$12,857 00	
	2. Contractual services	250 00	
	3. Supplies and materials	500 00	
	4. Current charges and obligations	699 50	
8.	For registry of deeds, salaries and expenses		
	Worcester District		316,904 50
	1. Personal services	307,632 50	
	2. Contractual services	15,000 00	
	3. Supplies and materials	26,000 00	
	4. Current charges and obligations	3,000 00	
	5. Equipment	10,272 00	
	Northern District		74,495 32
	1. Personal services	62,510 32	
	2. Contractual services	6,460 00	
	3. Supplies and materials	2,760 00	
	4. Current charges and obligations	2,015 00	
	5. Equipment	750 00	
8a.	For registry of probate, salaries and expenses		17,675 00
	2. Contractual services	6,500 00	
	3. Supplies and materials	7,000 00	
	4. Current charges and obligations	2,515 00	
	5. Equipment	1,660 00	
9.	For law library, salaries and expenses — Worcester		39,685 20
	1. Personal services	22,770 20	
	2. Contractual services	1,025 00	
	3. Supplies and materials	400 00	
	4. Current charges and obligations	15,040 00	
	5. Equipment	450 00	
	For law library, salaries and expenses — Fitchburg		11,885 60
	1. Personal services	7,090 60	
	2. Contractual services	185 00	
	3. Supplies and materials	60 00	
	4. Current charges and obligations	4,550 00	
10.	For highways, including state highways, bridges and land damages		1,076,512 26
	1. Personal services	249,841 26	
	2. Contractual services	4,200 00	
	3. Supplies and materials	5,285 00	
	4. Current charges and obligations	1,700 00	
	5. Equipment	6,736 00	
	6. All other	808,750 00	
12.	For criminal costs in superior court		443,584 74
	1. Personal services	180,845 79	
	2. Contractual services	253,575 00	
	3. Supplies and materials	4,306 00	
	4. Current charges and obligations	1,501 00	
	5. Equipment	3,356 95	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		364,022 42
	1. Personal services	154,938 42	
	2. Contractual services	207,521 00	
	3. Supplies and materials	1,410 00	
	4. Current charges and obligations	80 00	
	5. Equipment	73 00	

Item		Subtotal	Total
14.	For district courts, salaries and expenses		
	Central District Court of Worcester		$531,026 99
	1. Personal services	$485,664 59	
	2. Contractual services	5,825 00	
	3. Supplies and materials	33,200 00	
	4. Current charges and obligations	2,595 00	
	5. Equipment	3,742 40	
	District Court of Fitchburg		131,450 74
	1. Personal services	113,731 74	
	2. Contractual services	7,265 00	
	3. Supplies and materials	4,850 00	
	4. Current charges and obligations	3,189 00	
	5. Equipment	2,415 00	
	District Court of Leominster		51,422 60
	1. Personal services	42,179 60	
	2. Contractual services	2,350 00	
	3. Supplies and materials	2,950 00	
	4. Current charges and obligations	3,493 00	
	5. Equipment	450 00	
	District Court at Winchendon		27,232 50
	1. Personal services	23,646 50	
	2. Contractual services	490 00	
	3. Supplies and materials	620 00	
	4. Current charges and obligations	1,986 00	
	5. Equipment	490 00	
	First District Court of Northern Worcester		115,917 75
	1. Personal services	101,499 75	
	2. Contractual services	3,190 00	
	3. Supplies and materials	3,395 00	
	4. Current charges and obligations	5,533 00	
	5. Equipment	2,300 00	
	First District Court of Eastern Worcester		117,925 46
	1. Personal services	99,760 86	
	2. Contractual services	3,460 00	
	3. Supplies and materials	5,025 00	
	4. Current charges and obligations	3,844 00	
	5. Equipment	835 60	
	6. All other	5,000 00	
	Second District Court of Eastern Worcester		78,210 86
	1. Personal services	68,270 86	
	2. Contractual services	1,850 00	
	3. Supplies and materials	3,125 00	
	4. Current charges and obligations	3,115 00	
	5. Equipment	1,850 00	
	First District Court of Southern Worcester		103,775 90
	1. Personal services	91,336 90	
	2. Contractual services	3,600 00	
	3. Supplies and materials	3,150 00	
	4. Current charges and obligations	4,714 00	
	5. Equipment	975 00	
	Second District Court of Southern Worcester		80,217 30
	1. Personal services	72,275 30	
	2. Contractual services	2,025 00	
	3. Supplies and materials	1,875 00	
	4. Current charges and obligations	4,042 00	

Item		Subtotal	Total
	Third District Court of Southern Worcester		$69,820 50
	1. Personal services	$65,373 50	
	2. Contractual services	1,250 00	
	3. Supplies and materials	1,870 00	
	4. Current charges and obligations	902 00	
	5. Equipment	425 00	
	District Court of Western Worcester		42,689 15
	1. Personal services	35,745 15	
	2. Contractual services	900 00	
	3. Supplies and materials	1,885 00	
	4. Current charges and obligations	3,154 00	
	5. Equipment	1,005 00	
	District Court — Northern Juvenile Division		50,870 41
	1. Personal services	45,403 41	
	2. Contractual services	4,000 00	
	3. Supplies and materials	850 00	
	4. Current charges and obligations	175 00	
	5. Equipment	442 00	
	District Court — Southern Juvenile Division		28,590 90
	1. Personal services	25,759 90	
	2. Contractual services	2,455 00	
	3. Supplies and materials	320 00	
	4. Current charges and obligations	56 00	
	District Court — Appellate Division		375 00
	1. Personal services	200 00	
	2. Contractual services	75 00	
	3. Supplies and materials	100 00	
15.	For medical examiners and commitments of insane		110,500 00
16.	For jail and house of correction, maintenance and operation		712,577 87
	1. Personal services	504,470 87	
	2. Contractual services	31,600 00	
	3. Supplies and materials	130,000 00	
	4. Current charges and obligations	6,000 00	
	5. Equipment	34,807 00	
	6. All other	5,700 00	
17.	For training school		1,000 00
	2. Contractual services	1,000 00	
18.	For court houses and registry buildings, maintenance and operation		446,547 17
	1. Personal services	294,765 39	
	2. Contractual services	103,000 00	
	3. Supplies and materials	41,000 00	
	4. Current charges and obligations	3,180 00	
	5. Equipment	4,137 78	
	6. All other	464 00	
18a.	For bindery department		18,412 70
20.	For agricultural school or county aid to agriculture, maintenance and operation		165,773 62
	1. Personal services	143,682 62	
	2. Contractual services	12,781 00	
	3. Supplies and materials	8,000 00	
	4. Current charges and obligations	1,000 00	
	5. Equipment	310 00	

Item		Subtotal	Total
21.	For state reservation, maintenance and operation (Purgatory Chasm)		$21,958 14
	1. Personal services	$19,711 20	
	2. Contractual services	350 00	
	3. Supplies and materials	1,098 94	
	4. Current charges and obligations	518 00	
	5. Equipment	280 00	
24.	For noncontributory pensions		80,600 00
25.	For contributory retirement system and supervisory expenses		238,185 39
26.	For miscellaneous and contingent expenses		56,225 00
27.	For unpaid bills of previous years		9,107 52
28.	For reserve fund		60,000 00
29.	For advertising recreational, cultural, historic and scenic advantages of the county		50,000 00
30.	For forest fire patrol		5,300 00
31.	For radio system for fire protection		1,000 00
36.	For Dutch elm disease		10,000 00
39.	For group insurance		91,000 00
	Total amount of appropriations		$6,743,975 05
	Less estimated amount available for reduction of county tax		1,174,401 31
	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		$5,569,573 74

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 Worcester county a certification of the amounts above appropriated as set forth in the approved schedules. 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 the 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", "equipment", "structures and improvements" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

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.

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.

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; 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-eight.

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. This act shall take effect upon its passage.

Approved August 8, 1969.

Chap. 662. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF HAMPDEN COUNTY, ITS 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 COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Hampden county, its 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-nine:

HAMPDEN COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$30,000 00
2.	For reduction of county debt		50,000 00
3.	For county commissioners, salaries and expenses		44,633 40
	1. Personal services	$41,793 40	
	2. Contractual services	950 00	
	3. Supplies and materials	800 00	
	4. Current charges and obligations	400 00	
	5. Equipment	690 00	
4.	For transportation and expenses of county and acting commissioners		600 00
5.	For clerk of courts, salaries and expenses		182,698 40
	1. Personal services	164,449 40	
	2. Contractual services	6,300 00	
	3. Supplies and materials	5,600 00	
	4. Current charges and obligations	3,001 00	
	5. Equipment	3,348 00	
6.	For county treasurer, salaries and expenses		48,855 56
	1. Personal services	41,741 56	
	2. Contractual services	3,215 00	
	3. Supplies and materials	2,375 00	
	4. Current charges and obligations	1,049 00	
	5. Equipment	475 00	
7.	For sheriff, salary and expenses		13,352 00
	1. Personal services	12,857 00	
	2. Contractual services	250 00	
	4. Current charges and obligations	245 00	

Item		Subtotal	Total
8.	For registry of deeds, salaries and expenses		$359,762 36
	1. Personal services	$266,512 36	
	2. Contractual services	57,000 00	
	3. Supplies and materials	24,500 00	
	4. Current charges and obligations	3,300 00	
	5. Equipment	8,450 00	
8a.	For registry of probate, salaries and expenses		49,570 10
	1. Personal services	24,514 10	
	2. Contractual services	10,850 00	
	3. Supplies and materials	6,100 00	
	4. Current charges and obligations	3,921 00	
	5. Equipment	4,185 00	
9.	For law library, salaries and expenses		33,391 20
	1. Personal services	20,376 20	
	2. Contractual services	780 00	
	3. Supplies and materials	235 00	
	4. Current charges and obligations	12,000 00	
10.	For highways, including state highways, bridges and land damages		355,400 00
	2. Contractual services	4,000 00	
	3. Supplies and materials	50 00	
	6. All other	351,350 00	
11.	For examination of dams		7,000 00
12.	For criminal costs in superior court		317,088 45
	1. Personal services	79,248 45	
	2. Contractual services	227,315 00	
	3. Supplies and materials	3,400 00	
	4. Current charges and obligations	5,073 00	
	5. Equipment	2,052 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		325,785 10
	1. Personal services	120,145 10	
	2. Contractual services	203,305 00	
	3. Supplies and materials	500 00	
	4. Current charges and obligations	1,835 00	
14.	For district courts, salaries and expenses		
	District Court of Chicopee		79,388 93
	1. Personal services	69,531 93	
	2. Contractual services	2,600 00	
	3. Supplies and materials	3,400 00	
	4. Current charges and obligations	3,240 00	
	5. Equipment	617 00	
	District Court of Holyoke		135,074 55
	1. Personal services	118,850 16	
	2. Contractual services	7,650 00	
	3. Supplies and materials	2,900 00	
	4. Current charges and obligations	5,065 00	
	5. Equipment	609 39	
	District Court of Eastern Hampden		75,544 76
	1. Personal services	63,491 26	
	2. Contractual services	5,220 00	
	3. Supplies and materials	1,800 00	
	4. Current charges and obligations	4,738 50	
	5. Equipment	295 00	

Item		Subtotal	Total
	District Court of Springfield		$608,637 42
	1. Personal services	$514,790 94	
	2. Contractual services	51,775 00	
	3. Supplies and materials	23,875 00	
	4. Current charges and obligations	5,975 00	
	5. Equipment	12,221 48	
	District Court of Western Hampden		116,139 88
	1. Personal services	100,067 88	
	2. Contractual services	5,182 00	
	3. Supplies and materials	3,750 00	
	4. Current charges and obligations	6,140 00	
	6. All other	1,000 00	
	District Court — Appellate Division		500 00
15.	For medical examiners and commitments of insane		75,000 00
16.	For jail and house of correction, maintenance and operation		559,802 24
	1. Personal services	391,555 24	
	2. Contractual services	23,250 00	
	3. Supplies and materials	132,000 00	
	4. Current charges and obligations	5,500 00	
	5. Equipment	6,497 00	
	6. All other	1,000 00	
17.	For training school		167,268 13
	1. Personal services	112,101 13	
	2. Contractual services	9,900 00	
	3. Supplies and materials	38,975 00	
	4. Current charges and obligations	1,500 00	
	5. Equipment	4,092 00	
	6. All other	700 00	
18.	For court houses and registry buildings, maintenance and operation		246,568 97
	1. Personal services	162,242 97	
	2. Contractual services	59,545 00	
	3. Supplies and materials	7,966 00	
	4. Current charges and obligations	1,125 00	
	5. Equipment	12,560 00	
	6. All other	3,130 00	
20.	For agricultural school or county aid to agriculture, maintenance and operation		178,693 96
	1. Personal services	166,077 96	
	2. Contractual services	9,500 00	
	3. Supplies and materials	2,200 00	
	4. Current charges and obligations	267 00	
	5. Equipment	649 00	
21.	For state reservation, maintenance and operation (Mount Tom)		52,644 89
23b.	For children's camp		5,000 00
24.	For noncontributory pensions		40,953 85
25.	For contributory retirement system and supervisory expenses		167,321 39
26.	For miscellaneous and contingent expenses		24,357 27
27.	For unpaid bills of previous years		12,003 78

Item		Total
28.	For reserve fund	$50,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	7,000 00
31.	For radio system for fire protection	850 00
39.	For group insurance	72,000 00
	Total amount of appropriations	$4,492,886 59
	Less estimated amount available for reduction of county tax	651,482 90
	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	$3,841,403 69

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 Hampden county a certification of the amounts above appropriated as set forth in the approved schedules. 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 the 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", "equipment", "structures and improvement" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

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.

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.

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; 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-eight.

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. This act shall take effect upon its passage.

Approved August 8, 1969.

Chap. 663. AN ACT PROVIDING FOR A REDIVISION OF THE CITY OF REVERE INTO WARDS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section six of chapter forty-three and sections one to four, inclusive, of chapter fifty-four of the General Laws and of chapter four hundred and twenty-four of the acts of nineteen hundred and fifty-two, the city of Revere, by vote of its city council, may, during the year nineteen hundred and sixty-nine, prior to the next redivision, if any, of its wards under the provisions of

section one of said chapter fifty-four, make a new division of its territory into not less than five nor more than seven wards, said new division to take effect, to the extent hereinafter provided, on the last day of December, nineteen hundred and seventy. 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 provisions of sections two and three of chapter fifty-four of the General Laws shall apply to any such redivision.

Notwithstanding the provisions of any general or special law to the contrary, for all elections and primaries held in said city after new wards and precincts have been established under the provisions of this act and prior to any antecedent primary of the first biennial state election at which senators and representatives are to be elected from new senatorial and representative districts established upon the basis of the next special enumeration of the legal voters in each ward of said city required by the constitution, the wards as existing previous to said redivision under the provisions of this act 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 new wards shall be in effect for the purposes of any municipal election and its antecedent primary or preliminary election, if any, and the mayor of said city shall make such adjustments in the personnel and assignments of election officers as may be necessary. In the establishment of wards and voting precincts under this act, 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 August 11, 1969.

Chap. 664. AN ACT AUTHORIZING THE CITY OF LOWELL TO PAY THE AMOUNT AUTHORIZED FOR THE PURCHASE AND MAINTENANCE OF UNIFORMS FOR UNIFORMED MEMBERS OF ITS POLICE DEPARTMENT DIRECTLY TO SAID MEMBERS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of law to the contrary, the city council of the city of Lowell may, by ordinance, provide for the payment of a uniform allowance directly to uniformed members of its police department.

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

Approved August 11, 1969.

Chap. 665. AN ACT AUTHORIZING THE COUNTY OF MIDDLESEX TO INDEMNIFY THE CHIEF PROBATION OFFICER OF THE FOURTH DISTRICT COURT OF EASTERN MIDDLESEX AGAINST CERTAIN LOSSES.

Be it enacted, etc., as follows:

SECTION 1. The county of Middlesex may pay a sum not exceeding eighty dollars to the chief probation officer of the fourth district court

of eastern Middlesex to indemnify him for losses sustained in a burglary of the courthouse of said court on June twenty-second, nineteen hundred and sixty-eight. If after such payment such officer receives any sum in reduction of such loss, he shall forthwith pay over the same to said county of Middlesex.

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

Approved August 11, 1969.

Chap. 666. AN ACT PROTECTING CONSERVATION AND PRESERVATION RESTRICTIONS HELD OR APPROVED BY APPROPRIATE PUBLIC AUTHORITY, PROVIDING FOR PUBLIC RESTRICTION TRACT INDEXES AT REGISTRIES OF DEEDS AND CLARIFYING CERTAIN STATUTORY PROVISIONS RELATING TO RESTRICTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 23 of chapter 184 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — This section shall not apply to conditions or restrictions existing on July sixteenth, eighteen hundred and eighty-seven, to those contained in a deed, grant or gift of the commonwealth, or to those having the benefit of section thirty-two.

SECTION 2. Section 26 of said chapter 184, as appearing in section 1 of chapter 448 of the acts of 1961, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

All restrictions on the use of land or construction thereon which run with the land subject thereto and are imposed by covenant, agreement, or otherwise, whether or not stated in the form of a condition, in any deed, will or other instrument executed by or on behalf of the owner of the land or in any order of taking shall be subject to this section and sections twenty-seven through thirty, except (a) restrictions in leases, mortgages and other security instruments, (b) restrictions in orders of taking by the commonwealth or a political subdivision or public instrumentality thereof made before January first, nineteen hundred and seventy and (c) conservation and preservation restrictions, as defined in section thirty-one which have the benefit of section thirty-two, and other restrictions held by any governmental body, if the instrument imposing such conservation, preservation or other restriction is duly recorded and indexed in the grantor index in the registry of deeds or registered in the registry district of the land court for the county or district where the land lies so as to affect its title, and describes the land by metes and bounds or by reference to a recorded or registered plan showing its boundaries, and if affecting land not registered is also indexed in a public restriction tract index maintained pursuant to section thirty-three, or, if not so indexed, there has been no failure to file a notice of restriction as therein provided. "Governmental body", as referred to in this section and sections thirty-two and thirty-three, means the United States or the commonwealth, acting through any of its departments, divisions, commissions, boards or agencies, or any political subdivision or public instrumentality thereof or any public authority.

SECTION 3. The second paragraph of said section 26 of said chapter 184, as so appearing, is hereby amended by striking out line 1 and inserting in place thereof the following line: — For the purposes of this section and sections twenty-seven to thirty, inclusive: —.

SECTION 4. Section 27 of said chapter 184, as so appearing, is hereby amended by inserting after the word "benefit", in line 4, the following words: — or is entitled to such benefit as a successor to such party.

SECTION 5. Said chapter 184 is hereby further amended by adding the following three sections: —

Section 31. A conservation restriction means a right, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land or in any order of taking, appropriate to retaining land or water areas predominantly in their natural, scenic or open condition or in agricultural, farming or forest use, to forbid or limit any or all (a) construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground, (b) dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste or unsightly or offensive materials, (c) removal or destruction of trees, shrubs or other vegetation, (d) excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance in such manner as to affect the surface, (e) surface use except for agricultural, farming, forest or outdoor recreational purposes or purposes permitting the land or water area to remain predominantly in its natural condition, (f) activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation, or (g) other acts or uses detrimental to such retention of land or water areas.

A preservation restriction means a right, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land or in any order of taking, appropriate to preservation of a structure or site historically significant for its architecture, archeology or associations, to forbid or limit any or all (a) alterations in exterior or interior features of the structure, (b) changes in appearance or condition of the site (c) uses not historically appropriate, or (d) other acts or uses detrimental to appropriate preservation of the structure or site.

Section 32. No conservation restriction, as defined in section thirty-one, held by any governmental body or by a charitable corporation or trust whose purposes include conservation of land or water areas or of a particular such area, and no preservation restriction, as defined in section thirty-one, held by any governmental body or by a charitable corporation or trust whose purposes include preservation of buildings or sites of historical significance or of a particular such building or site, shall be unenforceable on account of lack of privity of estate or contract or lack of benefit to particular land or on account of the benefit being assignable or being assigned to any other governmental body or to any charitable corporation or trust with like purposes, provided (a) in case of a restriction held by a city or town or a commission, authority, or other instrumentality thereof it is approved by the commissioner of natural resources if a conservation restriction or the Massachusetts historical commission if a preservation restriction, and (b) in case of a restriction held by a charitable corporation or trust it is approved by the mayor, or in cities having a city manager the city manager, and city

council of the city, or the selectmen or town meeting of the town, in which the land is situated, and by the commissioner of natural resources if a conservation restriction or the Massachusetts historical commission if a preservation restriction.

Such conservation and preservation restrictions are interests in land and may be acquired by any governmental body or such charitable corporation or trust which has power to acquire interest in land, in the same manner as it may acquire other interests in land. Such a restriction may be enforced by injunction or proceeding in equity, and shall entitle representatives of the holder of it to enter the land in a reasonable manner and at reasonable times to assure compliance. Such a restriction may be released, in whole or in part, by the holder for such consideration, if any, as the holder may determine, in the same manner as the holder may dispose of land or other interests in land, but only after a public hearing upon reasonable public notice, by the governmental body holding the restriction or if held by a charitable corporation or trust, by the mayor, or in cities having a city manager the city manager, and city council of the city or the selectmen of the town, whose approval shall be required, and in case of a restriction requiring approval by the commissioner of natural resources or the Massachusetts historical commission, only with like approval of the release.

Approvals of restrictions and releases shall be evidenced by certificates of the commissioner of natural resources or the chairman, clerk or secretary of the commission, city council, selectmen or town, duly recorded or registered.

In determining whether the restriction or its continuance is in the public interest, the governmental body acquiring, releasing or approving shall take into consideration the public interest in such conservation or preservation, and any national, state, regional and local program in furtherance thereof, and also any public, state, regional or local comprehensive land use or development plan affecting the land, and any known proposal by a governmental body for use of the land.

This section shall not be construed to imply that any restriction, easement, covenant or condition which does not have the benefit of this section shall, on account of any provision hereof, be unenforceable. Nothing in this section or sections thirty-one and thirty-three shall diminish the powers granted by any general or special law to acquire by purchase, gift, eminent domain or otherwise and to use land for public purposes.

Section 33. Any city or town may file with the register of deeds for the county or district in which it is situated a map or set of maps of the city or town, to be known as the public restriction tract index, on which may be indexed conservation and preservation restrictions and restrictions held by any governmental body. Such indexing shall indicate sufficiently for indentification (a) the land subject to the restriction, (b) the name of the holder of the restriction, and (c) the place of record in the public records of the instrument imposing the restriction. Maps used by assessors to identify parcels taxed, and approximate boundaries without distances, shall be sufficient, and, where maps by parcels are not available, addition to other maps of approximate boundaries of restricted land shall be sufficient. If the names of the holders and the instrument references cannot be conveniently shown directly on the maps, they may be indicated by appropriate reference to accompanying lists.

Such maps may also indicate similarly, so far as practicable, (a) any order or license issued by a governmental body entitled to be recorded or registered, (b) the approximate boundaries of any historic or architectural control district established under chapter forty C or any special act, ordinance or by-law where a certificate of appropriateness may be required for exterior changes, (c) any landmark certified by the Massachusetts historical commission pursuant to section twenty-seven of chapter nine, (d) any other land which any governmental body may own in fee, or in which it may hold any other interest, and (e) such additional data as the filing governmental body may deem appropriate.

Whenever any instrument of acquisition of a restriction or order or other appropriate evidence entitled to be indexed in a public restriction tract index is submitted for such indexing, the register shall make, or require the holder of the right to enforce the restriction or order or interest to make, appropriate additions to the tract index, and such addition shall, as to any restriction or order or other appropriate evidence previously recorded entitled to be indexed, be likewise made on request of the holder of the right to enforce it.

The maps shall be in such form that they can be readily added to, changed and reproduced, and shall be a public record, appropriately available for public inspection. If any governmental body, other than a city or town in which the land affected lies, holds a right to enforce a restriction or order or an interest entitled to be indexed in a public restriction tract index for any city or town which has not filed such an index, or if the commissioner of natural resources or the Massachusetts historical commission approves a conservation or preservation restriction held by a charitable corporation or trust so entitled, and the city or town does not within one year after written request to the mayor or selectmen file a sufficient map or set of maps for the purpose, the holding governmental body or approving commissioner or commission may do so.

The registers of deeds, or a majority of them, may, from time to time with the approval of the attorney general, make and amend rules and regulations for administration of public restriction tract indexes, and the provisions of section thirteen A of chapter thirty-six shall not apply thereto. New tract indexes may be filed, from time to time, upon compliance with such rules and regulations as may be necessary to assure against omission of prior additions and references still effective.

Except in the case of a restriction noted on the certificate of title of registered land subject thereto, no conservation or preservation restriction having the benefit of section thirty-two, and no other restriction held by any governmental body, which is not so indexed in the public restriction tract index shall be enforceable after thirty years from the recording of the instrument imposing it unless before the expiration of such thirty years there is similarly recorded a notice of restriction identifying the instrument and its place of record in the public records and naming one or more of the owners of record of each parcel of land to be affected by the notice, nor enforceable after twenty years from the recording of any such notice unless before the expiration of twenty years another such notice is so recorded, and in each case the notice is indexed in the grantor index under the owner or owners named. Such notices may be given by any official of a governmental body holding the restriction, by the commissioner of natural resources in case of a restriction approved

by him, by the chairman or acting chairman of the Massachusetts historical commission in case of a restriction approved by it, or by any official of any charitable corporation or trust holding the restriction or whose purposes include, in case of a conservation restriction, the conservation of land or water areas, or, in case of a preservation restriction, the preservation of buildings or sites of historical significance.

SECTION 6. Sections thirty-one, thirty-two and thirty-three of chapter one hundred and eighty-four of the General Laws, inserted by section five of this act, shall apply to conservation and preservation restrictions not otherwise unenforceable contained in instruments executed or probated before the effective date of this act, as well as to those contained in instruments executed or probated thereafter. The time for filing a notice of restriction with respect to any restriction existing on said effective date and not theretofore required to be filed shall not expire sooner than one year after said effective date.

Approved August 11, 1969.

Chap. 667. AN ACT RELATIVE TO THE QUALIFICATIONS OF PERSONS APPOINTED TO FILL VACANCIES IN THE POSITIONS OF SUPERINTENDENTS, DIRECTORS OR OTHER HEADS OF RESIDENTIAL MENTAL HEALTH OR RETARDATION FACILITIES OF THE DEPARTMENT OF MENTAL HEALTH.

Be it enacted, etc., as follows:

Section 28 of chapter 123 of the General Laws is hereby amended by striking out the first two sentences and inserting in place thereof the following five sentences:—When a vacancy occurs in the position of superintendent of a state hospital or state school or in the directorship or other head of any residential mental health or retardation facility of the department, the commissioner shall appoint to such vacancy a person who holds an earned doctoral degree from an accredited college or university in a discipline appropriate to the care, treatment or education of the mentally ill or mentally retarded, or he may appoint a person holding an earned graduate degree in hospital administration from an accredited college or university. Any person receiving such appointment shall have had at least four years of administrative or clinical experience in a state or federal facility for mental illness or mental retardation or equivalent experience as determined by the commissioner. In the case of those disciplines which provide formal board certification, the appointee as superintendent, director or other head of a residential mental health or retardation facility of the department shall, if not so certified, be eligible for such certification. In the case of uncertainty of the board as to the eligibility of an appointee, the decision of the commissioner with respect to such qualification shall be final. Prior to the appointment of a superintendent, director or other head of a residential mental health or retardation facility of the department, the commissioner shall consult with the area board or boards, the board of trustees concerned with such facility and with the heads of such other institutions of higher learning or hospitals as are integrated with the particular facility.

Approved August 11, 1969.

Chap. 668. AN ACT AUTHORIZING THE DIVISION OF FISHERIES AND GAME TO ACQUIRE CERTAIN LAND IN THE TOWN OF CUMMINGTON FOR WILDLIFE MANAGEMENT PURPOSES.

Be it enacted, etc., as follows:

For the purpose of establishing a public area for fishing, hunting and the management thereof, the division of fisheries and game of the department of natural resources is hereby authorized to acquire on behalf of the commonwealth, by eminent domain under the provisions of chapter seventy-nine of the General Laws, or by purchase or otherwise, a certain parcel of land in the town of Cummington, containing eighty acres, more or less, and described in a deed from Thomas S. Noska to The Council of Sportsmen's Clubs of Hampden County, Inc.; provided, however, that said land shall not include any lots on which any buildings are located on the effective date of this act.

Approved August 11, 1969.

Chap. 669. AN ACT RELATIVE TO THE ISSUANCE OF DRIVERS' LICENSES UNDER THE LAW RELATING TO CARRIERS OF PASSENGERS BY MOTOR VEHICLE.

Be it enacted, etc., as follows:

Section 9 of chapter 159A of the General Laws is hereby amended by striking out the second sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence: — No license shall be issued by the department except to persons at least twenty-one years of age who have qualified in accordance with the department's requirements. *Approved August 11, 1969.*

Chap. 670. AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL CERTAIN PROPERTY IN THE TOWN OF SHREWSBURY.

Be it enacted, etc., as follows:

The commissioner of mental health, acting for and on behalf of the commonwealth and subject to the approval of the governor, is hereby authorized to sell at public auction or to the highest responsible bidder after inviting sealed proposals, and thereafter to convey a parcel of land located on the Southerly side of Green street in the town of Shrewsbury, bounded and described as follows: — Beginning at a point on the southerly side of Green street at a drill hole located at the northeasterly corner of property owned by Raymond P. Galipeau et ux; thence running in an easterly direction along said Galipeau land 192.14 feet to a drill hole; thence turning and running in a southerly direction still along land of said Galipeau 379.12 feet to a drill hole; thence turning and running in a northwesterly direction, in a straight line 450 feet more or less to the point of beginning. Containing 36,000 square feet of land, more or less.

The conveyance is to be made subject to such conditions and restrictions as the commissioner shall deem advisable.

Approved August 11, 1969.

Chap. 671. AN ACT DESIGNATING A CERTAIN BUILDING AT THE WALTER E. FERNALD STATE SCHOOL AS THE GEORGE G. PHAIR BUILDING.

Be it enacted, etc., as follows:

The east building, so-called, located at the Walter E. Fernald state school shall be known and designated as the George G. Phair building in memory of valuable and extraordinary services rendered by him as a volunteer at said school. The commissioner of mental health shall cause a suitable marker bearing said designation to be placed thereon.

Approved August 11, 1969.

Chap. 672. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO PROVIDE ADDITIONAL CAMP SITES IN BERKSHIRE COUNTY.

Be it enacted, etc., as follows:

The department of natural resources is hereby authorized to acquire additional camp sites in Berkshire county. For said purposes said department may expend such sums as may be appropriated therefor.

Approved August 11, 1969.

Chap. 673. AN ACT AUTHORIZING MEALS TAX RETURNS TO BE FILED ON OTHER THAN A MONTHLY BASIS.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 64B of the General Laws is hereby amended by inserting after the word "month", in line 3, as appearing in section 17 of chapter 729 of the acts of 1941, the words: — ; provided, however, the commission may by regulation require returns under this section to be filed on a quarterly or such other basis as it may determine and may authorize different filing periods for different categories of taxpayers.

SECTION 2. This act shall apply to returns required to be filed on and after its effective date. *Approved August 11, 1969.*

Chap. 674. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAW RELATIVE TO THE WESTFIELD RIVER WEST BRANCH WATERSHED IMPROVEMENT PROJECT AND AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO RECEIVE FEDERAL FINANCIAL ASSISTANCE IN CONNECTION THEREWITH.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 2 of chapter 634 of the acts of 1968 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Said commission, acting for and in behalf of the commonwealth, may acquire by gift, purchase, eminent domain or otherwise any land, water rights, rights-of-way or other easements, public or private, necessary to carry out the purposes of this act.

SECTION 2. Section 5 of said chapter 634 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

The water resources commission is hereby authorized to expend the sum of one million, three hundred thousand dollars for the acquisition of lands and waters, the construction of works of improvement, and related costs, authorized by sections one and two of this act.

SECTION 3. Section 6 of said chapter 634 is hereby amended by striking out, in lines 1 and 2, the word "commonwealth's" and inserting in place thereof the words: — water resources commission's.

SECTION 4. Section 7 of said chapter 634 is hereby amended by striking out the first paragraph and inserting in place thereof the following two paragraphs: —

The water resources commission and the department of natural resources or either of them may enter into agreements with the United States Department of Agriculture or other agency of the federal government for the receipt of funds to a total amount not to exceed two million, six hundred and seventy thousand dollars for the purposes authorized by this act.

To provide funds for payment of the federal share of the cost of the projects authorized by this act and for meeting federal allocations in anticipation of the sums to be received from the federal government under this act, there is hereby appropriated the sum of two million, six hundred and seventy thousand dollars from the federal Capital Improvement Fund established by section two B of chapter twenty-nine of the General Laws and said appropriation shall expire on June thirtieth, nineteen hundred and seventy-one. Sums appropriated under this section shall be expended by the department or the commission, in accordance with said agreements, for the purposes authorized by this act and shall be in addition to appropriations and authorizations contained elsewhere in this act.

SECTION 5. The second paragraph of said section 7 of said chapter 634 is hereby amended by striking out, in lines 22 and 23, the words "fund financing the loan account for the commonwealth's share of the projects authorized by section one of this act" and inserting in place thereof the words: — funds financing the loan accounts providing funds for expenditures authorized by sections five and eight of this act in proportion to which the federal funds received hereunder shall have been granted to the water resources commission or the department of natural resources, respectively. *Approved August 11, 1969.*

Chap. 675. AN ACT PROVIDING FOR THE EXEMPTION FROM THE TAX ON LEGACIES AND SUCCESSIONS OF BENEFITS PROVIDED BY AN EMPLOYER UNDER CERTAIN EMPLOYEE RETIREMENT PLANS.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 1 of chapter 65 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "amounts", in line 8, the words: — ; provided, however, that no amounts attributable to employer contributions payable under a retirement plan which meets the requirements of section four hundred and one or section four hundred and three

of the federal Internal Revenue Code, except amounts payable to the employee's executors, shall be subject to the tax imposed by this section.

SECTION 2. The provisions of section one of chapter sixty-five of the General Laws, as amended by section one of this act, shall apply to retirement plans in effect prior to and subsequent to the effective date of this act. *Approved August 11, 1969.*

Chap. 676. AN ACT PROVIDING THAT CERTAIN NOTATIONS RELATIVE TO SUSPENSION SHALL BE EXPUNGED FROM THE EMPLOYMENT RECORD OF CERTAIN PUBLIC OFFICERS AND EMPLOYEES IN ORDER TO CORRECT AN INEQUITY.

Be it enacted, etc., as follows:

In order to correct an inequity, the director of civil service shall expunge from the employment record of Bernard St. C. Arenburg, John Duluk, Wilfred C. Goulet, Kenneth A. Menard and James W. Welsh, fire fighters in the Lynn fire department, the record of suspension of November twenty, nineteen hundred and sixty-seven and November twenty-one, nineteen hundred and sixty-seven.

Approved August 11, 1969.

Chap. 677. AN ACT AUTHORIZING THE CITY OF ATTLEBORO TO REVOKE ITS ACCEPTANCE OF CERTAIN PROVISIONS OF THE GENERAL LAWS RELATIVE TO CITIES AND TOWNS MAKING REPAIRS ON PRIVATE WAYS WITHOUT LIABILITY FOR DAMAGES.

Be it enacted, etc., as follows:

The city of Attleboro is hereby authorized to revoke its acceptance of section six H of chapter forty of the General Laws. If said city revokes said acceptance the provisions of said section six H shall not apply therein. Nothing herein contained shall prevent said city from again accepting the provisions of said section six H after the revocation of its acceptance thereof. *Approved August 11, 1969.*

Chap. 678. AN ACT RELATIVE TO THE PRIVILEGE OF CERTAIN HIGH SCHOOL STUDENTS OF PARTICIPATING IN INTERSCHOLASTIC ATHLETICS.

Be it enacted, etc., as follows:

The second sentence of section 47 of chapter 71 of the General Laws, as appearing in chapter 271 of the acts of 1954, is hereby amended by inserting after the word "schools", in line 4, the words: —, provided, that no high school student shall be prohibited from participating in competitive athletics for a total of four school years or eight semesters in a school system which operates on an eight four-year system, so-called, or for a total of three school years or six semesters in a school system which operates on a nine three-year system, so-called, if he is under nineteen years of age and satisfies the requirements for scholastic studies and for conduct and discipline and is not ineligible by reason of transfer from another school. *Approved August 11, 1969.*

Chap. 679. AN ACT AUTHORIZING THE CONSOLIDATION OF JOHNSON STREET COVENANT CHURCH OF LYNN AND COVENANT CONGREGATIONAL CHURCH OF BEVERLY.

Be it enacted, etc., as follows:

SECTION 1. Johnson Street Covenant Church of Lynn and Covenant Congregational Church of Beverly, 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 Community Covenant Church, 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 Johnson Street Covenant Church of Lynn and Covenant Congregational Church of Beverly, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made for the benefit of either of them, shall be 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 Johnson Street Covenant Church of Lynn and Covenant Congregational Church of Beverly 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 Johnson Street Covenant Church of Lynn and Covenant Congregational Church of Beverly.

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 composed of persons designated by said existing corporations for the purpose of adopting by-laws for the consolidated corporation and of electing officers, a board of directors and such 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 directors 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, 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 August 11, 1969.*

Chap. 680. AN ACT PROVIDING FOR THE SAFETY OF LINEMEN WORKING ON THE INSTALLATION OF CERTAIN LIVE WIRES OR ELECTRICAL EQUIPMENT.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by inserting after section 129B the following section:—

Section 129C. Whoever being engaged in the business of transmitting electricity or installing or repairing live wires or electrical equipment knowingly permits a journeyman or first class lineman, while on a pole or structure, to work on live wires in excess of seven hundred and fifty volts to ground unless he is assisted on or at the base of each such pole or structure by a journeyman lineman, a fourth-year apprentice, a second class lineman or a lineman having a title commonly accepted as the equivalent of the foregoing shall be punished by a fine of not more than one hundred dollars.

Each violation of this section shall be a separate offense.

This section shall not apply to work done by any person who is commonly called a troubleman, who would be employed in the performance of making emergency repairs, locating electrical faults, clearing defective apparatus and answering service calls.

Approved August 12, 1969.

Chap. 681. AN ACT AUTHORIZING THE MARINE CORPS LEAGUE TO ERECT A PLAQUE IN THE STATE HOUSE.

Be it enacted, etc., as follows:

The Marine Corps League of Massachusetts, Inc. is hereby authorized, subject to the approval of the art commission, to erect a bronze plaque, in an area of the state house to be designated by the art commission, honoring and commemorating those members of the United States Marine Corps who have made the supreme sacrifice of their lives in the service of their country. The cost of said plaque shall be borne by said Marine Corps League. *Approved August 12, 1969.*

Chap. 682. AN ACT ESTABLISHING A FEE FOR DRIVING INSTRUCTORS' CERTIFICATES.

Be it enacted, etc., as follows:

Subdivision (7) of section 33 of chapter 90 of the General Laws is hereby amended by inserting after the eighteenth paragraph the following paragraph: —

For a driving instructor's certificate which shall be valid for a period of one year from the date of issuance, five dollars.

Approved August 12, 1969.

Chap. 683. AN ACT RELATIVE TO THE LIMIT OF SERVICE AS A TRAVERSE JUROR IN SUFFOLK COUNTY.

Be it enacted, etc., as follows:

Chapter 234 of the General Laws is hereby amended by striking out section 3, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 3. Except as provided in section three A, a person shall not serve as a traverse juror in Suffolk county for more than thirty days, except to finish a case commenced within that time.

Approved August 12, 1969.

Chap. 684. AN ACT AMENDING AN ACT CHANGING THE NAME OF THE SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE SO THAT THE NAME, AS CHANGED, WILL BE SOUTHEASTERN MASSACHUSETTS UNIVERSITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to amend chapter three hundred and ninety-six of the acts of nineteen hundred and sixty-nine before it takes effect, 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 396 of the acts of 1969 is hereby amended by striking out sections 1 to 6, inclusive, and inserting in place thereof the following six sections: —

Section 1. The name of the Southeastern Massachusetts Technological Institute is hereby changed to the Southeastern Massachusetts University.

Section 2. Section 1A of chapter 15 of the General Laws, as appearing in section 2 of chapter 572 of the acts of 1965, is hereby amended by striking out, in line 10, the words "Southeastern Massachusetts Technological Institute" and inserting in place thereof the words: — Southeastern Massachusetts University.

Section 3. Section 1B of said chapter 15, as so appearing, is hereby amended by striking out, in lines 4 and 5, the words "Southeastern Massachusetts Technological Institute" and inserting in place thereof the words: — Southeastern Massachusetts University.

Section 4. Section 19 of said chapter 15, as appearing in section 1 of chapter 543 of the acts of 1960, is hereby amended by striking out, in line 6 the words "Southeastern Massachusetts Technological Institute" and inserting in place thereof the words: — Southeastern Massachusetts University.

Section 5. Said chapter 15 is hereby further amended by striking out the caption preceding section 21A and inserting in place thereof the following caption: — SOUTHEASTERN MASSACHUSETTS UNIVERSITY.

Section 6. The first sentence of section 21A of said chapter 15, as appearing in section 2 of said chapter 543, is hereby amended by striking out, in line 2, the words "Southeastern Massachusetts Technological Institute" and inserting in place thereof the words: — Southeastern Massachusetts University.

SECTION 2. Said chapter 396 is hereby further amended by striking out sections 9 and 10 and inserting in place thereof the following two sections: —

Section 9. Chapter 75B of the General Laws is hereby amended by striking out the title and inserting in place thereof the following title: — SOUTHEASTERN MASSACHUSETTS UNIVERSITY.

Section 10. Section 1 of said chapter 75B, as amended by section 34 of chapter 572 of the acts of 1965, is hereby further amended by striking out, in line 2, the words "Southeastern Massachusetts Technological Institute" and inserting in place thereof the words: — Southeastern Massachusetts University, — by striking out, in line 9, the words "said university and said institute" and inserting in place thereof the words: — each university, — and by striking out, in lines 10 and 19, respectively, the word "institute" and inserting in place thereof, in each instance, the word: — university.

SECTION 3. Said chapter 396 is hereby further amended by striking out section 21 and inserting in place thereof the following section: —

Section 21. When used in any statute, ordinance, by-law, rule or regulation, the phrase "Southeastern Massachusetts Technological Institute" or any words connoting the same, shall mean the Southeastern Massachusetts University unless a contrary intent clearly appears.

Approved August 13, 1969.

Chap. 685. AN ACT AUTHORIZING THE CITY OF LOWELL TO PERMIT ROBERT C. WILKINS, INC. TO CONNECT A SEWERAGE OUTLET TO THE SEWERAGE SYSTEM OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of chapter eighty-three of the General Laws, the city of Lowell, acting through its

department of public works, shall permit Robert C. Wilkins, Inc., a corporation duly established under the laws of the commonwealth, to connect its sewerage outlet in the town of Dracut to the sanitary sewerage system of the city of Lowell where it runs through land of said Robert C. Wilkins, Inc., in said town of Dracut.

SECTION 2. All costs of installation of the facilities under the provisions of section one of this act shall be borne in full by said Robert C. Wilkins, Inc., and in addition thereto Robert C. Wilkins, Inc. shall, after such installation, pay to the city of Lowell a service charge to be determined by the city of Lowell for the use of the sanitary sewerage system of said city.

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

Approved August 13, 1969.

Chap. 686. AN ACT PROVIDING FOR REIMBURSEMENT BY THE COMMONWEALTH TO THE TOWN OF HALIFAX 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 Halifax, subject to appropriation and subject to the approval of the commissioner of veterans' services, such sum not exceeding seventeen thousand two hundred and eighty-four dollars and sixty-two 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-four, nineteen hundred and sixty-five, nineteen hundred and sixty-six, nineteen hundred and sixty-seven and nineteen hundred and sixty-eight 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 August 13, 1969.

Chap. 687. AN ACT INCREASING THE COMMONWEALTH'S GUARANTEE AND ANNUAL CONTRIBUTIONS TO THE HOUSING OF ELDERLY PERSONS.

Be it enacted, etc., as follows:

Chapter 121 of the General Laws is hereby amended by striking out section 26VV, as most recently amended by chapter 524 of the acts of 1968, and inserting in place thereof the following section: —

Section 26VV. The commonwealth, acting by and through the department of community affairs, may enter into a contract or contracts with a housing authority for state financial assistance in the form of a guarantee by the commonwealth of bonds and notes, or either bonds or notes, of the housing authority issued to finance the cost of a project or projects or a part or parts of a project or projects to provide housing for elderly persons of low income. The amount of bonds and notes, or bonds or notes, guaranteed by the commonwealth under this section shall not exceed two hundred and sixty million dollars. Each contract for state financial assistance shall provide that the commonwealth will pay to the housing authority annual

contributions; provided, however, that the total amount of annual contributions contracted for by the commonwealth for any one year shall not exceed six million five hundred thousand dollars. Each such annual contribution by the commonwealth shall be paid by the commonwealth upon approval and certification by the department of community affairs to the state comptroller. The provisions of sections twenty-six NN and twenty-six OO shall, so far as apt, be applicable to contracts for state financial assistance under this section.

In addition to said annual contribution, the commonwealth shall upon approval and certification by the department of community affairs to the state comptroller pay an additional annual contribution of one and one half per cent of the completion cost during any fiscal year over and above the annual contribution of two and one half per cent of the completion cost permitted under the first paragraph of this section and under sections twenty-six NN and twenty-six OO for any project or projects or a part or parts of a project or projects to provide housing for elderly persons of low income; provided said project or projects have been determined to be complete and eligible to receive such annual contributions by said department; and provided, further, that the commissioner of community affairs finds that the combined revenue and subsidy of such projects is insufficient to meet the cost of operation and debt service. The additional annual contributions authorized under this paragraph shall not in any one year exceed three million nine hundred thousand dollars, over and above the six million five hundred thousand dollars as authorized under the first paragraph.

Approved August 13, 1969.

Chap. 688. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAW RELATIVE TO THE MASSACHUSETTS TURNPIKE AUTHORITY AND ITS REVENUE BONDS.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 3 of chapter 354 of the acts of 1952 is hereby amended by striking out, in lines 2 and 3, the words ", by and with the advice and consent of the council".

SECTION 2. The first paragraph of section 8 of said chapter 354 is hereby amended by striking out the seventh sentence and inserting in place thereof the following sentence: — All bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments, including negotiability of investment securities, under the Uniform Commercial Code.

SECTION 3. Said chapter 354 is hereby amended by striking out section 14 and inserting in place thereof the following section: —

Section 14. Bonds Eligible for Investment. — Bonds issued by the Authority under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments and within the limits set by section fifty-four of chapter one hundred and seventy-two of the General Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a

similar nature, may properly and legally invest funds, including capital in their control or belonging to them, and such bonds are hereby made obligations which may properly and legally be made eligible for the investment of savings deposits and the income thereof in the manner provided by section fifty of chapter one hundred and sixty-eight of the General Laws. Such bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth is now or may hereafter be authorized by law.

SECTION 4. The first sentence of section 15A of said chapter 354, as amended by chapter 528 of the acts of 1968, is hereby further amended by striking out, in line 2, the word "and".

Approved August 13, 1969.

Chap. 689. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAW RELATIVE TO THE MASSACHUSETTS TURNPIKE AUTHORITY'S TUNNEL REVENUE BONDS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 8 of chapter 598 of the acts of 1958 is hereby amended by striking out the seventh sentence and inserting in place thereof the following sentence: — All bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents, including negotiability of investment securities, under the Uniform Commercial Code.

SECTION 2. Section 14 of said chapter 598 is hereby amended by striking out, in line 5, the word "forty" and inserting in place thereof the word: — fifty-four.

Approved August 13, 1969.

Chap. 690. AN ACT PROVIDING CIVIL REMEDIES TO A PERSON INJURED BY ANY ACT OR PRACTICE DECLARED UNFAIR OR DECEPTIVE BY THE CONSUMER PROTECTION ACT.

Be it enacted, etc., as follows:

Chapter 93A of the General Laws is hereby amended by adding the following two sections: —

Section 9. (1) Any person who purchases or leases goods or services primarily for personal, family or household purposes and thereby suffers any loss of money or property, real or personal, as a result of the use or employment by another person of an unfair or deceptive act or practice declared unlawful by section two and by any rule or regulation issued under said section three C may, as hereinafter provided, bring an action in the superior court in equity for damages and such equitable relief, including an injunction, as the court deems to be necessary and proper.

(2) Any persons entitled to bring such action may, if the use or employment of the unfair or deceptive act or practice has caused similar injury to numerous other persons similarly situated and if the court finds in a preliminary hearing that he adequately and fairly represents such other persons, bring the action on behalf of himself and such other

similarly injured and situated persons; the court shall require that notice of such action be given to unnamed petitioners in the most effective practicable manner. Such action shall not be dismissed, settled or compromised without the approval of the court, and notice of any proposed dismissal, settlement or compromise shall be given to all members of the class of petitioners in such manner as the court directs.

(3) At least thirty days prior to the filing of any such action, a written demand for relief, identifying the claimant and reasonably describing the unfair or deceptive act or practice relied upon and the injury suffered, shall be mailed or delivered to any prospective respondent. Any person receiving such a demand for relief who, within thirty days of the mailing or delivery of the demand for relief, makes a written tender of settlement which is rejected by the claimant may, in any subsequent action, file the written tender and an affidavit concerning its rejection and thereby limit any recovery to the relief tendered if the court finds that the relief tendered was reasonable in relation to the injury actually suffered by the petitioner. In all other cases, if the court finds for the petitioner, recovery shall be in the amount of actual damages or twenty-five dollars, whichever is greater; or up to three but not less than two times such amount if the court finds that the use or employment of the act or practice was a willful or knowing violation of said section two or that the refusal to grant relief upon demand was made in bad faith with knowledge or reason to know that the act or practice complained of violated said section two. In addition, the court shall award such other equitable relief, including an injunction, as it deems to be necessary and proper. The demand requirements of this paragraph shall not apply if the prospective respondent does not maintain a place of business or does not keep assets within the commonwealth, but such respondent may otherwise employ the provisions of this section by making a written offer of relief and paying the rejected tender into court as soon as practicable after receiving notice of an action commenced under this section.

(4) If the court finds in any action commenced hereunder that there has been a violation of section two, the petitioner shall, in addition to other relief provided for by this section and irrespective of the amount in controversy, be awarded reasonable attorney's fees and costs incurred in connection with said action; provided, however, the court shall deny recovery of attorney's fees and costs which are incurred after the rejection of a reasonable written offer of settlement made within thirty days of the mailing or delivery of the written demand for relief required by this section.

Section 10. Upon commencement of any action brought under section nine, the clerk of the court shall mail a copy of the bill in equity to the attorney general and, upon entry of any judgment or decree in the action, the clerk of the court shall mail a copy of such judgment or decree to the attorney general.

Any permanent injunction or order of the court made under section four shall be prima facie evidence in an action brought under section nine that the respondent used or employed an unfair or deceptive act or practice declared unlawful by section two.

Approved August 13, 1969.

Chap. 691. AN ACT REQUIRING SCHOOL COMMITTEES TO INDEMNIFY CERTAIN SCHOOL PERSONNEL OTHER THAN TEACHERS FOR EXPENSES OR DAMAGES SUSTAINED BY REASON OF CERTAIN ACTIONS OR CLAIMS INCLUDING CIVIL SERVICE EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 100C, as most recently amended by chapter 143 of the acts of 1968, and inserting in place thereof the following section: —

Section 100C. In addition to the indemnification provided in section one hundred A, a city, town or regional school district, acting by its school committee, shall, out of any funds appropriated for the purpose of this section which appropriation shall be made in the same manner as appropriations for general school purposes, indemnify any person in the employ of its school department in a capacity requiring certification under the provisions of section thirty-eight G of chapter seventy-one, instructional and administrative aides as referred to in section thirty-eight of chapter seventy-one, its civil service employees and all other employees of the school committee for expenses or damages sustained by him by reason of an action or claim against him arising out of his negligence or other act of his resulting in accidental bodily injury to or the death of any person or in accidental damage to or destruction of property, while acting in such capacity, and may, out of any funds so appropriated, indemnify such person in its employ for expenses or damages sustained by him by reason of an action or claim against him arising out of any other acts done by him while acting in such capacity; provided, in either case, that after investigation it shall appear to the school committee that such person was at the time the cause of action or claim arose acting within the scope of his employment; and provided, further, that the defence or settlement of any action or claim for which indemnification is sought under this section shall have been made by the city solicitor, town counsel or legal counsel for the district upon request of the school committee, or, if the town has no town counsel or the district has no legal counsel, by an attorney employed for the purpose by the school committee, or, if such solicitor or counsel upon such request or such attorney upon such employment fails or refuses to defend such action or claim, by an attorney employed by such person.

Approved August 13, 1969.

Chap. 692. AN ACT RELATIVE TO FINDINGS OF FACT AND REPORTS FROM THE APPELLATE TAX BOARD.

Be it enacted, etc., as follows:

Section 13 of chapter 58A of the General Laws is hereby amended by inserting after the third sentence the following sentence: — If no party requests such findings and report, all parties shall be deemed to have waived all rights of appeal to the supreme judicial court upon questions as to the admission or exclusion of evidence, or as to whether a finding was warranted by the evidence. *Approved August 13, 1969.*

Chap. 693. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO CONVEY A CERTAIN PARCEL OF LAND TO THE CITY OF WALTHAM.

Be it enacted, etc., as follows:

The commissioner of mental health, acting for and on behalf of the commonwealth, is hereby authorized and directed to sell and convey to the city of Waltham, for recreational purposes, at a price to be determined by the commissioner of administration, by deed approved as to form by the attorney general, all the right, title and interest of the commonwealth in and to four acres of land north of Trapelo road and east of the entrance road on land of the Metropolitan state hospital.

The metes and bounds of said four acres of land are to be determined by mutual consent of the commissioner of mental health and the city of Waltham and are then to be described in the deed at the time of conveyance, said conveyance shall be subject to such conditions and restrictions as the commissioner of mental health may deem advisable, including a provision that title to such land shall revert to the commonwealth if such conditions and restrictions are not complied with within a period of five years thereafter. *Approved August 13, 1969.*

Chap. 694. AN ACT INCREASING THE MAXIMUM ALLOWABLE WEIGHT OF CERTAIN TRAILERS ON WAYS WITHIN THE COMMONWEALTH WITHOUT A PERMIT.

Be it enacted, etc., as follows:

The first paragraph of section 19 of chapter 90 of the General Laws is hereby amended by striking out the fourth sentence, as most recently amended by chapter 479 of the acts of 1967, and inserting in place thereof the following sentence:—Except as provided in this section, no trailer which with its load weighs more than five thousand pounds, other than a semitrailer, a heavy duty platform trailer, a cable-reel trailer, a house trailer, or a trailer which is an apparatus or other object on wheels not used to transport other things for delivery, shall be operated or drawn on any way without a permit so to operate from the board or officer having charge of such way or, in case of a state highway or a way determined by the department of public works to be a through route, from said department.

Approved August 13, 1969.

Chap. 695. AN ACT ESTABLISHING THE GEORGE R. WALLACE, JR., CIVIC CENTER AND THE ALICE G. WALLACE PLANETARIUM, INC.

Be it enacted, etc., as follows:

SECTION 1. William G. Flynn, Matthias Pappas and George R. Wallace, Jr., all of the city of Fitchburg, their associates, successors and assigns are hereby constituted a body corporate under the name of George R. Wallace, Jr. Civic Center and the Alice G. Wallace Planetarium, Inc. for the sole purpose of establishing and maintaining a civic center and planetarium in the city of Fitchburg to be known as the George R. Wallace, Jr. Civic Center and the Alice G. Wallace Planetarium.

SECTION 2. Said corporation shall not construct any buildings, other than the original building housing the civic center and planetarium, without the prior approval of the city council and the mayor of said city.

SECTION 3. As of December twenty-two, nineteen hundred and sixty-nine, there shall be established a board of trustees of said corporation consisting of fifteen members, together with the mayor and the president of the city council who shall be trustees ex officiis during the terms of their respective offices with the right to vote, of whom the mayor shall be ex officio chairman. Said trustees, except the mayor and the president of the city council, shall be appointed in the first instance by the mayor subject to the approval of the city council. Three of said members to be so appointed may be other than residents of the city of Fitchburg, and the term of office of those appointed shall, except as to the mayor and the president of the city council, be as follows: Five members who shall hold office for the term of one year from the twenty-second day of December, nineteen hundred and sixty-nine, five members who shall hold office for the term of two years from the twenty-second day of December, nineteen hundred and sixty-nine, and five members who shall hold office for the term of three years from the twenty-second day of December, nineteen hundred and sixty-nine, all of whom shall severally hold office for the terms for which they are appointed and until their successors are duly elected. Thereafter such trustees shall elect each class in succession for the term of three years. Nine members of the board shall constitute a quorum except that in the election or removal of trustees, an affirmative vote of two thirds of the trustees shall be required. Whenever a vacancy shall occur in the board of trustees by reason of the death, resignation or otherwise of the members so elected, the remaining trustees shall fill the vacancy for the unexpired term. If the board of trustees shall fail for three months to elect its members in accordance with the provisions of this act, the city council of the city of Fitchburg shall forthwith proceed to an election. No member of the board as such shall receive compensation for his services. The city of Fitchburg is hereby authorized to place in trust in the hands of the trustees of said corporation all funds, gifts and bequests which are or may be held by it for the purpose of establishing and maintaining said civic center and planetarium, especially all sums it may from time to time receive. Said corporation shall, upon the acceptance of this act by the city council as hereinafter provided, receive and hold all past and future bequests and gifts that may be made for the maintaining of said civic center and planetarium, and the same shall be appropriated, held and used by said corporation for the sole use and purpose aforesaid as a trust in behalf of and for the inhabitants of the city of Fitchburg. Said trustees shall render to the city council annually, with a copy being furnished to the city auditor, in the month of January a report of their proceedings, with a statement of the condition of the civic center and planetarium, the property and funds pertaining to the same, with an accurate account of all receipts and expenditures, together with such other information or suggestions they may deem desirable or the city council may at any time require.

SECTION 4. Said trustees shall appoint a treasurer who need not be a member of the board, and shall require of him a bond with satisfactory

sureties in the penal sum of not less than twenty-five thousand dollars for the faithful discharge of his duties, and his books of accounts and vouchers shall at all times be open to the trustees aforesaid, or any one of them. The trustees shall appoint a clerk who need not be a member of the board whose duty it shall be to keep a full and fair record of the proceedings of the board, and to discharge such other duties as they shall from time to time prescribe. The compensation of the treasurer and clerk shall be fixed by the board of trustees.

SECTION 5. The trustees shall have full power to elect such other officers, as they may from time to time think necessary or expedient, and to determine the tenure of their offices, and of those of the treasurer and clerk, and shall have the right to employ managers, supervisors and other employees as they deem necessary for the operation and maintenance of said civic center and planetarium; to remove any trustee who shall be incapable through age, infirmity or otherwise for the discharge of his duties as said trustee, or who by unreasonable absence from the meetings of the board shall fail to discharge the duties of his office, and generally to do all acts and things necessary or expedient to be done for the purpose of carrying into full effect the provisions and purposes of this act.

SECTION 6. It shall be the duty of the trustees to safely and securely invest, or reinvest, any funds which exceed the cost of operation and maintenance of said civic center and planetarium plus a reasonable amount set up as a reserve for contingencies.

SECTION 7. This act shall take effect upon its acceptance by the city of Fitchburg prior to December twenty-two, nineteen hundred and sixty-nine.

SECTION 8. Nothing in this act shall be held to alter or impair any of the provisions of the gift to said city made by George R. Wallace, Jr. All matters relating to the design and construction of the center shall be vested in a construction committee consisting of three members of the body corporate established in section one. The corporation established by this act, acting through its trustees and proper officers, shall be deemed the agent of said city of Fitchburg for the proper execution of the terms of the gift. Nothing in this act shall be construed as releasing the city of Fitchburg from any obligation arising from the acceptance of said gift or from any condition made therein. Said William G. Flynn is hereby authorized and empowered to prescribe the time and place for the holding of the first meeting of said trustees and to notify them thereof. *Approved August 13, 1969.*

Chap. 696. AN ACT RELATIVE TO THE DISPOSITION OF STATE FUNDS ALLOCATED TO THE METROPOLITAN DISTRICT COMMISSION TO COVER THE COST OF ITS SEWERAGE PROGRAM.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 565 of the acts of 1966 is hereby amended by inserting after the third paragraph the following paragraph: —

In case state funds or state assistance is made available to the commission for projects authorized by this act, such funds or assistance shall be used without further appropriation, notwithstanding the provisions

of any general or special law to the contrary, in lieu of the issuance of bonds authorized by this act, and the total amount of the bonds authorized by this act shall be reduced by the amount of the state funds or assistance so received.

SECTION 2. Section 1 of chapter 837 of the acts of 1967 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

In case federal funds or federal assistance is made available to the commonwealth for projects authorized by this act, or state funds or state assistance is made available for such projects, such funds or assistance shall be in addition to the sums herein authorized; provided, that such funds when received shall be deposited in the state treasury and be available for expenditure subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

Approved August 13, 1969.

Chap. 697. AN ACT VALIDATING CERTAIN ACTS OF THE BOARD OF APPEALS OF THE CITY OF TAUNTON.

Be it enacted, etc., as follows:

All acts, orders, findings, decisions and other things with respect to zoning matters done or made on or before the seventh day of July, nineteen hundred and sixty-four, by the board of appeals established under the building code of the city of Taunton shall be deemed to be of such force and effect and fully as lawful, valid and enforceable as if said board had been, at the time of making the same, duly established by due ordinance, and duly appointed, qualified, and acting as the board of appeals provided for by chapter forty A of the General Laws, as amended; and no such act, order, finding, decision or other thing so done or made shall be held or deemed invalid on account of any failure to establish said board by due ordinance, or duly to appoint and qualify the members thereof.

Approved August 13, 1969.

Chap. 698. AN ACT INCREASING THE AUTHORITY OF THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO BORROW MONEY FOR PLANNING, CONSTRUCTING, EQUIPPING AND FURNISHING AN ADDITION TO AND FOR THE ALTERATION OF THE DISTRICT COURT OF LOWELL.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 542 of the acts of 1967 is hereby amended by striking out, in lines 11 and 12, the words "one million three hundred" and inserting in place thereof the words: — one million five hundred and fifty.

SECTION 2. Section 2 of said chapter 542 is hereby amended by striking out, in line 4, the words "one million three hundred" and inserting in place thereof the words: — one million five hundred and fifty.

Approved August 13, 1969.

Chap. 699. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAW ESTABLISHING A PARKING COMMISSION IN THE CITY OF LAWRENCE, ESTABLISHING THE TERM OF OFFICE OF THE MEMBERS THEREOF, AND INCREASING THE LIMIT OF BORROWING FOR ITS PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The definition of "Cost of the parking facility" and "cost" in section 2 of chapter 518 of the acts of 1968 is hereby amended by striking out, in lines 8 and 9, the words ", interest on revenue bonds prior to and during construction and for a period of not exceeding one year after completion thereof".

SECTION 2. Said section 2 of said chapter 518 is hereby further amended by striking out the definition of "Current expenses" and inserting in place thereof the following definition: —

"Current expenses", the amount of reasonable and necessary current expenses in maintaining, repairing and operating any parking facility or parking system and shall in any event include, without limiting the generality of the foregoing, ordinary and usual expenses of maintenance and repair, including expenses not annually recurring, engineering expenses relating to operation and maintenance, insurance premiums after completion of construction, administrative and legal expenses after such completion, the reasonable costs of policing the parking facility or system which may be expressed as a specified amount or percentage of parking fees from parking meters on public ways included in such system to be paid to the city treasurer and used to meet the cost of police supervision.

SECTION 3. Said section 2 of said chapter 518 is hereby further amended by striking out the definition of "General obligation bond" and the definition of "Revenue bond".

SECTION 4. Section 3 of said chapter 518 is hereby amended by striking out the first and second paragraphs and inserting in place thereof the following three paragraphs:—

There shall be in the city of Lawrence a parking commission for the purpose of establishing and maintaining and operating a parking facility or facilities. The commission shall consist of five members to be appointed by the mayor for a term of five years subject to confirmation by the city council. Any member of the parking commission shall be eligible for reappointment. Each member of the parking commission before entering upon his duties shall take an oath before the city clerk to administer the duties of his office faithfully and impartially, and a record of such oaths shall be filed in the office of the city clerk.

The commission shall select a chairman from among its members, who shall hold office for such term as may be provided in the rules of the commission, adopted pursuant to section four. Three members of the commission shall constitute a quorum and the affirmative vote of three members shall be necessary for any action taken by the commission. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all of the rights and perform all of the duties of the commission.

Members of the commission shall serve without compensation, but shall be allowed their reasonable and necessary expenses incurred in the performance of their duties as such members.

SECTION 5. Clause (e) of section 4 of said chapter 518 is hereby amended by striking out, in line 6, the words ", resolution or trust agreement".

SECTION 6. Said section 4 of said chapter 518 is hereby further amended by striking out clause (*i*) and inserting in place thereof the following clause: —

(*i*) in the name and on behalf of the city, to enter into contracts with any federal agency or with the commonwealth or any agency or instrumentality thereof, or with any other city, town or district, private corporation, partnership, association or individual providing for or relating to any parking facility or parking system under its jurisdiction, control or supervision;.

SECTION 7. Section 6 of said chapter 518 is hereby amended by striking out, in lines 4 and 5, the words ", or by any resolution or trust agreement relating to revenue bonds,".

SECTION 8. Section seven of said chapter five hundred and eighteen is hereby repealed.

SECTION 9. Said chapter 518 is hereby further amended by striking out section 8 and inserting in place thereof the following section: —

Section 8. For the purposes of this act, the city may from time to time issue bonds or notes to an amount not exceeding, in the aggregate, four million dollars. Such bonds or notes shall bear on their face the words, City of Lawrence Parking Facilities Loan, Act of 1968. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Debt incurred from time to time under this act shall be outside the statutory limit of indebtedness prescribed in section ten of chapter forty-four of the General Laws, but shall, except as herein provided, be subject to other provisions of said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 10. Said chapter 518 is hereby further amended by striking out section 9 and inserting in place thereof the following section: —

Section 9. The parking commission is hereby authorized and empowered to expend from the proceeds of bonds or notes issued under authority of section eight of this act for paying all or any part of the cost of a parking facility or parking facilities or any part or parts thereof provided that the city council shall (*i*) establish the parking system in which such facility or facilities will be a part, (*ii*) determine that the estimated cost of such facility or facilities is reasonable.

SECTION 11. Said chapter 518 is hereby further amended by striking out section 10 and inserting in place thereof the following section: —

Section 10. The city council is hereby authorized and the city council may authorize the parking commission to fix, revise, charge and collect just and equitable fees for the use of any parking system or part thereof including any parking facility financed hereunder. The fees fixed or revised need not be uniform throughout the system but shall take into account the primary purpose of relieving traffic congestion and encouraging free circulation of traffic throughout the city.

SECTION 12. Section eleven of said chapter five hundred and eighteen is hereby repealed.

SECTION 13. Notwithstanding any provision of law to the contrary, the members of the parking commission of the city of Lawrence appointed under the provisions of section three of said chapter five hundred

and eighteen, as in effect immediately prior to the effective date of this act, shall remain in office until February first, nineteen hundred and seventy, whereupon their membership shall terminate.

SECTION 14. The terms of the members first appointed to the parking commission of the city of Lawrence under the provisions of section three of chapter five hundred and seventy-eight of the acts of nineteen hundred and sixty-eight, as amended by section four of this act, shall commence on February first, nineteen hundred and seventy and shall expire on February first, nineteen hundred and seventy-one, nineteen hundred and seventy-two, nineteen hundred and seventy-three, nineteen hundred and seventy-four and nineteen hundred and seventy-five, respectively, and their successors shall be appointed for a full term of five years.

SECTION 15. This act shall take effect upon its passage.

Approved August 14, 1969.

Chap. 700. AN ACT PROVIDING FOR THE REPLACEMENT OF CERTAIN TABLETS ON THE SOUTHEAST EXPRESSWAY IN THE CITY OF QUINCY.

Be it enacted, etc., as follows:

The department of public works is directed to place suitable granite cornerstone implacements at the following memorial bridges and overpass in that part of Quincy known as West Quincy at the Southeast Expressway to replace stolen bronze plaques formerly placed at said bridges and overpass:

(1) Sooren M. Alemian Bridge on Steadman Street;

(2) James E. Keenan Memorial Bridge at the intersection of Bates, Robertson and Upland Streets;

(3) P.F.C. Daniel Marini Bridge at Willard Street;

(4) Staff Sergeant Matthew Paul DeLuca Memorial Bridge at Furnace Brook Rotary; and

(5) P.F.C. Roger F. Schneider Overpass at West Street.

Approved August 14, 1969.

Chap. 701. AN ACT PROHIBITING CERTAIN ACTION AGAINST A TENANT IN RETALIATION FOR REPORTING SUSPECTED SANITARY OR BUILDING CODE VIOLATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 186 of the General Laws is hereby amended by adding the following section: —

Section 18. Any person or agent thereof who threatens to or takes reprisals against any tenant of residential premises for reporting to the board of health or, in the city of Boston, to the commissioner of housing inspection or to any other board having as its objective the regulation of residential premises a violation or a suspected violation of any health or building code or of any other municipal by-law or ordinance, or state law or regulation which has as its objective the regulation of residential premises shall be liable for damages which shall not be less than one month's rent or more than three months' rent, or the actual damages

sustained by the tenant, whichever is greater, and the costs of the suit, including a reasonable attorney's fee.

The receipt of any notice of termination of tenancy except for non-payment of rent or of increase in rent or of any substantial alteration in the terms of tenancy within six months after making a report or complaint of violations or suspected violations of any health or building code, municipal by-law or ordinance, or state law or regulation which has as its objective the regulation of residential premises shall create a rebuttable presumption that such notice is a reprisal against the tenant for making such report or complaint.

SECTION 2. Chapter 239 of the General Laws is hereby amended by inserting after section 2 the following section: —

Section 2A. It shall be a defense to an action for summary process that such action was in reprisal for the act of the tenant for reporting a violation or suspected violation of law, as provided in section eighteen of chapter one hundred and eighty-six. The commencement of such action against a tenant within six months after the making of such report by said tenant shall create rebuttable presumption that such action is a reprisal against the tenant for making such report.

Approved August 14, 1969.

Chap. 702. AN ACT PROVIDING THAT MILITARY SERVICE PERFORMED BY A CERTAIN EMPLOYEE OF THE DEPARTMENT OF PUBLIC UTILITIES SHALL COUNT AS CREDITABLE SERVICE FOR PURPOSES OF RETIREMENT.

Be it enacted, etc., as follows:

For purposes of retirement, the state retirement board shall add to the creditable service of George F. Keegan, an employee of the department of public utilities, the period of time from October first, nineteen hundred and thirty-seven, the date of certification of said employee by the civil service commission, to the date in nineteen hundred and forty-three on which he was appointed as an employee of said department, during which period said Keegan was in the military service of the United States. *Approved August 14, 1969.*

Chap. 703. AN ACT PROVIDING THAT ANY MUNICIPALITY MAY PARTICIPATE IN THE SCHOOL LUNCH PROGRAM FOR ELDERLY PERSONS AND EXTENDING THE TIME DURING WHICH SAID PROGRAM SHALL BE OPERATIVE.

Be it enacted, etc., as follows:

SECTION 1. The school committee of any city or town or any private school designated by the division of social and economic opportunity in the department of community affairs may extend the school lunch period for the purpose of serving lunches to needy elderly persons, subject to the following conditions and restrictions:

(1) The charge to such persons for each lunch shall not exceed fifty cents.

(2) The lunches served shall meet the nutritional standards established by the department of education.

(3) The procedure determined by such school committee or such private school in serving such lunches shall be approved by the division of social and economic opportunity in the department of community affairs and the office of school lunch programs and nutrition education in the department of education.

(4) The division of social and economic opportunity in the department of community affairs shall provide each such person with an identification card certifying his eligibility to participate in such lunch program.

As used in this section the words "needy elderly persons" shall mean persons over fifty-nine years of age whose monthly income and liquid assets do not exceed the limitations established for medical assistance for the aged in the commonwealth. The commonwealth may, subject to appropriation, reimburse any city or town or such private school for such costs, excluding any costs for equipment, as are incurred in excess of fifty cents for each such lunch, upon written request by such city or town or such private school to the commissioner of education on such form as he may prescribe. If the commissioner approves such request, he shall certify to the comptroller that such payments are due and the state treasurer shall pay the same. No expenditure of funds shall be made under this act unless there is allocated for the purposes of this program at least seven thousand five hundred dollars annually by the federal government.

SECTION 2. Chapter eight hundred and fifty-five of the acts of nineteen hundred and sixty-seven is hereby repealed.

SECTION 3. The provisions of section one shall cease to be operative on June thirtieth, nineteen hundred and seventy-two.

Approved August 14, 1969.

Chap. 704. AN ACT ESTABLISHING A GOVERNOR'S CABINET.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by adding after section 17, under the caption GOVERNOR'S CABINET, the following section:—

Section 17A. There is hereby established a cabinet, which shall serve directly under the governor. The cabinet shall consist of the secretary of administration, the secretary of communities and development, the secretary of consumer affairs, the secretary of educational affairs, the secretary of environmental affairs, the secretary of human services, the secretary of manpower affairs, the secretary of public safety, the secretary of transportation and construction and such other officers of the executive department as the governor may from time to time designate.

SECTION 2. The first paragraph of section 65 of said chapter 6, as amended by section 1 of chapter 766 of the acts of 1955, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:—One member, to be designated by the governor, shall be the chairman of the board and the director of the division of youth service, established under section four A of chapter one hundred and twenty.

SECTION 3. The General Laws are hereby amended by inserting after chapter 6 the following chapter:—

CHAPTER 6A.

EXECUTIVE OFFICES.

Section 1. The following terms, as used in this chapter, shall, unless the context requires otherwise, have the following meanings:—

"Secretary", the head of an executive office established under section two.

"State agency", any department, office, commission, committee, council, board, division, bureau, institution, officer or other agency within the executive department.

Section 2. There are hereby established the following executive offices, each of which shall serve directly under the governor:—communities and development, consumer affairs, educational affairs, environmental affairs, human services, manpower affairs, public safety and transportation and construction.

Section 3. Each of said executive offices shall be headed by a secretary, who shall be appointed by and serve at the pleasure of the governor. The secretary shall receive such salary as the governor may determine, and shall devote his full time to the duties of his office.

Section 4. Each secretary shall act as the executive officer of the governor for accomplishing the purposes of his executive office. He shall conduct comprehensive planning with respect to the functions of said office and coordinate the activities and programs of the state agencies therein. He shall conduct studies of the operations of said agencies with a view to effecting improvements in administrative organization, procedures and practices, and to promoting economy, efficiency, and avoiding useless labor and expenses in said agencies. He shall from time to time recommend to the governor such changes as he shall deem desirable in the laws relating to the organization, structure, efficiency or administrative functions, services, procedures and practices of any such agency or agencies. He shall review and act upon budgetary and other financial matters concerning said agencies in accordance with sections two C, three, three A, four, nine B and twenty-nine of chapter twenty-nine.

Section 5. The secretary shall have access to all records, as defined in section forty-two of chapter thirty, in the custody of all state agencies within his executive office, except where such access is prohibited by law. Such agencies shall furnish him with copies of all reports, notices and other documents which they are required by law to submit to the governor, the general court or any state agency, and with all other information requested by the secretary for the purpose of discharging the duties of his office.

Section 6. The secretary may, subject to the approval of the commissioner of administration, apply for and accept on behalf of the commonwealth any funds, including grants, bequests, gifts or contributions, from any person. Such funds shall be deposited in a separate account with the state treasurer and received by him on behalf of the commonwealth. All such funds may, subject to rules and regulations promulgated by the commissioner of administration, be expended by the secretary, in accordance with law.

Section 7. Subject to appropriation, the secretary may, without regard to chapter thirty-one but subject to the approval of the governor, appoint such experts, technical consultants and other assistants in his executive office as he shall deem necessary to perform the functions of said office; provided, that the provisions of section nine A of chapter thirty shall not apply to any person holding any such appointment.

Every person so appointed to any supervisory position in said office shall have experience and skill in the field of the functions of such position. So far as practicable in the judgment of the secretary, appointments to such positions shall be made by promoting employees of the commonwealth serving in positions which are classified under chapter thirty-one; and in every such instance, and in every instance of an employee so promoted from a position in which at the time of promotion he shall have tenure by reason of section nine A of chapter thirty, upon termination of his service in such unclassified supervisory position, the employee shall, if he shall so request, be restored to the classified position from which he shall have been promoted, or to a position equivalent thereto in salary grade in the same state agency, without impairment of his civil service status or his tenure by reason of said section nine A or loss of the seniority, retirement and other rights to which uninterrupted service in the classified position would have entitled him; provided, however, that if his service in such unclassified supervisory position shall have been terminated for cause, his right to be so restored shall be determined by the civil service commission in accordance with the standards applied by said commission in administering chapter thirty-one.

EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.

Section 8. There shall be within the executive office of communities and development the following state agencies: the department of commerce and development and all other state agencies within said department; the department of community affairs and all other state agencies within said department; the mobile homes commission; the metropolitan area planning council; the committee on law enforcement and the administration of criminal justice; and the American and Canadian French cultural exchange commission.

Nothing in this section shall be construed as conferring any powers or imposing any duties upon the secretary with respect to the foregoing agencies except as expressly provided by law.

EXECUTIVE OFFICE OF CONSUMER AFFAIRS.

Section 9. There shall be within the executive office of consumer affairs the following state agencies: the department of public utilities and all other state agencies within said department; the department of banking and insurance and all other state agencies within said department, including the small loans regulatory board and the trustees of the General Insurance Guaranty Fund; the division of registration established by section eight of chapter thirteen, including the several boards of registration serving therein, and the approving authority established by section two of chapter one hundred and twelve; the alcoholic beverages control commission; the consumer

council; the state racing commission; the division of milk control and the milk control commission; and the health, welfare and retirement trust funds board.

Nothing in this section shall be construed as conferring any powers or imposing any duties upon the secretary with respect to the foregoing agencies except as expressly provided by law.

Section 10. There shall be a division of standards within the executive office of consumer affairs.

Section 11. The secretary, with the approval of the governor, shall appoint a director of standards and, with like approval, may remove him. Said director shall have charge of the division of standards and shall, in addition to the powers and duties conferred and imposed upon him by law, perform such other duties as may be assigned to him by the secretary.

Section 12. Except as otherwise provided, the secretary may employ and remove such inspectors, investigators, clerks and other assistants as the work of the division of standards may require. He may employ, for periods not exceeding ninety days, such experts as may be necessary to assist said division in the performance of any duty imposed upon it by law, and such employment shall be exempt from chapter thirty-one.

Section 13. The director of standards, and all inspectors and other permanent employees of the division of standards, shall devote their whole time to the affairs of said division. Said director, all such inspectors and such other employees of said division as may be designated by the secretary shall, before entering upon their duties, be sworn to the faithful performance thereof.

All such inspectors shall aid the director of standards in the performance of his duties, shall have all necessary powers therefor and shall give bond for the faithful performance of their duties. Whoever hinders, obstructs or in any way interferes with said director or any such inspector in the performance of any official duty imposed by law shall, except as otherwise provided, be punished by a fine of not more than three hundred dollars or by imprisonment for not more than two months.

EXECUTIVE OFFICE OF EDUCATIONAL AFFAIRS.

Section 14. There shall be within the executive office of educational affairs the following state agencies: the department of education and all other state agencies within said department, including the board of higher education, the advisory commission to the board of higher education, the Massachusetts board of regional community colleges, the council on the arts and humanities, the executive committee for educational television established by section thirteen F of chapter seventy-one, and the higher education facilities commission established by chapter three hundred and eighty-eight of the acts of nineteen hundred and sixty-four; the Massachusetts educational communications commission established by section one hundred and fifty-eight of chapter six; the art commission established by section nineteen of said chapter; and the board of trustees of the state library.

Nothing in this section shall be construed as conferring any powers or imposing any duties upon the secretary with respect to the foregoing agencies except as expressly provided by law.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Section 15. There shall be within the executive office of environmental affairs the following state agencies: the department of agriculture and all state agencies within said department, including the state reclamation board established by section two of chapter two hundred and fifty-two but excluding the division of milk control and the milk control commission; the department of natural resources and all other state agencies within said department, including the division of fisheries and game, the fish and game board, the division of water resources and the water resources commission and any division subordinate thereto; the metropolitan district commission; the outdoor advertising division and outdoor advertising board; the committee to keep Massachusetts beautiful; the milk regulation board; the weather amendment board; the World War II memorial commission; the Mount Tom state reservation commission, established by chapter two hundred and sixty-four of the acts of nineteen hundred and three; the Deer Hill state reservation commission, established by chapter five hundred and forty of the acts of nineteen hundred and seven; the Mount Sugar Loaf state reservation commission, established by chapter five hundred and forty-one of the acts of nineteen hundred and seven; the Mount Everett reservation commission, established by chapter five hundred and seventy-one of the acts of nineteen hundred and eight; the Purgatory Chasm state reservation commission, established by chapter three hundred and twenty-seven of the acts of nineteen hundred and nineteen; and the Walden Pond state reservation commission, established by chapter four hundred and ninety-nine of the acts of nineteen hundred and twenty-two.

Nothing in this section shall be construed as conferring any powers or imposing any duties upon the secretary with respect to the foregoing agencies except as expressly provided by law.

EXECUTIVE OFFICE OF HUMAN SERVICES.

Section 16. The following state agencies are hereby declared to be within the executive office of human services: the department of public health and all other state agencies within said department, including the commission on hypertension, the drug addiction rehabilitation board, the board of review established by section five E of chapter one hundred and eleven, and the several advisory councils established by sections two B, four D, four F and fifty-five of said chapter; the department of public welfare and all other state agencies within said department; the department of mental health, including the several advisory councils established by sections eleven, twelve and sixteen of chapter nineteen, the several institutions within said department and their boards of trustees, and all other state agencies within said department; the department of correction, including the parole board and all other state agencies within said department; the advisory council on home and family; the commissioner of veterans' services; the boards of trustees of the Soldiers' Home in Massachusetts and the board of trustees of the Soldiers' Home in Holyoke; the youth service board; the advisory committee on service to youth; the division of youth service, including the several institutions within said

division; the Massachusetts rehabilitation commission and the advisory council; the boxers' fund board; the health and welfare commission; and the Massachusetts commission for the blind and its advisory board, and all other state agencies within said commission.

Nothing in this section shall be construed as conferring any powers or imposing any duties upon the secretary with respect to the foregoing agencies except as expressly provided by law.

EXECUTIVE OFFICE OF MANPOWER AFFAIRS.

Section 17. The following state agencies are hereby declared to be within the executive office of manpower affairs: the department of labor and industries and all other state agencies within said department, including the division of employment security, the state advisory council and board of review, the division of industrial accidents, the industrial accident rehabilitation board, and the labor relations commission, but excluding the division of standards and the health, welfare and retirement trust funds board; the minimum wage commission established by section two of chapter one hundred and fifty-one; the investment board established by section fifty-seven of chapter one hundred and fifty-one A; and the commission on employment of the handicapped.

Nothing in this section shall be construed as conferring any powers or imposing any duties upon the secretary with respect to the foregoing agencies except as expressly provided by law.

EXECUTIVE OFFICE OF PUBLIC SAFETY.

Section 18. The following state agencies are hereby declared to be within the executive office of public safety: the department of public safety and all other state agencies within said department, including the several boards established by sections eleven A, thirteen, thirteen A and fourteen of said chapter; the boards established by sections seventy-one A and seventy-one H of chapter one hundred and forty-three, and the board of schoolhouse structural standards established by section one of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-five; the registry of motor vehicles, including the division of motorboats; the governor's highway safety committee; and the Massachusetts police training council.

Nothing in this chapter shall be construed as conferring any powers or imposing any duties upon the secretary with respect to the foregoing agencies except as expressly provided by law.

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION.

Section 19. The following state agencies are hereby declared to be within the executive office of transportation and construction: the department of public works, including the government center commission established by section one of chapter six hundred and thirty-five of the acts of nineteen hundred and sixty, and all other state agencies within said department except the registry of motor vehicles, the division of motorboats, the outdoor advertising division, and outdoor advertising board; and the Massachusetts aeronautics commission.

The Massachusetts Bay Transportation Authority, the Massachusetts Port Authority and the Massachusetts Turnpike Authority shall also be within the executive office of transportation and construction.

Nothing in this chapter shall be construed as conferring any powers or imposing any duties upon the secretary with respect to the foregoing agencies and authorities except as expressly provided by law.

Section 20. There shall be a bureau of building construction within the executive office of transportation and construction. The secretary shall be responsible for the exercise of all powers and the performance of all duties assigned by law to said bureau, which shall be under his direction, control and supervision.

Section 21. The secretary, with the approval of the governor, shall appoint a director of building construction and may, with like approval, remove him for cause. Said director shall be a person of ability and experience and shall devote his entire time to the duties of his office. Said director shall be the chief engineer of the bureau of building construction. No person shall be appointed director or deputy director of said bureau unless at the time thereof he shall be registered by the commonwealth as an architect or professional engineer pursuant to the provisions of chapter one hundred and twelve and shall have proven ability and extended experience in the design and construction of buildings. The positions of director of building construction and deputy director of building construction shall be subject to the provisions of chapter thirty-one.

The secretary shall appoint all other officers and employees in said bureau, and all such appointments shall be made in accordance with chapter thirty-one.

Section 22. Except as otherwise provided in this section or by any appropriation act of the general court, the director of building construction shall, in the manner and to the extent provided by this chapter, have control and supervision of all building construction projects, as hereinafter defined, which may be undertaken by the commonwealth. Such projects shall embrace each project, (1) which shall be financed in whole or in part by appropriation, bond issue or federal funds; (2) the estimated cost of which shall exceed ten thousand dollars; and (3) which shall be so undertaken for construction of any building and appurtenant structures, facilities and utilities, including original equipment and furnishings thereof. Such projects shall also include any project the estimated cost of which shall exceed ten thousand dollars for the alteration, repair or addition to any existing building and appurtenant structure, facility and utility; provided such alteration, repair or addition requires alteration of the structural or mechanical design of the building, structure or utility; and provided, further, that original requests for such projects shall be made to the director. Such projects shall not include projects involving the ordinary repair or maintenance of such buildings, structures or utilities not requiring structural or mechanical alterations, and responsibility for such repair or maintenance projects shall rest with the operating agency unless otherwise specified by the act in which funds for the project are appropriated. Such projects shall not include any project undertaken by or on behalf of any city or town or other local authority, or appurtenant buildings or structures which are

required to be constructed as integral parts of the development or improvement of sewer, water and highway systems.

The secretary may after consultation with said director and the agency for which the project shall be undertaken, hereinafter in this chapter called the operating agency, direct that any such project shall be undertaken by the operating agency free from the control and supervision of said director, subject, however, to the following conditions: (1) that, so far as feasible, the standard contract documents and specifications referred to in section thirteen shall be used in connection with the project; (2) that no person shall be engaged as a designer on the project who shall not have the qualifications required by section thirty B of chapter seven; (3) that the operating agency shall file with said director certified copies of the working plans and specifications for the project and of all changes therein; (4) that the secretary may at any time or times add such other conditions to such exemption as in his opinion would benefit the commonwealth; and (5) that the secretary shall transfer from the bureau of building construction to the operating agency the funds available for the project.

For the purposes of sections thirty-one to thirty-eight, inclusive, the word "project" or "projects" shall mean any project which shall, in accordance with this section, be subject to the control and supervision of said director.

Section 23. The contract which the director of building construction shall make with the designer appointed under section thirty B of chapter seven shall provide, among other appropriate terms, that the designer: (1) shall, in consultation with the operating agency and subject to its initial approval, prepare plans and specifications for the project for submission to said director for the latter's approval; (2) shall, so far as feasible, use standard contract documents and specifications which said director shall have prepared and made available in the bureau of building construction; (3) shall be charged with general supervision of construction of the project; (4) shall appoint and employ a qualified clerk-of-the-works for the project who shall be approved by the director, shall devote full time to the work of the project, oversee continuously the detail of construction, keep informed at all times of the financial status of the project, and make such investigations for and reports and recommendations to the designer or the director as either may require; and (5) shall, subject to the approval of said director, be currently reimbursed for all expenses incurred in connection with the employment of such clerk-of-the-works.

No person shall be so appointed and employed as clerk-of-the-works unless at the time thereof: (1) he shall be registered by the commonwealth as an architect or professional engineer under the provisions of chapter one hundred and twelve, shall have had at least five years experience in the construction and supervision of construction of buildings for an architectural, engineering or construction firm or association, and shall have proven ability to estimate construction costs and to keep accurate records and accounts thereof; or (2) if not so registered, he shall have had at least ten years of such experience and shall have such proven ability to estimate construction costs and to keep records and accounts thereof.

If the designer shall not, within thirty days following final approval of the plans and specifications for the project, so appoint and employ such a clerk-of-the-works, the director shall, on behalf of the commonwealth, appoint and contract with a qualified clerk-of-the-works for the project; provided, however, that the director may exempt any project from the necessity of having a clerk-of-the-works or of having a clerk-of-the-works who shall have the qualifications required by this section, if in his opinion such exemption would benefit the commonwealth.

Section 24. No obligation shall be incurred or payment made for preparation of any plans or specifications for any project without the prior approval of the director of building construction; and no plans or specifications, other than preliminary plans or specifications, shall be prepared until a special appropriation by the general court shall have been made therefor or for the project or until federal funds or assistance shall have been made available therefor in accordance with this chapter. No other obligation shall be incurred or payment made in connection with any project until such obligation or payment shall have been approved in accordance with this chapter.

Working plans and specifications for each project shall, following initial approval thereof by the operating agency, be submitted by the designer to the director for his approval. In reviewing such plans and specifications, the duty of the director shall be to see that they are clear and complete and permit execution of the project with economy and efficiency.

Following final approval of such plans and specifications, the director shall advertise in a reasonable number of newspapers for proposals for performance of the work of the project; except that the secretary may direct that the purchase of any materials, original equipment or original furnishings for the project shall be made under the provisions of sections twenty-two to twenty-six, inclusive, of chapter seven. Subject to the prior approval of the secretary and to the applicable provisions of sections forty-four A to forty-four D, inclusive, of chapter one hundred and forty-nine, he shall award the contract or contracts for such work to the lowest responsible eligible bidder; but no such contract shall be awarded by him for a sum in excess of the amount which the comptroller shall certify to be available therefor. If the director shall knowingly award a contract in violation of any provision of this section, he may be removed from office by the governor.

Section 25. A request for any change in the plans, specifications or contracts for any project may be initiated by the operating agency, the designer, any contractor or subcontractor working on the project, or the director of building construction, and such request shall be submitted first to the clerk-of-the-works. He shall examine and forward the same, with his recommendations, to the designer and simultaneously furnish copies thereof to the director and the operating agency. The designer shall then examine and forward the same, with his recommendations, to the director and simultaneously furnish copies thereof to the operating agency. The director shall approve or disapprove the request; provided, however, that if the regulations of the secretary under this section shall so require, the approval granted

by the director shall not be effective without the approval also of the operating agency and the secretary. The secretary may make, alter, amend or repeal such rules and regulations as he may deem necessary for the purposes of this section.

If the request shall be approved, said director shall forthwith so notify the designer and operating agency in writing and shall instruct the designer to issue forthwith a formal change-order to the contractor and to send copies thereof to the comptroller, the operating agency and the director.

If the director disapproves the request, he shall forthwith so notify the designer and operating agency in writing and, if neither shall be the requesting party, the requesting party also; and in such event the requesting party or the operating agency, whether or not the latter shall have initiated the request, may, within three days following receipt of such notice, appeal such action to the secretary. Such appeal shall set forth in writing the reasons therefor and a copy thereof shall be furnished to the director at the time the appeal is filed with the secretary. The secretary shall, within seven days following receipt of such an appeal, render a written decision thereon, failing which the request shall be deemed to have been finally disapproved.

The provisions of section twenty A of chapter twenty-nine shall not apply to any change-order request submitted and acted on in accordance with this section.

Section 26. Whenever the director of building construction disapproves any plan, specification, contract, appointment of a clerk-of-the-works or payment for any project, he shall forthwith notify the designer and operating agency in writing of his reasons therefor. Within three days following receipt of such notice, the designer or operating agency may appeal such action to the secretary, in which event the secretary shall decide the matter.

Any such appeal shall set forth in writing the reasons therefor and a copy thereof shall be furnished to the director at the time the appeal is filed with the secretary.

The secretary may adopt and issue, and from time to time amend or repeal, regulations governing the hearing and deciding of appeals to it permitted under this and section fifteen from actions of said director and governing exercise of any other powers and duties given the secretary by sections twelve to twenty, inclusive. Such regulations shall become effective when they shall have been approved by the governor and a copy thereof shall have been filed with the state secretary. The secretary shall cause printed copies of such regulations to be made available to said director for general distribution.

As used in this section and section thirty-three, the word "days" shall not include Saturdays, Sundays or legal holidays.

Section 27. In addition to the powers and duties heretofore and hereafter given him, the director of building construction shall have the following powers and duties:

1. From time to time he shall cause each project to be inspected to determine the quality of construction thereof and to assure that the project and construction thereof shall comply with the plans, specifications and contracts therefor.

2. He shall be responsible for accepting or rejecting each project upon its completion and for directing final payment for work done

thereon; provided, however, that if upon inspection of any project for acceptance he shall find that the plans, specifications, contracts or change-orders for the project shall not have been fully complied with or that the operating agency shall for any reason object to his acceptance of the project, he shall, until such compliance has been effected, such objection has been removed or adjustment satisfactory to him have been made, refuse to accept the project and to direct such payment.

3. Upon acceptance of the project, he shall release the same to the operating agency.

4. From each agency of the commonwealth which has or shall have charge of any building owned by or maintained at the expense of the commonwealth, he shall request, and the agency shall promptly furnish, periodic maintenance reports in such form and containing such information as he shall from time to time determine.

Section 28. The secretary shall cause the director of building construction to examine all requests for projects made to the commissioner of administration, as provided in section seven of chapter twenty-nine. The director of building construction, with the approval of the secretary, may develop projects of his own whenever in his judgment the maintenance of state-owned property requires such improvements to prevent deterioration or costly future repairs. Said director shall cause to be made and filed with him preliminary plans and descriptive specifications sufficient for a careful estimate by a competent expert; and for such purpose such sums as may be appropriated or otherwise made available therefor may, with his approval, be expended and he may, with the approval of the secretary, employ temporarily such architects, engineers, contractors and consultants as may be necessary.

Annually, on or before a date set by the secretary, said director shall submit to the secretary a report containing a list of all projects so requested, and the secretary shall transmit such report to the commissioner of administration on or before a date set by said commissioner. Such report shall show the estimated cost of each such project.

Section 29. The director of building construction may adopt and issue, and from time to time amend or repeal, such regulations as he shall deem necessary or desirable to expedite the work of the bureau of building construction. Such regulations shall become effective when they shall have been approved by the secretary and a copy thereof shall have been filed with the state secretary. Printed copies of such regulations shall be available in said division for general distribution.

Section 30. The director of building construction may, with the approval of the secretary, the commissioner of administration and the governor, accept on behalf of the commonwealth any federal funds or assistance for financing the cost of plans and specifications for any project.

If such funds or assistance shall be appropriated for aiding construction of any project, the director may, with like approval, apply for the same and may, with the approval of the governor, accept the same on behalf of the commonwealth. Any project so aided shall be executed in all respects subject to applicable federal law and rules and regulations and also to the applicable provisions of this chapter not inconsistent therewith.

SECTION 4. Chapter 7 of the General Laws is hereby amended by striking out section 4, as amended by section 11 of chapter 801 of the acts of 1963, and inserting in place thereof the following section:—

Section 4. The governor shall appoint a commissioner of administration, who shall serve at the pleasure of the governor, shall receive such salary as the governor may determine, and shall devote his full time to the duties of his office. He shall serve as the secretary of administration in the cabinet established by section seventeen A of chapter six, and shall have the rank of secretary for all purposes. Except in the cases of the agencies named in section four G, he shall be responsible for the exercise of all powers and the performance of all duties assigned by law to the executive office for administration and finance or to any division, bureau or other administrative unit or agency under said office. He shall be the executive and administrative head of said office, and every division, bureau, section and other administrative unit and agency within said office, other than the agencies named in section four G, shall be under his direction, control and supervision.

The commissioner shall act as the executive officer of the governor, in all matters pertaining to the financial, administrative, planning and policy coordinating functions and affairs of the departments, commissions, offices, boards, divisions, institutions and other agencies within the executive department of the government of the commonwealth. He shall inquire into the business affairs of the commonwealth and the laws governing them; shall supervise program planning and the coordination of the activities and programs of the commonwealth in its dealings with the federal government; shall review and report to the governor and the general court on all proposed legislation affecting the organization, structure, efficiency and administrative functions, services, procedures and practices of the departments, commissions, offices, boards, divisions, institutions and other agencies, or any of them, under the executive department of the government of the commonwealth; shall from time to time recommend to the governor and the general court such changes as he shall deem desirable in the laws relating to the organization, structure, efficiency or administrative functions, services, procedures and practices of any such agency or agencies; shall conduct studies of the operations of said agencies, other than those within any executive office established by chapter six A, with a view to effecting improvements in administrative organization, procedures and practices, and to promoting economy, efficiency, and avoiding of useless labor and expenses in said agencies; shall assist the secretaries having charge of said executive offices in the conduct of such studies of the operations of those agencies within their respective executive offices; and shall have such other powers and duties as shall be assigned to him by statute and may from time to time be assigned to him by the governor in accordance with law.

SECTION 5. The second paragraph of section 4A of said chapter 7, as appearing in section 4 of chapter 757 of the acts of 1962, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Excepting the agencies named in section four G, the commissioner may from time to time establish within the executive office for administration and finance such bureaus, sections and other administrative units not otherwise estab-

lished by law as may be necessary for efficient, economical administration of the work of said office; and when necessary for such purpose, he may abolish any such bureau, section or other unit or he may merge any two or more of them.

SECTION 6. Section 4C of said chapter 7, as so appearing, is hereby amended by striking out the first two sentences and inserting in place thereof the following three sentences:—There shall be within the central services division a bureau of state buildings headed by a state superintendent of buildings, and such other administrative units as may be established in or assigned to said division from time to time by the commissioner. The state superintendent of buildings shall be appointed by the commissioner, with the approval of the governor, and may be removed, for cause, in like manner, shall be a person of ability and experience, and shall devote his entire time to the duties of his office. Said offices shall not be classified under chapter thirty-one.

SECTION 7. Section 4D of said chapter 7, as so appearing, is hereby amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs:—

Except as otherwise provided by law, the commissioner shall appoint all employees of the executive office for administration and finance. Unless otherwise provided by law, all such appointments shall be made in accordance with chapter thirty-one; except, however, that in staffing at any time said office, the commissioner may, without regard to chapter thirty-one but subject to the approval of the governor, appoint such experts and other assistants in said office as he shall deem necessary; provided, that no person while holding any such appointment shall be subject to section nine A of chapter thirty.

Subject to appropriation, the commissioner may appoint and remove such additional assistants, technical consultants, and other persons, and may engage such technical and other assistance, as the work of said office may require. The commissioner may expend such sums of moneys for expenses, including travelling expenses of officers and employees serving in said office, as may be appropriated therefor.

SECTION 8. Said chapter 7 is hereby further amended by inserting after section 4D the following three sections:—

Section 4E. The commissioner shall have access to all records, as defined in section forty-two of chapter thirty, in the custody of all agencies within the executive office for administration and finance, except where such access is prohibited by law. Such agencies shall furnish him with copies of all reports, notices and other documents which they are required by law to submit to the governor, the general court or any other agency, and with all other information requested by the commissioner for the purpose of discharging the duties of his office.

In making any examination or investigation authorized under this chapter, the commissioner may require the production of books, papers, contracts and documents in the custody of any agency other than those within said executive office, which relate to any matter within the scope of such examination or investigation.

Section 4F. The commissioner may apply for and accept on behalf of the commonwealth any funds, including grants, bequests, gifts or contributions, from any person. Such funds shall be deposited in a separate account with the state treasurer and received by him on

behalf of the commonwealth. All such funds may be expended by the commissioner in accordance with law.

The commissioner shall from time to time promulgate regulations governing the expenditure of such funds by himself and by the secretaries having charge of the executive offices established by chapter six A.

Section 4G. The following agencies are hereby declared to be within the executive office for administration and finance: the department of corporations and taxation and all other agencies within said department, including the appellate tax board established by section one of chapter fifty-eight A; the division of civil service, and all other agencies within said division; the Massachusetts Commission Against Discrimination; the finance advisory board; the retirement law commission; the teachers' retirement board established by section sixteen of chapter fifteen; the commissioners to invest and manage the Massachusetts School Fund as provided in section three of chapter seventy; the board of economic advisors; the personnel appeals board; and the group insurance commission.

Nothing in this section shall be construed as conferring any powers or imposing any duties upon the commissioner with respect to the foregoing agencies except as expressly provided by law.

SECTION 9. Sections six and thirty A of said chapter seven are hereby repealed.

SECTION 10. The fourth paragraph of section 30B of said chapter 7, as appearing in chapter 676 of the acts of 1966, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Any project subject to the control and supervision of the director of building construction which is not being undertaken by the operating agency, as provided in section thirty of chapter six A, shall be referred by the commissioner to the board, which shall promptly provide suitable public notice of the proposed project.

SECTION 11. Said section 30B is hereby further amended by striking out the last paragraph, as so appearing, and inserting in place thereof the following paragraph:—

When the commissioner appoints a designer, he shall forthwith notify in writing the secretary of transportation and construction of the appointment, and said secretary shall instruct the director of building construction forthwith to enter into a contract with the designer, subject to such conditions as the commissioner may set forth in said notice.

SECTION 12. Sections thirty C to thirty J, inclusive, of said chapter seven are hereby repealed.

SECTION 13. Chapter 8 of the General Laws is hereby amended by striking out section 6, as most recently amended by section 1 of chapter 590 of the acts of 1962, and inserting in place thereof the following section:—

Section 6. Subject to the provisions of sections thirty to thirty-eight, inclusive, of chapter six A, whenever the same shall be applicable, he shall direct the making of all repairs and improvements in the state house, in any building owned by the commonwealth and located in the immediate vicinity of the state house or located in the government center, so-called, and on the grounds of the state house

and of any such building; and all executive and administrative departments and officers shall make requisition upon him for any such repairs or improvements.

SECTION 14. Chapter 9 of the General Laws is hereby amended by adding after section 28 the following section:—

Section 29. The state ballot law commission and the records conservation board shall be within the department of the state secretary; provided, that nothing herein shall be construed as diminishing the powers and duties conferred and imposed upon the foregoing agencies by any provision of law.

SECTION 15. Chapter 12 of the General Laws is hereby amended by inserting after section 11A the following section:—

Section 11B. The board of commissioners on uniform state laws and the obscene literature commission are hereby declared to be within the department of the attorney general; provided, that nothing herein shall be construed as diminishing the powers and duties conferred and imposed upon the foregoing agencies by any provision of law.

SECTION 16. Section one of chapter thirteen of the General Laws is hereby repealed.

SECTION 17. Section 2 of said chapter 13 is hereby further amended by striking out the first paragraph, as amended by section 1 of chapter 681 of the acts of 1945, and inserting in place thereof the following paragraph:—

There shall be a division of civil service under the supervision and control of a director of civil service, who shall be the executive and administrative head of the division, and a commission, to be known as the civil service commission, consisting of five members, one of whom, because of vocation, employment, occupation or affiliation, can be classed as a bona fide representative of labor.

SECTION 18. Section 8 of said chapter 13 is hereby further amended by striking out the first sentence, as most recently amended by section 15 of chapter 801 of the acts of 1963, and inserting in place thereof the following two sentences:—There shall be a division of registration under the supervision of a director, to be known as the director of registration. Said director shall receive such salary, not exceeding eight thousand dollars, as the governor may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 19. Section 16 of chapter 15 of the General Laws, as amended by section 4 of chapter 658 of the acts of 1945, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—There shall be a teachers' retirement board for the purpose of administering the teachers' retirement system established under the provisions of chapter thirty-two.

SECTION 20. Section 9 of chapter 16 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 821 of the acts of 1963, and inserting in place thereof the following sentence:—There shall be a division of motor vehicles, to be known as the registry of motor vehicles.

SECTION 21. Said chapter 16 is hereby further amended by striking out section 13, as so appearing, and inserting in place thereof the following section:—

Section 13. There shall be a division to be known as the outdoor advertising division, for the purpose of regulating and controlling, in

the public interest, the erection and maintenance of billboards, signs or other advertising devices.

SECTION 22. Section 7 of chapter 20 of the General Laws, is hereby amended by striking out the first sentence, as amended by section 2 of chapter 674 of the acts of 1954, and inserting in place thereof the following sentence:—There shall be a division of milk control, under the control and supervision of a commission to be known as the milk control commission, in this section and in sections eight and nine called the commission.

SECTION 23. Section 3 of chapter 23 of the General Laws, is hereby amended by striking out the third sentence, as most recently amended by section 1 of chapter 467 of the acts of 1968, and inserting in place thereof the following sentence:—He shall organize in the department a division of occupational hygiene and such other divisions as he may from time to time determine.

SECTION 24. Section 4 of said chapter 23, as amended by section 2 of said chapter 467, is hereby further amended by striking out the first two sentences and inserting in place thereof the following two sentences:—The commissioner, assistant commissioner and associate commissioners may, with the approval of the governor, appoint not more than five directors and may, with like approval, remove them. Each director shall be assigned to take charge of a division, other than the division of unemployment compensation or its successor.

SECTION 25. Sections eight and nine of said chapter twenty-three are hereby repealed.

SECTION 26. Section 10D of said chapter 23, as appearing in section 3 of chapter 655 of the acts of 1958, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—There shall be a health, welfare and retirement trust funds board, hereafter in this section and in sections ten E and ten F called the board, consisting of the commissioner of banks, the commissioner of insurance and the commissioner of labor and industries.

SECTION 27. Chapter 29 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 39 of chapter 757 of the acts of 1962, and inserting in place thereof the following section:—

Section 1. The word "departments", as used in this chapter, shall, unless the context otherwise requires, mean all the departments of the commonwealth, except the department of banking and insurance but including the divisions of banks and loan agencies, of insurance, of savings bank life insurance and of civil service and the several boards serving in the division of registration, and also including the metropolitan district commission and each of the executive offices created by chapters six A and seven.

SECTION 28. Section 2C of said chapter 29, inserted by chapter 505 of the acts of 1968, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:—

All applications and reapplications for grants shall be subject to the approval of the commissioner of administration, and all such applications and reapplications made on behalf of any department, institution, board, commission, agency or employee within any of the executive offices established by chapter six A shall also be subject to

the prior approval of the secretary having charge of such executive office.

SECTION 29. Section 3 of said chapter 29, as most recently amended by section 40 of chapter 757 of the acts of 1962, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Every officer having charge of any office, department or undertaking which receives a periodic appropriation from the commonwealth, including periodic appropriations to be met by assessments, shall, annually, on or before a date set by the commissioner of administration, submit to the budget director statements showing in detail the amounts appropriated for the preceding and the current fiscal years, and estimates of the amounts required for ordinary maintenance for the ensuing fiscal year, with an explanation of any increased appropriations recommended and with citations of the statutes relating thereto, and statements showing in detail the revenue of the office, department or undertaking in his charge for the last completed fiscal year, and the revenue and estimated revenue thereof for the current fiscal year, and his estimate of the revenue from the same or any additional sources for the ensuing fiscal year, with his recommendation as to any changes in the management, practices, rules, regulations or laws governing the office, department or undertaking in his charge which would effect an increase or cause a decrease in revenue from operations, fees, taxes or other sources, or which would facilitate its collection, together with any other information required at any time by the budget director; provided, that before any such statements, estimates, recommendations and other information relating to an office, department or undertaking within any of the executive offices established by chapters six A and seven, have been so submitted to the budget director, they shall first be submitted to the secretary having charge of such executive office on or before a date set by him, and said secretary shall review the same and make such additions thereto, deletions therefrom and modifications therein as he deems appropriate; and provided further, that any officer having charge of such office, department or undertaking who objects to any action taken by said secretary hereunder may request review thereof by the commissioner of administration, who shall decide the matter.

SECTION 30. Said chapter 29 is hereby further amended by striking out section 3A, inserted by chapter 161 of the acts of 1963, and inserting in place thereof the following section:—

Section 3A. Any officer having charge of any office, department or undertaking which receives a periodic appropriation from the commonwealth, shall, upon request of the house or the senate committee on ways and means, furnish in writing to such committee, and to the commissioner of administration, his estimate of the cost of proposed legislation affecting activities which are or would be under his supervision; provided, that before any such estimate is so submitted by an officer having charge of an office, department or undertaking within any of the executive offices, established by chapters six A and seven, it shall first be submitted to the secretary having charge of such executive office, who shall review the same and make such additions thereto, deletions therefrom and modifications therein as he deems

appropriate. Each of said secretaries shall also, upon request of either of said committees, furnish to it, in writing, his estimate of the cost of such proposed legislation.

SECTION 31. Said chapter 29 is hereby further amended by striking out section 4, as most recently amended by section 41 of chapter 757 of the acts of 1962, and inserting in place thereof the following section:—

Section 4. Officers and heads of departments who, in their annual reports or otherwise, recommend or petition for the expenditure of money by the commonwealth from any source of revenue, including expenditures to be met by assessments or the issue of notes or bonds, for any purpose not covered by the estimates required to be submitted under section three shall, annually, on or before a date set by the commissioner of administration, submit detailed estimates thereof to the budget director, together with any other information required by him; provided, that before any such estimates and other information relating to an office, department or undertaking within any of the executive offices established by chapters six A to seven, inclusive, have been so submitted to the budget director, they shall first be submitted to the secretary having charge of such executive office on or before a date set by him, and said secretary shall review the same and make such additions thereto, deletions therefrom and modifications therein as he deems appropriate; and provided further, that any officer having charge of such office, department or undertaking who objects to any action taken by said secretary hereunder may request review thereof by the commissioner of administration, who shall decide the matter.

SECTION 32. The second paragraph of section 7 of said chapter 29, as appearing in section 3 of chapter 473 of the acts of 1963, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—The commissioner shall assign the examination of the project to the secretary of transportation and construction, for the preparation by the bureau of building construction of its recommendations on the technical feasibility of the project, the type and design of construction and preliminary cost estimates.

SECTION 33. Section 8A of said chapter 29, as most recently amended by section 45 of chapter 757 of the acts of 1962, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—No officer having charge of any office, department or undertaking which receives a periodic appropriation from the commonwealth shall award any contract for the construction, reconstruction, alteration, repair or development at public expense of any building, road, bridge or other physical property if the amount involved therein is one thousand dollars or over, unless a notice inviting proposals therefor shall have been posted, not less than one week prior to the time specified in such notice for the opening of said proposals, in a conspicuous place on or near the premises of such officer, and shall have remained so posted until the time so specified, and, if the amount involved therein is in excess of five thousand dollars, unless such a notice shall also have been published at least once not less than two weeks prior to the time so specified, and at such other times prior thereto, if any, as the secretary of transportation and construction shall direct, in such newspaper or newspapers or trade periodical or periodicals as said secretary, having

regard to the locality of the work involved in such contract, shall prescribe; provided, that such publication may be omitted, in cases of special emergencies involving the health and safety of the people and their property, upon the written approval of said secretary; and provided further, that in the case of work under the supervision or control of the department of public works, the commissioner of public works shall prescribe the newspaper or newspapers or trade periodical or periodicals in which said notice shall be published, having regard to the locality of the work involved.

SECTION 34. Section 9B of said chapter 29 is hereby amended by striking out the last sentence, as appearing in chapter 136 of the acts of 1969, and inserting in place thereof the following sentence:—The officer in charge of each such office, department or undertaking shall submit to the budget director, in such form and at such times as he shall prescribe, such information as may be required by the governor or the commissioner of administration for making periodic supplementary allotments; provided, that before any such information relating to an office, department or undertaking within any of the executive offices established by chapter six A has been so submitted to the budget director, it shall first be submitted to the secretary having charge of such executive office, who shall review the same and make such additions thereto, deletions therefrom and modifications therein as he deems appropriate.

SECTION 35. Said chapter 29 is hereby further amended by striking out section 29, as most recently amended by section 49 of chapter 757 of the acts of 1962, and inserting in place thereof the following section:—

Section 29. Any subsidiary account set up as prescribed in the schedules referred to in section twenty-seven, on the books of any department, office, commission and institution, receiving an appropriation from the commonwealth, may be increased or decreased by interchange with any other such subsidiary account within the same appropriation account, under the following conditions: that a request therefor from such department, office, commission or institution is approved in writing by the budget director, and, in the case of a department, office, commission or institution within any of the executive offices established by chapters six A and seven, such request is also approved by the secretary having charge of such executive office; and that such request is filed by the budget director with the comptroller.

The comptroller may accept affidavits that expenditures are in accordance with the purpose of such appropriation or subsidiary accounts and do not exceed the unincumbered balances of the amounts provided therefor. The comptroller shall refuse to permit a disbursement or the incurring of an obligation if funds or allotments of funds under an appropriation account or subsidiary account under an appropriation account, sufficient to cover such disbursement or obligation are not available and shall immediately give notice of such refusal to the budget director, to the department, office, commission or institution proposing the expenditure, and, in the case of a department, office, commission or institution within any of the executive offices established by chapters six A and seven to the secretary having charge of such executive office.

SECTION 36. Chapter 30 of the General Laws is hereby amended by striking out section 1, as amended by section 52 of said chapter 757, and inserting in place thereof the following section:—

Section 1. The word "departments", as used in this chapter, except in section two, shall, unless the context otherwise requires, mean all the departments of the commonwealth, except the department of banking and insurance but including the divisions of banks and loan agencies, of insurance, of savings bank life insurance and of civil service and the several boards serving in the division of registration, and also including the metropolitan district commission and each of the executive offices established by chapters six A and seven.

SECTION 37. Section 7 of said chapter 30 is hereby further amended by striking out the first sentence, as most recently amended by chapter 529 of the acts of 1968, and inserting in place thereof the following sentence:—Each officer, board and commission having supervision and control of an executive or administrative department, including the commissioner of administration, the comptroller, the purchasing agent, the budget director, the director of personnel and standardization and the chairman of the industrial accident board in the department of labor and industries, each commissioner of the department of banking and insurance, the state superintendent of buildings, the alcoholic beverages control commission and the state racing commission, but not including the several boards serving in the division of registration, may appoint and remove a person to serve as a confidential secretary.

SECTION 38. Section 1 of chapter 31 of the General Laws is hereby amended by striking out the paragraph defining "Division", as appearing in section 1 of chapter 703 of the acts of 1945, and inserting in place thereof the following paragraph:—

"Division", the division of civil service.

SECTION 39. Chapter 33 of the General Laws is hereby amended by inserting after section 19 the following section:—

Section 19A. The armory commission established by section eighteen of chapter six, and the division of civil defense established by section two of chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty and all other agencies within said division of civil defense, including the civil defense advisory council, the civil defense claims board, are hereby declared to be within the military division; provided, that nothing herein shall be construed as conferring any powers or imposing any duties upon the adjutant general with respect to the foregoing agencies except as expressly provided by law.

The adjutant general shall conduct comprehensive planning with respect to the functions of said agencies and coordinate their activities and programs. He shall conduct studies of the operations of said agencies with a view to effecting improvements in administrative organization, procedures and practices, and to promoting economy, efficiency, and avoiding useless labor and expenses in said agencies. He shall from time to time recommend to the governor such changes as he shall deem desirable in the laws relating to the organization, structure, efficiency or administrative functions, services, procedures and practices of said agencies or any of them. He shall have the same power as the secretaries having charge of the executive offices established by chapters six A and seven to review and act upon budgetary and other

financial matters concerning said agencies in accordance with sections two C, three, three A, four, nine B and twenty-nine of chapter twenty-nine.

SECTION 40. Section 86 of chapter 94 of the General Laws, as amended by chapter 415 of the acts of 1955, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:—The secretary of consumer affairs may adopt, amend or repeal, and shall enforce, all such reasonable rules and regulations, and orders thereunder, as may be necessary or suitable in relation to the weighing, sorting and culling of fish when landed from a vessel or boat.

SECTION 41. Section 99A of said chapter 94 is hereby amended by striking out the last sentence, as most recently amended by section 12 of chapter 467 of the acts of 1968, and inserting in place thereof the following sentence:—The director of standards in the executive office of consumer affairs, his inspectors and the sealers and deputy sealers of weights and measures in cities and towns shall enforce the provisions of this section.

SECTION 42. Section 295A of said chapter 94 is hereby further amended by striking out paragraph (4), as amended by section 25 of said chapter 467, and inserting in place thereof the following paragraph:—

(4) The word "division" shall mean the division of standards in the executive office of consumer affairs.

SECTION 43. Section 1 of chapter 98 of the General Laws is hereby amended by striking out the paragraph defining "Director", as amended by section 27 of said chapter 467, and inserting in place thereof the following paragraph:—

"Director", director of standards in the executive office of consumer affairs.

SECTION 44. Section 15 of said chapter 98, as amended by section 1 of chapter 259 of the acts of 1953, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:—The director, on approval by the secretary of consumer affairs, may revoke the authority given by him to any manufacturer under this section, on proof that the authorized seal or designating mark has been affixed to any bottle or jar not conforming to the respective capacities provided for in this section.

SECTION 45. The second paragraph of section 29 of said chapter 98, added by chapter 273 of the acts of 1945, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—Any person aggrieved by any rule or regulation, or order thereunder, made under authority of the preceding sentence may appeal therefrom to the secretary of consumer affairs, who, after due notice, shall hold a hearing thereon and thereafter render a decision upon such appeal; and any person aggrieved by such decision may appeal therefrom to the district court within whose judicial district such person resides or has his usual place of business, and the decision of said court shall be final.

SECTION 46. Section 41 of said chapter 98, as amended by chapter 462 of the acts of 1941, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Sealers shall annually give public notice, by advertisement or by

posting notices in one or more public places in their towns or districts, to all inhabitants, or persons having usual places of business therein, using weighing or measuring devices for the purpose of buying or selling goods, wares or merchandise, for public weighing or for hire or reward, to bring them in to be tested, adjusted and sealed, excepting that pick clocks on looms in textile factories, required by section one hundred and fifty-six of chapter one hundred and forty-nine, shall be tested on the request of either an employer or an employee, or both, or, in any event, at the discretion of the secretary of consumer affairs or his authorized representative.

SECTION 47. Section 1 of chapter 101 of the General Laws is hereby amended by striking out the definition of "Director", as amended by section 32 of chapter 467 of the acts of 1968, and inserting in place thereof the following definition:—

"Director", the director of standards in the executive office of consumer affairs.

SECTION 48. Section 1 of chapter 112 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—The director of registration shall supervise the work of the several boards of registration and examination included in the division of registration.

SECTION 49. Section 4A of chapter 120 of the General Laws, inserted by section 8 of chapter 605 of the acts of 1952, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—There shall be a division of youth service, to be headed by a director who shall be chairman of the youth service board established under section sixty-five of chapter six.

SECTION 50. Each secretary first appointed to any of the executive offices established by chapters six A and seven of the General Laws, or his successor in office, as the case may be, shall, within two years following such first appointment, recommend to the governor such changes in the laws relating to such executive office, and to the departments, commissions, offices, divisions, institutions and other agencies therein, as he deems necessary for the accomplishment of the purposes for which said executive office was established.

Such recommendations shall be made with a view to the elimination of duplication and overlapping in the functions, administrative practices and facilities of said agencies, the combination and coordination of information systems, the creation of administrative structures which will assure coordinated and joint planning, the establishment of clear and readily identifiable lines of authority and allocations of responsibility, the coordination and consolidation of the delivery of services at state and regional levels, and the enlargement of career opportunities.

Such recommendations shall be prepared by each secretary on the basis of a study of the departments, commissions, offices, divisions, institutions and other agencies within his executive office, to be conducted in accordance with such management guidelines as the commissioner of administration may from time to time promulgate.

If any such secretary determines that any of the functions of any department, commission, office, division, institution or other agency

within his executive office should be transferred to another executive office, or that any of the functions of any such agency not within his executive office should be transferred thereto, he shall include appropriate provisions therefor in the recommendations submitted by him to the governor under this section. Pursuant to the foregoing sentence but without limiting the generality thereof, the secretaries hereinafter named are hereby directed to determine whether the following agency functions should be transferred to their respective executive offices: the secretary of communities and development, with respect to functions of the division of local finances in the department of corporations and taxation which relate to technical assistance to communities; the secretary of consumer affairs, with respect to the functions of the division of food and drugs in the department of public health; the secretary of environmental affairs, with respect to the functions of the division of waterways in the department of public works, the functions of the pesticide board in the department of public health, and functions of said department which relate to the abatement and control of air and water pollution; the secretary of public safety, with respect to the functions of the board of appeals on motor vehicle liability policies and bonds in the division of insurance which relate to rulings and decisions of the registrar of motor vehicles, the functions of the commercial motor vehicle division in the department of public utilities, and the functions of the police force in the metropolitan district commission; the secretary of transportation and construction, with respect to the functions of the construction division in the metropolitan district commission and such other functions of said commission as relate to the laying out, relocation, construction and maintenance of roads and highways; and the commissioner of administration, with respect to the functions of the state agency for surplus property in the department of education.

Before making any recommendation to the governor regarding the transfer of any such functions to or from any executive office, the secretary having charge thereof shall confer with the secretary having charge of any other executive office involved in such recommended transfer, and, to the extent practicable, said secretaries shall make such recommendations jointly.

SECTION 50A. At any time before any recommendation pursuant to section fifty of this act shall have been made to the governor respecting any department, commission, office, division, institution, or other state agency, the governor may, by executive order, transfer such agency from the executive office within which it is declared to be by any provision of this act to another executive office established under any other provision of this act. Any such order shall take effect upon the filing of an attested copy thereof with the secretary of state, such filing to be upon the conditions specified in section thirty-seven of chapter thirty of the General Laws.

SECTION 51. No provision of this act whereby a division, board, commission or other agency which, immediately prior to the effective date of this act, was assigned by any provision of the General Laws to any of the departments of the commonwealth, without being subject to the direction, supervision or control thereof, is removed from such department shall be construed as abolishing such division, board,

commission or other agency or as creating a new agency, nor shall any such provision of this act be construed as increasing, diminishing or otherwise affecting in any manner the powers and duties of any such agency or any officer or employee thereof.

SECTION 52. The removal of the division of standards from the department of labor and industries shall not be construed as abolishing said division, nor shall the establishment of the division of standards in the executive office of consumer affairs by section twelve of chapter six A of the General Laws, as appearing in section three of this act, be construed as creating a new agency; but as a transfer of said division from the department of labor and industries to the executive office of consumer affairs. Unless a contrary intent clearly appears, all powers and duties of said division, as existing immediately prior to said effective date, shall continue to be exercised and performed by said division as so transferred, and all powers and duties of the commissioner of labor and industries with respect to said division, as so existing, shall be transferred to the secretary of consumer affairs. The phrase "division of standards in the department of labor and industries" or any words connoting the same, when used in any statute, order, rule or regulation, shall mean the division of standards in the executive office of consumer affairs, unless a contrary intent clearly appears.

SECTION 53. The removal of the bureau of building construction from the division of central services in the executive office for administration and finance shall not be construed as abolishing said bureau, nor shall the establishment of the bureau of building construction in the executive office of transportation and construction by section twenty-eight of chapter six A of the General Laws, as appearing in section three of this act, be construed as creating a new agency; but as a transfer of said bureau from the executive office for administration and finance to the executive office of transportation and construction. Unless a contrary intent clearly appears, all powers and duties of said bureau, as existing immediately prior to said effective date, shall be exercised and performed by said bureau as so transferred, and all powers and duties of the commissioner of administration with respect to said bureau, as so existing, shall be transferred to the secretary of transportation and construction. The phrase "bureau of building construction in the executive office for administration and finance" or any words connoting the same, when used in any statute, order, rule or regulation, shall mean the bureau of building construction in the executive office of transportation and construction, unless a contrary intent clearly appears.

SECTION 54. All officers and employees of the division of standards in the department of labor and industries and the bureau of building construction in the division of central services of the executive office for administration and finance who, immediately prior to the effective date of this act, hold positions classified under chapter thirty-one of the General Laws, or have tenure in their positions by reason of section nine A of chapter thirty of the General Laws, shall continue to be officers and employees of the division of standards in the executive office of consumer affairs and the bureau of building construction in the executive office of transportation and construction, as the case may

be, without impairment of civil service status, seniority, retirement and other employment rights, and without interruption of service within the meaning of said chapter thirty-one or said section nine A, and without reduction in compensation and salary grade.

All officers and employees of the division of standards in said department and the bureau of building construction in said division of central services who, immediately prior to said effective date do not hold positions classified under said chapter thirty-one, or do not have tenure in their positions by reason of said section nine A, shall continue to be officers and employees of the division of standards in the executive office of consumer affairs and the bureau of building construction in the executive office of transportation and construction under this act without impairment of seniority, retirement and other rights, and without interruption of service within the meaning of said section nine A and said chapter thirty-one, and without reduction in compensation and salary grade.

Nothing in this section shall be construed to confer upon any officer or employee any rights not held prior to said effective date, or to prohibit any subsequent reduction in compensation or salary grade not prohibited prior thereto.

SECTION 55. All orders, rules and regulations duly made by the commissioner of labor and industries with reference to the functions of the division of standards, or by the commissioner of administration with reference to the functions of the bureau of building construction, which are in force immediately prior to the effective date of this act shall continue in force, and, to the extent that the power to make such orders, rules and regulations is transferred by this act to the secretary of consumer affairs or the secretary of transportation and construction, they shall thereafter be enforced, until superseded, revised rescinded or canceled in accordance with law, by said secretaries, respectively, unless a contrary intent clearly appears.

All orders, rules and regulations duly made by the division of standards or the bureau of building construction, or any person holding an office therein, which are in force immediately prior to said effective date, shall thereafter be enforced, until superseded, revised, rescinded or canceled in accordance with law, by said division and said bureau, respectively.

SECTION 56. All petitions, hearings and other proceedings duly brought before, and all prosecutions and legal and other proceedings duly begun by, the commissioner of labor and industries with reference to the functions of the division of standards, or the commissioner of administration with reference to the functions of the bureau of building construction, which are pending immediately prior to the effective date of this act shall continue unabated and remain in force notwithstanding the passage of this act, and, to the extent that the power to determine or bring such proceedings is transferred by this act to the secretary of consumer affairs or the secretary of transportation and construction, they shall be completed before or by said secretaries, respectively, unless a contrary intent clearly appears.

All petitions, hearings and other proceedings duly brought before, and all prosecutions and legal or other proceedings duly begun by, the division of standards or the bureau of building construction, or any

person holding an office therein, which are pending immediately prior to said effective date shall continue unabated and remain in force notwithstanding the passage of this act, and shall be completed before or by said division and said bureau, respectively, unless a contrary intent clearly appears.

SECTION 57. All duly existing contracts, leases and obligations of the division of standards or the bureau of building construction which are in force immediately prior to the effective date of this act shall thereafter be performed by said division and said bureau, respectively.

SECTION 58. All books, papers, records, documents and equipment relating to or maintained for the use of the division of standards or the bureau of building construction which are in the custody of the commissioner of labor and industries or the commissioner of administration immediately prior to the effective date of this act, and which the commissioner of administration determines should be transferred to the secretary of consumer affairs or the secretary of transportation and construction, are hereby transferred to said secretaries, respectively.

SECTION 59. All moneys heretofore appropriated for the division of standards or the bureau of building construction and remaining unexpended on the effective date of this act shall thereafter be available for expenditures by said division and said bureau, respectively. All questions regarding the identification of moneys heretofore appropriated for said division and said bureau and remaining unexpended on said effective date shall be determined by the deputy commissioner for fiscal affairs, with the approval of the commissioner of administration.

SECTION 60. This act shall take effect on April thirty, nineteen hundred and seventy-one. *Approved August 14, 1969.*

Chap. 705. AN ACT DEFINING THE WORD "STUDENT" IN THE LAW RELATIVE TO THE OPERATION OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 1 of chapter 90 of the General Laws is hereby amended by inserting after the definition of "Semitrailer unit", the following definition: —

"Student", every person enrolled full time in a school, college or university, but not including any fully registered medical practitioner or any person enrolled in a school, college or university for the purpose of pursuing advanced or postgraduate studies or on the job training under any fellowship program, grant or other program which provides such person with any salary or compensation beyond the actual tuition costs of such schooling. In doubtful cases, the registrar may determine whether or not this definition applies. *Approved August 14, 1969.*

Chap. 706. AN ACT RELATIVE TO THE COUNTY IN WHICH PERSONS AGGRIEVED BY A DECISION OF THE BOARD OF APPEALS MAY BRING AN APPEAL TO THE SUPERIOR COURT.

Be it enacted, etc., as follows:

Section 21 of chapter 40A of the General Laws is hereby amended by striking out the first paragraph, as appearing in chapter 365 of the acts of 1960, and inserting in place thereof the following two paragraphs: —

Any person aggrieved by a decision of the board of appeals may within twenty-one days after the decision is filed in the office of the city or town clerk bring a petition in the district court within the judicial district the land area to be affected is situated, addressed to the justice of the court praying that the action of the board of appeals may be reviewed by the court and after such notice as the court may deem necessary, it shall hear witnesses, review such action and determine whether or not upon all the evidence the decision exceeds the authority of the board. If the court finds that said decision was proper the action of the board shall be affirmed; otherwise it shall be annulled and the board shall be notified to change its records accordingly and to act in accordance with such decision.

Notwithstanding the provisions of the first paragraph of this section any person aggrieved by the decision of the board of appeals or of the district court, whether or not previously a party to the proceeding, and including any municipal officer, may appeal to the superior court for the county in which the land is situated, by filing a bill in equity within twenty days after the decision has been filed in the office of the city or town clerk or with the clerk of the district court hearing such matter. Written notice of such appeal together with a copy of the bill in equity shall be given to such city or town clerk within said twenty day appeal period. The bill shall allege that the decision exceeds the authority of the board, and any facts pertinent to that issue, and shall contain a prayer that the decision of the board or of the district court be annulled. There shall be attached to the bill a copy of the decision appealed from, bearing the date of filing thereof, certified by the city or town clerk with whom the decision was filed. *Approved August 14, 1969.*

Chap. 707. AN ACT IMPOSING CRIMINAL PENALTIES FOR WILFULLY MAKING FALSE REPORT OR FALSE REPRESENTATIONS TO THE DEPARTMENT OF PUBLIC WELFARE AND STRENGTHENING THE AUTHORITY OF THE FRAUDULENT CLAIMS BOARD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 117 of the General Laws is hereby amended by striking out section 29, as amended by section 24 of chapter 658 of the acts of 1967, and inserting in place thereof the following section: —

Section 29. Whoever knowingly and wilfully makes any false written representations to the department of public welfare or its agents, for the purpose of causing any person, including the maker, to be supported in whole or in part by the commonwealth, or for the purpose of procuring a payment under any assistance program administered by the department, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than one year.

SECTION 2. Section 5A of chapter 18 of the General Laws is hereby amended by striking out the second paragraph, as appearing in chapter 275 of the acts of 1968, and inserting in place thereof the following three paragraphs: —

The board shall investigate complaints which indicate the possibility of either a fraudulent claim for payment under any assistance program administered by the department or a receipt of such payment by a person not entitled thereto.

The board shall initiate investigations and review procedures in order to discover any fraudulent claims or wrongful receipts under any assistance program administered by the department.

As a result of its investigations, the board shall, wherever appropriate, certify cases to the attorney general for either criminal prosecution or for recovery of moneys so wrongfully obtained in a civil action, or both.

Approved August 14, 1969.

Chap. 708. AN ACT PROVIDING THAT MARKED POLICE VEHICLES FROM CERTAIN STATES BE EXEMPT FROM THE REQUIREMENTS RELATIVE TO REGISTRATION OF MOTOR VEHICLES AND THE DISPLAY OF NUMBER PLATES.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by striking out section 9B, as most recently amended by chapter 181 of the acts of 1967, and inserting in place thereof the following section:—

Section 9B. The provisions of this chapter relative to the registration of motor vehicles and the display of number plates shall not apply to motor vehicles having registrations and displaying plates issued by the armed forces of the United States in foreign countries for vehicles owned by military personnel, but said exemption shall be in effect for a period of only thirty days after the owner thereof has entered the commonwealth for the purpose of traveling either to his place of residence or to a point of military duty nor shall this chapter apply to such registration and display of number plates on fire apparatus or marked police vehicles from any one of the states of Maine, New Hampshire, Vermont, Rhode Island, Connecticut and New York providing that the state from which such fire apparatus or marked police vehicle comes does not require the registration of and the display of number plates on such apparatus or vehicle.

Approved August 14, 1969.

Chap. 709. AN ACT ESTABLISHING IN THE TOWN OF WALPOLE REPRESENTATIVE TOWN GOVERNMENT BY LIMITED TOWN MEETINGS.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the town of Walpole the form of representative town government by limited town meetings.

SECTION 2. Upon the acceptance of this act by the town, the selectmen shall divide the town into not less than five nor more than nine voting precincts. Each precinct shall contain not less than eight hundred registered voters.

SECTION 3. The number of members of the representative town meeting elected in each precinct shall be approximately in the same ratio to the total number of members elected in the town as the number of registered voters in the precinct is to the number of registered voters in the town. The membership in each precinct shall consist of the largest number divisible by three which will result in a total elected membership in the town not exceeding one hundred and fifty. The number of elected town meeting members to which each precinct is entitled for the ensuing year shall be determined by the town clerk between October fifteenth and October twentieth of each year and shall be proportionate to the number of registered voters on October fifteenth of that year.

SECTION 4. The membership of the representative town meeting also shall include the following nonvoting members at large; the town clerk, the town counsel, the town administrator, any member of the General Court who is a registered voter of the town, and the chairmen of the following: selectmen, appropriation committee, personnel board and planning board.

SECTION 5. It shall be the duty of the selectman and the chairman of each board or committee of the town and the head of each town department to attend that part of every representative town meeting at which matters pertaining to their area, other than those to be acted upon or determined by ballot, are to be considered.

SECTION 6. The precincts shall be plainly designated and so established as to consist of, when possible, compact and contiguous territory, and shall be bounded so far as possible by the center line of highways or by other well-defined limits.

SECTION 7. The boundaries of the precincts shall be reviewed and may be wholly or partly revised by the selectmen in September of the year after the expiration of five years following their establishment, revision, or review in September of any other year when so directed by vote of a representative town meeting held not later than the twentieth day of August in such a year.

SECTION 8. The selectmen within ten days after the establishment or revision of precincts shall file a report of their action with the town clerk, the registrars of voters and the assessors, with a map or description of the precincts and the names and addresses of the registered voters in each. They also shall cause to be posted in the town hall a map or description and a list of the registered voters in the precinct as established or revised, and similar information for each precinct shall be posted in at least one public place in the precinct unless a description of precincts shall be published in a newspaper having a general circulation in the town. Written notice shall be mailed to each voter affected.

SECTION 9. The division of the town into precincts and any revision of precincts shall take effect upon the date of the filing of the report thereof with the town clerk. Whenever precincts are established or revised, the town clerk shall forthwith give written notice and description to the secretary of the commonwealth, stating the number and designation of the precincts.

SECTION 10. 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 11. The nomination of candidates for town meeting members shall be made by nomination papers which shall bear no political designation. Such papers shall be signed by not less than twenty-five registered voters of the precinct in which the candidate resides and shall be subject to section ten of chapter fifty-three of the General Laws. No nomination paper shall be received or be valid unless the written acceptance of the candidate thereby nominated shall be filed therewith.

SECTION 12. A town meeting member may become a candidate for reelection by giving written notice to the town clerk not later than fourteen days prior to the last day on which the nomination papers of candidates for other town offices must be filed. If a town meeting member is a candidate for reelection, there may be added to his name as it appears on the ballot for the election of town officers the words "candidate for reelection".

SECTION 13. The registered voters in each precinct, at the first annual town election held after the establishment of the precinct, and those in any precinct affected by a revision of precincts at the first annual town election following such revision, shall elect by ballot the number of registered voters in the precinct, determined as herein provided, to be town meeting members of the town.

SECTION 14. The first third to the nearest whole number of members elected in the order of votes received shall serve for three years, the second third to the nearest whole number for two years, and the remaining third to the nearest whole number for one year from the day of the annual town meeting. In case of an equal vote affecting the division into thirds, the remaining town meeting members from the precinct shall determine the same by ballot.

SECTION 15. Thereafter as the term of the town meeting members expire except as otherwise provided herein, the registered voters of each precinct at each annual town election shall elect for the term of three years in like manner one third of the number to which the precinct is entitled, and also shall fill for the unexpired term any vacancy then existing in the number of elected town meeting members in the precinct.

SECTION 16. If two or more candidates for town meeting member receive an equal number of votes, other than for the division into thirds for deciding their term of office, the remaining members elected in such precinct at the same election shall determine by ballot which of the candidates shall serve as a town meeting member. The terms of office of the town meeting members from any precinct whose boundaries are revised shall cease upon the election of their successors. The town clerk, after every election of town meeting members, shall notify each member by mail of his election.

SECTION 17. If the boundaries of any precinct are revised or any new precinct established, there shall be a new election of town meeting members in each precinct whose territory is affected at the first annual town election following such a revision.

SECTION 18. The representative town meeting members shall be elected in conformity with chapters fifty-three and fifty-four of the General 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 19. A town meeting member may resign by filing a written resignation with the town clerk, effective upon the date of filing. A member who removes from the town shall cease forthwith to be a member, and a member who removes from one precinct to another may serve only until the next annual town meeting.

SECTION 20. A vacancy in the number of town meeting members from any precinct arising from any cause may be filled until the next annual election by vote of the remaining town meeting members from the precinct. Upon petition signed by not less than ten or not less than one third, whichever is greater, of the town meeting members from the precinct, the town clerk shall call a meeting of the remaining members from the precinct for the purpose of filling the vacancy, notice of which shall be mailed to such members not less than seven days before the time of the meeting.

SECTION 21. A majority of the members from the precinct attending such meeting shall constitute a quorum and shall elect one of their number as chairman and one as clerk or they may designate the town clerk to act as clerk of the meeting. The vote shall be by ballot and a majority of votes cast shall be necessary for a choice. The chairman and clerk shall count the ballots, and the chairman shall make a certificate of the choice which shall be filed with the town clerk together with a written acceptance of the person so chosen, who thereupon shall be deemed to be chosen as a town meeting member.

SECTION 22. 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 tempore may be elected by the town meeting members.

SECTION 23. The articles in the warrant for every town meeting which relate to the election of a moderator, town officers, and town meeting members and to referenda and all matters to be acted upon and determined by ballot, shall be acted upon and determined by the registered voters of the town. All other articles shall be acted upon and determined exclusively by the town meeting members at a meeting held at a time and place specified by the selectmen in the warrant for the meeting, subject to a referendum as herein provided.

SECTION 24. The town clerk shall notify the town meeting members of the time and place at which meetings are to be held, the notices to be sent by mail at least seven days before the meeting. Notice of the time and place of an adjourned town meeting shall be sent by mail forthwith following the adjournment of the meeting from which adjournment is taken.

SECTION 25. The members of the representative town meeting 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 town meeting members.

SECTION 26. The representative town meeting may make such rules consistent with law as it may consider necessary for conducting its meetings.

SECTION 27. A town meeting member shall be ineligible to vote on any matter in which he is deemed to be in conflict of interest.

SECTION 28. 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 vote of the town meeting members.

SECTION 29. All representative town meetings shall be open to the public. Any registered voter of the town who is not a town meeting member, subject to such conditions as the town meeting members may determine, may speak at least once upon any matter at such a meeting, but he shall have no vote.

SECTION 30. 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 twenty-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; and (h) amending or repealing an existing by-law.

SECTION 31. If within such period of seven days a petition signed by not less than fifty registered voters from each precinct, the aggregate number so signing being not less than four per cent of the registered voters in the town, is filed with the selectmen asking that any question involved in such a vote be submitted to the voters of the town at large, then the selectmen within seven days thereafter shall call a special meeting to be held within fourteen days following such call for the sole purpose of presenting the question to the voters at large.

SECTION 32. Each question submitted shall be placed on the official ballot in the following form: — "Shall the town vote to approve the action of the representative town meeting whereby it was voted (insert brief description of the substance of the vote)?"

SECTION 33. The polls for voting upon such a question may be opened no later than at twelve o'clock noon and shall be closed not earlier than eight o'clock in the evening. The vote shall be taken by ballot and the check list used in the several precincts in the same manner as for the election of town officers. A question submitted shall be determined by a majority of the registered voters of the town voting thereon or by the same proportion of votes as would be required if the question were determined by a representative town meeting, but an action of the representative town meeting shall not be reversed unless at least twenty-five per cent of all the registered voters of the town shall so vote.

SECTION 34. 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 35. The town shall have the capacity to act through and to be bound by the action of its town meeting members, who when convened from time to time shall constitute a representative town meeting. The representative town meeting shall have and may exercise all powers

vested in the municipal corporation so far as it is consistent with the provisions of this act.

SECTION 36. 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 37. This act shall be submitted for acceptance by the voters of the town of Walpole at the annual town meeting in the year nineteen hundred and seventy in the form of the following question which shall be placed on the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the General Court in the year nineteen hundred and sixty-nine, entitled 'An Act establishing in the town of Walpole representative town government by limited town meetings.', be accepted by the town?" If a majority of the votes in answer to said question is in the affirmative, this act shall take effect immediately for the purposes of the regular annual town election in the year nineteen hundred and seventy-one. *Approved August 14, 1969.*

Chap. 710. AN ACT PROVIDING FOR MODIFICATIONS IN THE ELECTION OF TOWN MEETING MEMBERS IN THE TOWN OF BELMONT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 302 of the acts of 1926 is hereby amended by striking out the second and third paragraphs and inserting in place thereof the following two paragraphs: —

Precinct boundaries shall be reviewed and, if need be, wholly or partly revised by the selectmen in November, once in ten years, or in November of any year when so directed by a vote of a representative town meeting not later than October thirtieth of that year. In revising precincts, the selectmen shall be governed by the foregoing provisions for establishment of precincts, and shall use voter lists compiled for purposes of the last previous presidential election. If, however, the constitution or general laws so authorize them the selectmen may, and if the constitution or general laws so direct them the selectmen shall, revise precincts according to a unit of representation other than registered voters. Each precinct shall be approximately equal according to whatever unit of representation is adopted.

The selectmen shall, within twenty days after any establishment or revision of the precincts, but not later than December tenth of the same year, file a report of their doings with the town clerk, the registrars of voters and the assessors with a map or maps or description of the precincts and the names and residences of the registered voters therein. The selectmen shall also cause to be posted in the town hall a map or maps or description of the precincts as established or revised from time to time, with the names and residences of the registered voters therein. They shall also cause to be posted in at least one public place in each precinct a map or description of that precinct with the names and residences of the registered voters therein. The division of the town into voting precincts and any revision of such precincts shall take effect upon the date of the filing of the report thereof by the selectmen with the town clerk, except that revision of precincts shall not take

effect until the revised precincts can be effective for state as well as town elections. Whenever the precincts are established or revised, the town clerk shall forthwith give written notice thereof to the state secretary, stating the number and designation of the precincts. Meetings of the registered voters of the several precincts for election, for primaries, and for voting upon any question to be submitted to all the voters of the town, shall be held on the same day and at the same hour and at such place or places within the town as the selectmen shall in the warrant for such meeting direct. The provisions of the general laws, relating to precinct voting at elections, so far as the same are not inconsistent with this act, shall apply to all elections and primaries in the town.

SECTION 2. Said chapter 302 is hereby further amended by striking out section 2, as amended by section 2 of chapter 212 of the acts of 1947, and inserting in place thereof the following section: —

Section 2. (*a*) Prior to any December thirty-first next following (i) the effective date of this section, or (ii) an effective revision of precinct boundaries, or (iii) the holding of a presidential election, the town clerk shall, in accordance with paragraphs (*b*) and (*c*) of this section, determine the number of town meeting members to be elected from each precinct.

(*b*) The clerk shall initially compute for each precinct that number divisible by three which most nearly provides a representation for the precinct in the proportion which the number of registered voters in the precinct bears to the total number of registered voters in the town and which will cause the total town meeting membership elected from precincts to be as nearly two hundred and eighty-eight as may be. In making this computation the clerk shall use the voter lists compiled for purposes of the last previous presidential election. If, however, precinct boundaries then in effect have been revised according to a unit of representation other than registered voters, the clerk shall compute the proportion of each precinct to the town according to that unit of representation.

(*c*) The clerk shall make the final determination of members to be elected from precincts as follows:

If a precinct's boundaries have been established or revised in the twelve months preceding the clerk's initial computation, then the voters of that precinct shall at the next town election elect by ballot the number of town meeting members provided for in paragraph (*b*) of this section. The first third in order of votes received of members so elected shall serve three years, the second third shall serve two years, and the remaining third shall serve one year, from the day of the next annual town meeting; in case of a tie vote affecting the division into thirds, the members elected from the precinct shall by ballot determine the division.

If a precinct's boundaries have not been revised in the twelve months preceding the clerk's initial computation, and if the initial computation requires an increase in a precinct's representation, all additional members shall be elected at the next town election, one third for a three-year term, one third for a two-year term and one third for a one-year term. If the initial computation requires a decrease in a precinct's representation, all town meeting members in the precinct may serve the full term for which they were elected, and the decrease shall be

brought about over a period of three years through the election for a three-year term at each of the next three town elections of one third of the number of town meeting members to which the precinct is then entitled. During this interim period, vacancies created by retirement, death, removal or the like shall not be filled unless the remaining membership elected from the precinct for the same term would be below one third of the number to which the precinct is then entitled.

(*d*) Except as is otherwise specifically provided in this section, the registered voters of each precinct shall, at each annual town election, elect for a term of three years one third of the number of town meeting members to which the precinct is then entitled, and shall at such elections fill for the unexpired term any vacancy then existing in the precinct. The term of office for all town meeting members elected from precincts shall cease upon the election of their successors, including persons elected from newly revised precincts. The town clerk shall, after every election of town meeting members from precincts, forthwith notify each member by mail of his election.

SECTION 3. The second paragraph of section 3 of said chapter 302 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — A town meeting member who removes from the town shall cease to be a town meeting member and an elected town meeting member who removes from one precinct to another or is elected from a precinct whose boundaries have been newly revised shall not retain membership after the next annual election.

SECTION 4. Section 4 of said chapter 302 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Nomination of candidates for town meeting members to be elected under this act shall be made by nomination papers signed by not less than twenty-five voters of the precinct in which the candidate resides, and filed with the town clerk in accordance with section ten of chapter fifty-three of the General Laws; provided, that any town meeting member, including any member whose term of office is about to cease because he is elected from a precinct whose boundaries have been newly revised, may become a candidate for reelection by giving written notice thereof to the town clerk in accordance with section ten of chapter fifty-three of the General Laws.

SECTION 5. Section 7 of said chapter 302 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Except as is provided otherwise by section two of this act, any vacancies in the full number of town meeting members from any precinct may be filled until the next annual election by the remaining town meeting members of the precinct from among the registered voters thereof. *Approved August 14, 1969.*

Chap. 711. AN ACT INCREASING THE AMOUNT OF MONEY THE COUNTY COMMISSIONERS OF NORFOLK COUNTY MAY EXPEND TO CONSTRUCT AND ORIGINALLY EQUIP A COMBINATION DORMITORY AND CAFETERIA BUILDING AT THE NORFOLK COUNTY AGRICULTURAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 172 of the acts of 1968 is hereby amended by striking out, in lines 2 and 3, the words "four hundred thou-

sand" and inserting in place thereof the words: — four hundred and fifty thousand.

SECTION 2. Section 2 of said chapter 172 is hereby amended by striking out, in line 4, the words "four hundred thousand" and inserting in place thereof the words: — four hundred and fifty thousand.

Approved August 14, 1969.

Chap. 712. AN ACT AUTHORIZING LOUISE NELSON, A RETIRED EMPLOYEE OF THE TOWN OF STONEHAM, TO REJOIN THE RETIREMENT SYSTEM OF SAID TOWN AS AN ACTIVE MEMBER.

Be it enacted, etc., as follows:

Notwithstanding any provision of chapter thirty-two of the General Laws to the contrary, Louise Nelson, a retired employee of the school department of the town of Stoneham, may, upon her reemployment by said town, again become an active member of the retirement system of said town; provided that she repays to the treasurer of said town the total amount of payments received by her as retirement allowances from the date of her retirement under said system to the date of her reemployment by said town.

(*This Bill, returned by the acting governor, to the Senate, the branch in which it originated, with his objections thereto, was passed by the Senate, May 19, 1969, and, in concurrence, by the House of Representatives, August 14, 1969, the objections of the acting governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".*)

Chap. 713. AN ACT AUTHORIZING THE TOWN OF TEWKSBURY TO EXTEND A CERTAIN SEWAGE SYSTEM TO THE BUILDING OF WANG LABORATORIES, INC. IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 729 of the acts of 1968 is hereby amended by inserting after the word "not", in line 5, the words:—, except as provided in section one A,.

SECTION 2. Said chapter 729 is hereby amended by inserting after section 1 the following section:—

Section 1A. The town of Tewksbury may extend the sewage system referred to in section one from the site of said new school in North Tewksbury to the building of Wang Laboratories, Inc. on North street in said town, provided that said Wang Laboratories, Inc. shall pay all expenses of installation and maintenance thereof.

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

Approved August 18, 1969.

Chap. 714. AN ACT AUTHORIZING THE FORMATION OF A REGIONAL SCHOOL DISTRICT INCLUDING ALL THE GRADES FROM KINDERGARTEN THROUGH GRADE TWELVE BY THE CITY OF PITTSFIELD AND THE TOWN OF RICHMOND.

Be it enacted, etc., as follows:

SECTION 1. The city of Pittsfield, by vote of its city council, and the town of Richmond, by vote in a town meeting, may create a special

unpaid committee to be known as a 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 in the case of the city of Pittsfield and by the moderator in the case of the town of Richmond. Any vacancy in the membership of a planning committee may be filled by the mayor or 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. The regional school district planning committees from said city and town may join together to form a regional school district planning board. Such regional school district planning board shall organize forthwith upon its formation by the election of a chairman and a secretary-treasurer. Any proceedings taken by the city of Pittsfield and the town of Richmond, whereby said municipalities purported to create committees for the purpose of planning a regional school district, and the proceedings heretofore taken by such committees either separately or together as a regional school district planning board are ratified and confirmed in all respects, and, for all 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 regional school district planning board to study the advisability of establishing a regional school district, hereinafter called the regional school district or the district, for all the grades from kindergarten through grade twelve, and to submit a report of its findings and recommendations to the city council of the city of Pittsfield and, at the same time or at a later time, to the selectmen of the town of Richmond.

SECTION 3. Said regional school district planning board may recommend that there shall be established a regional school district comprising the city of Pittsfield and the town of Richmond for all the grades from kindergarten through grade twelve. If said 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 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 municipalities comprising the district, and the time and manner of payment of the shares of said municipalities of any such expense.

(c) The method by which school transportation shall be provided.

(d) The terms by which any municipality may be admitted to or separated from the regional school district.

(e) The method by which the agreement may be amended.

(f) The detailed procedure for the preparation and adoption of an annual budget.

(g) Any other matters, not incompatible with law, which 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 city of Pittsfield and the town of Richmond for their acceptance.

The regional school district shall include all grades from kindergarten through grade twelve. The regional district school committee shall determine the location of all school buildings. Said committee is authorized to establish and maintain state-aided vocational education in accordance with the provisions of chapter seventy-four of the General Laws and for this purpose the regional district school committee shall have all the powers and perform the duties conferred or imposed by law upon local trustees for vocational education, and may be known as a board of regional school district trustees for vocational 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, if any, and the 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 Pittsfield 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 regular city election after such receipt or at the next state 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 the town of Richmond of a recommendation that a regional school district be established and of a proposed agreement therefor submitted in accordance with the provisions of said sections one to three, inclusive, 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-nine, providing for the establishment of a regional school district by the city of Pittsfield and the town of Richmond for all the grades from kindergarten through grade twelve in accordance with the provisions of a proposed agreement filed with the city council of said city and the selectmen of said town?" If a majority of the voters present and voting on said question in said city and a majority of the voters present and voting on said question in said town shall vote in the affirmative, this act shall become fully effective and the proposed regional school district 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 regional school district planning committee or 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 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 city council of the city of Pittsfield and to the board of selectmen of the town of Richmond 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. 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 the town of Richmond 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, 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 purpose of the regional district school or schools.

(j) To engage legal counsel.

(k) To submit an annual report to each of the member municipalities, containing a detailed financial statement, and a statement showing the method by which the annual charges assessed against each municipality were computed, together with such additional information relating to the operation and maintenance of such school or schools as may be deemed necessary by the district school committee or by the city council of the city of Pittsfield or by the selectmen of the town of Richmond.

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

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 said year, and shall apportion the amount so determined among the municipalities in accordance with the terms of the agreement. The amount so apportioned for each municipality shall, prior to December thirty-first in each year, be certified by the regional district treasurer to the treasurers of the several municipalities. Each municipality shall appropriate the amounts so certified, and in case any such municipality fails to pay over to the treasurer of said district the amount of its apportionment within the time specified in said agreement for such payment, the district school committee shall invoke the provisions of section thirty-four of chapter seventy-one of the General Laws. The city or town treasurer, as the case may be, shall pay the amount so appropriated or any amount ordered to be raised by court decree to said district at the time or times specified in the agreement.

SECTION 9. The regional school district shall be subject to all laws pertaining to school transportation; and when the agreement provides for the furnishing of transportation by the regional school district, the commonwealth shall reimburse such district to the full extent of the amounts expended for such transportation, except that no such reimbursement shall be made for transportation of any pupil who resides less than one and one half miles, measured by a commonly traveled route, from the district school which he attends. The state treasurer shall annually, on or before November twentieth, pay to the regional school district, subject to appropriation, the sums required for such reimbursement and certified by the commissioner of education as necessary for the payment of such reimbursement.

SECTION 10. The regional school district shall be entitled to receive state aid for construction of regional schools. Each municipality in the regional school district shall continue to receive such state aid for educational purposes as it would be entitled to receive if such district had not been formed; and, in addition to such state aid, the treasurer shall pay annually to each municipality in the regional school district an amount equal to fifteen per cent of the amount of school aid determined to be due such municipality under the provisions of chapter seventy of the General Laws and subsection (b) of section eighteen A of chapter fifty-eight of the General Laws; provided, however, that no such additional amount shall be paid to any municipality prior to the date of the assumption of jurisdiction by the regional district school committee of the pupils in all the grades from kindergarten through grade twelve, inclusive.

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 the city of Pittsfield and to the chairman of the board of selectmen of the town of Richmond. The director shall apportion the cost among the 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. This act shall take effect upon its passage.

Approved August 18, 1969.

Chap. 715. AN ACT AUTHORIZING THE CITY OF EVERETT TO ENTER INTO CERTAIN LEASES WITH THE EVERETT COTTAGE HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The city of Everett is hereby authorized from time to time to enter into leases of certain land with the buildings thereon owned prior to or acquired after the effective date hereof by said city, with the Everett Cottage Hospital, a corporation duly organized under the provisions of chapter one hundred and fifteen of the Public Statutes on June fifteenth, eighteen hundred and ninety-four. Such leases may include land now leased by said city to said Everett Cottage Hospital; provided, however, that any such new lease which is mutually agreed upon shall supersede and vitiate any prior lease between the parties. Any lease authorized by this act may be written for any term of years not exceeding ninety-nine years and may be upon such terms and

conditions, agreed to by the lessee, as the city council, subject to the approval of the mayor, shall determine, without any further authorization than is contained in this act.

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

Approved August 18, 1969.

Chap. 716. AN ACT DESIGNATING CERTAIN FULL TIME SCHOLARSHIPS AT CERTAIN INSTITUTIONS OF HIGHER LEARNING OF THE COMMONWEALTH AS SENATORIAL HONOR SCHOLARSHIPS.

Be it enacted, etc., as follows:

Section 1D of chapter 15 of the General Laws is hereby amended by striking out the twenty-second paragraph, inserted by chapter 608 of the acts of 1967, and inserting in place thereof the following paragraph: —

The board shall grant four honor scholarships in each senatorial district of the commonwealth to students who are resident in such district. Such scholarships shall be granted to the four students in each senatorial district who attain the highest marks in an examination to be taken by all candidates for such awards. Said scholarships shall be known as senatorial honor scholarships and shall be for full tuition at the University of Massachusetts, a state college, or a state technological institute, as the applicant may select, and shall continue for each or four undergraduate years and as long as the recipient thereof remains a student in good standing at said university or at such state college or institute. Said scholarships shall be in addition to the state aid to students in state colleges authorized under section seven C of chapter sixty-nine and section five of chapter seventy-three and to the commonwealth scholarships authorized under section forty-six C of chapter seventy-four, section thirty-one of chapter seventy-five and section seventeen of chapter seventy-five A. *Approved August 18, 1969.*

Chap. 717. AN ACT AUTHORIZING BEVERLY HOSPITAL CORPORATION TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

Notwithstanding any provisions of law to the contrary, Beverly Hospital Corporation, a corporation duly organized and existing under the laws of the commonwealth, is hereby authorized to hold real and personal property to an amount not exceeding thirty million dollars.

Approved August 18, 1969.

Chap. 718. AN ACT RELATIVE TO THE APPOINTMENT BY TOWN AND DISTRICT BOARDS OF THEIR MEMBERS TO OTHER TOWN AND DISTRICT OFFICES.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 4A, as most recently amended by chapter 6 of the acts of 1951, and inserting in place thereof the following section:—

Section 4A. Except as otherwise expressly provided, a district board, if authorized by vote of the district at an annual district meeting, or a town board may, if authorized by vote of the town at an annual town meeting, appoint any member thereof to another town or district office or position for the term provided by law, if any, otherwise for a term not exceeding one year. The salary of such appointee shall be fixed by vote of the town or district, notwithstanding the provisions of section one hundred and eight. In this section, the word "town" shall not include city. *Approved August 18, 1969.*

Chap. 719. AN ACT CHANGING THE NAME OF A CERTAIN PORTION OF THE MYSTIC VALLEY PARKWAY IN THE CITY OF MEDFORD TO THE ANTHONY NINO MONDELLO SECTION OF THE MYSTIC VALLEY PARKWAY.

Be it enacted, etc., as follows:

The Mystic Valley parkway from Main street to Boston avenue in the city of Medford shall be known and designated as the Anthony Nino Mondello section of the Mystic Valley parkway. A suitable marker bearing such designation shall be placed thereon by the metropolitan district commission. *Approved August 18, 1969.*

Chap. 720. AN ACT PROVIDING THAT CERTAIN BIDDERS MAY USE A CASHIER'S CHECK IN MAKING DEPOSITS REQUIRED AS A CONDITION PRECEDENT TO CONSIDERATION OF THEIR PROPOSAL.

Be it enacted, etc., as follows:

Chapter 29 of the General Laws is hereby amended by striking out section 54, as appearing in the Tercentenary Edition, and inserting in place therof the following section:—

Section 54. Every bidder, as a condition precedent to the consideration of his proposal, shall deposit with the state treasurer in cash, by certified check, or cashier's check drawn to the order of the state treasurer upon some state or national bank or trust company doing business in this commonwealth or in the city of New York, an amount to be fixed by the state treasurer, but not to exceed two and one half per cent of the amount of his proposal. *Approved August 18, 1969.*

Chap. 721. AN ACT CHANGING THE DUE DATE OF CERTAIN FUEL AND SPECIAL FUELS EXCISE RETURNS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 4 of chapter 64A of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 411 of the acts of 1960, and inserting in place thereof the following sentence:—Every distributor shall, on or before the last day of each month, except June and on or before the twentieth day of June, file with the commissioner a return under oath, on a form approved by the commission and furnished by the commissioner, stating the number of gallons of fuel sold by him in the

commonwealth during the preceding calendar month, and such return shall contain or be accompanied by such further information as the commissioner shall require.

SECTION 2. Said section 4 of said chapter 64A is hereby further amended by striking out the second paragraph, as amended by section 2 of chapter 451 of the acts of 1965, and inserting in place thereof the following paragraph:—

Every unclassified importer shall, on or before the last day of each month, except June and on or before the twentieth day of June, file with the commissioner a return under oath, on a form approved by the commission and 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 such return shall contain such further information as the commissioner shall require. At the time of filing such return, every unclassified importer shall 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 first sentence, as appearing in section 1 of chapter 619 of the acts of 1956, and inserting in place thereof the following sentence:—Every licensee, other than a user, shall, on or before the last day of each month, except June and on or before the twentieth day of June, file with the commissioner a return under oath, on a form approved by the commission and furnished by the commissioner, stating the number of gallons of special fuels sold or used by him in the commonwealth during the preceding calendar month, and such return shall contain such further information as the commissioner shall require.

SECTION 4. Section 6 of chapter 64F of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 375 of the acts of 1960, and inserting in place thereof the following sentence:—Every licensee shall, on or before the last day of April, July, October and January of each year, file with the commissioner a return under oath, on a form approved by the commission and furnished by the commissioner, stating the number of gallons of fuel or special fuels used by him in the commonwealth during the preceding calendar quarter, and such return shall contain such further information as the commissioner shall require.

SECTION 5. This act shall apply to returns required to be filed after its effective date. *Approved August 18, 1969.*

Chap. 722. AN ACT RELATIVE TO THE CONTROL OF AQUATIC NUISANCES IN WATERS OF THE COMMONWEALTH BY THE DEPARTMENT OF PUBLIC HEALTH AND AUTHORIZING THE WATER RESOURCES COMMISSION TO ESTABLISH PRIORITIES THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. Clause (36B) of section 5 of chapter 40 of the General Laws is hereby amended by adding the following two paragraphs:—

A city or town may participate in the cost sharing program established by this section for the control of aquatic nuisances in those waters of the commonwealth selected for control by the department of public health under the provisions of section five F of chapter one hundred and eleven.

To participate in such program, a city or town may contribute up to one half of the total cost of the control program but not less than one quarter of the total cost as determined by said department. If a body of water is located in a state park or reservation, or if the body of water is a great pond which said department determines is more heavily used by inhabitants of cities or towns other than the one in which the pond is located, the entire cost of the control may be borne by the commonwealth; provided, however, that if a state agency operates a recreational facility on a body of water the department of public health may authorize the city or town to contribute less than one quarter of the total cost. The department in determining the amount of any such contribution shall consider the following: (1) the economic capabilities of the city or town as determined by the department of corporations and taxation, (2) the use of the waters by communities outside of the city or town in which the waters are located, and (3) the advantage to the commonwealth of the work. When the body of water is located in more than one city or town, the local contribution shall be apportioned in accordance with the amount of water area in acres lying in each municipality as determined by the department of public health. In instances where a city or town boundary is merely contiguous to the shoreline of the waters but does not encompass any water area, the apportionment of costs shall be made in accordance with the amount of shoreline in linear feet lying in each town as determined by the department of public health. All city and town funds to be used in the cost sharing program for the control of aquatic nuisances shall be paid to the state treasurer and may be expended by the department of public health for said purposes.

SECTION 2. Chapter 111 of the General Laws is hereby amended by striking out section 5F, inserted by section 1 of chapter 498 of the acts of 1961, and inserting in place thereof the following section:—

Section 5F. The department shall undertake the control of algae, weeds and other aquatic nuisances in waters within the commonwealth in accordance with priorities established under this section; provided, however, no funds of the commonwealth shall be expended for a control program in waters to which there is no public access. In undertaking such control work the department shall consider the public health implications as they relate to public and private water supply uses, bathing and industrial process uses.

The department shall receive requests from any person or agency of the commonwealth to consider waters for control and shall submit to the water resources commission all such requests which it approves. The water resources commission shall review such requests and establish priorities for control, considering public accessibility, recreational and agricultural uses, the general public advantage, the importance to commercial, agricultural or other interests, the local interest

therein as manifested by municipal or other contributions therefor, and other considerations affecting the feasibility, necessity or advantage of the proposed work. The water resources commission shall forward the results of its review to the department within a period of sixty days, and if such review is not completed within sixty days or within such further time as may be mutually agreed upon, the department shall establish priorities.

No work authorized under this section shall be begun until the department conducts bioengineering surveys to determine the types and extent of nuisance aquatic growth, evaluates water usages, establishes restrictions where necessary to protect the public health, safety and property, as well as fish and other animal life, and develops estimates of costs. Personnel of the department of public health in the performance of their duties under this section may enter upon, pass through or over private lands or property whether or not covered by water. *Approved August 18, 1969.*

Chap. 723. AN ACT AUTHORIZING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO LEASE AIR RIGHTS OVER LAND HELD BY IT IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

The Massachusetts Bay Transportation Authority is hereby authorized to lease air rights, including rights for support, access, utilities, light and air, at one time or from time to time, for a term or terms not exceeding ninety-nine years, over a parcel of land owned or held by it in the city of Malden bounded and described as follows: —

BEGINNING At the intersection of the Northerly side of Winter Street and the Westerly side of the MBTA right-of-way; thence

NORTHERLY 536.19′, more or less, across Washington Street to the northeasterly corner of land located at 283–285 Washington Street; thence

WESTERLY 21′, more or less, to the northwesterly corner of said 283–285 Washington Street to the easterly side of Washington Street; thence

NORTHERLY 1,217.24′, more or less, to the intersection of the Malden-Melrose City Line and the easterly side of the lot of land at 373–375 Washington Street; thence

EASTERLY 163′, more or less, along the Malden-Melrose City Line to the westerly side of the MDC land; thence

SOUTHERLY 1261.69′, more or less, along the southwesterly boundaries of MDC land to a point; thence

SOUTHERLY 197.95′, more or less, along the westerly corner of MDC land at a point; thence

SOUTHERLY 89′, more or less, along southwesterly boundaries of southerly MDC land to a point on the northeasterly corner of land located at 55–65 Winter Street; thence

WESTERLY 165–79′, more or less, to the northwesterly corner of 55–65 Winter Street; thence

NORTHERLY 77.01′, more or less, to the northeasterly corner of land located at 69 Winter Street; thence

WESTERLY 63.92′, more or less, to the northwesterly corner of land located at 69 Winter Street; thence

SOUTHERLY 460′, more or less, along the westerly boundaries of said MBTA land to northerly side of Winter Street; thence

WESTERLY 70′, more or less, along the northerly side of said Winter Street to the point of beginning.

The foregoing description is intended to include all the Massachusetts Bay Transportation Authority property located between Clifton street, Malden to the Malden-Melrose city line. Subject to such terms and conditions, if any, as the authority may impose in any such lease, the leasehold estate created by such lease may be subleased in whole or in part, assigned, pledged or mortgaged, and any pledge or mortgage may be foreclosed by appropriate action. The construction or occupancy of any building or other thing erected or affixed under any lease under this act shall be subject to the building, fire, garage, health and zoning ordinances, by-laws, rules and regulations of the city of Malden. Any building or other thing erected or affixed under any such lease shall be taxed to the lessee thereof or his assigns in the same manner and to the same extent as if such lessee or his assigns were the owners of the land in fee; provided that no part of the value of the land shall be included in any such assessment. Any such leasehold estate may be sold or taken by the collector of taxes of said city for the nonpayment of any taxes assessed as aforesaid in the manner provided by law for the sale or taking of real estate for nonpayment of local taxes. Said collector shall have for the collection of taxes assessed under this act all remedies provided by the General Laws for the collection of taxes by collectors of cities and towns. The authority shall include in any lease of such air rights and space a provision whereby the lessee agrees, in the event that the foregoing tax provision is determined by a court of competent jurisdiction to be inapplicable, to pay annually to said city money in lieu of taxes which would otherwise be assessed in such year. Each lease made pursuant to this paragraph shall require that the lessee file with the authority a statement under oath containing the names and addresses of the officers and directors, in the case of a corporation, and in the case of a partnership or other voluntary association, the name and address of all persons having a financial or beneficial interest in said lease. The lessee shall within thirty days after any change in said officers or directors, or of persons holding any such interest, file a corrected statement under oath with the authority. No billboards shall be erected under the provisions of this act. Two independent and qualified appraisers shall be appointed by the authority to determine the fair rental value of any premises to be leased under the provisions of this act. The provisions of paragraph (c) of section five of chapter one hundred and sixty-one A of the General Laws shall not apply to any lease made under the provisions of this act. The authority shall not lease any air rights or space under this act without the consent of the city council and the approval of the mayor of the city of Malden.

Approved August 18, 1969.

Chap. 724. AN ACT GRANTING AUTHORIZATION FOR THE TRANSFER OF CERTAIN LANDS FROM THE METROPOLITAN DISTRICT COMMISSION TO THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of section forty-four A of chapter thirty of the General Laws and chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, the metropolitan district commission is hereby authorized and directed to transfer to the department of public works, certain parcels of land for the construction of interstate highway I–95 in the city of Boston and in the towns of Milton and Canton in the Neponset River Reservation Area.

Said parcels are shown on plans on file in the department of public works and identified as follows:

A. — In the city of Boston:
1. — Parcel #32–1 including not more than four acres.
2. — Parcel #32–3 including not more than four acres.
3. — Parcel #32–4 including not more than two and one-half acres.
4. — Parcel #32–17 including not more than three acres.
5. — Parcel #32–37 including not more than five acres.
6. — Parcel #32–37 (additional) including not more than 3,500 square feet.

B. — In the town of Milton:
1. — Parcel #3–12 including not more than thirty-two acres.
2. — Parcel #3–14 including not more than three acres.
3. — Parcel #3–21 including not more than two acres.
4. — Parcel #3–1–T including not more than one acre.
5. — Parcel #3–3–T including not more than one acre.

C. — In the town of Canton:
1. — Parcel #3–3 including not more than twenty-eight acres.
2. — Parcel #3–8 including not more than one acre.

For the purposes of this act the department of public works is hereby granted explicit authority to divert to highway use, lands or waters or portions thereof presently in public use as park lands, recreational areas or nature preserves.

The department of public works is hereby directed to plan the construction of depressed highways whenever connector roads and interstate highway I–95 are indicated through the districts of Roxbury, Jamaica Plain and Forest Hills, all in the city of Boston.

Approved August 18, 1969.

Chap. 725. AN ACT RELATIVE TO THE SALARY OF THE ASSISTANT CLERK IN CHARGE OF THE REMAND LIST OF THE CENTRAL DISTRICT COURT OF WORCESTER.

Be it enacted, etc., as follows:

The second sentence of the last paragraph of section 10 of chapter 218 of the General Laws, as appearing in section 1 of chapter 398 of the acts of 1969, is hereby amended by striking out, in line 2, the word "minimum" and inserting in place thereof the word: — maximum.

Approved August 18, 1969.

Chap. 726. AN ACT ESTABLISHING THE DATE OF THE PERMANENT APPOINTMENT OF ARMAND J. LEBLANC AS DEPUTY FIRE CHIEF OF THE CITY OF WALTHAM.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, and for the purpose of correcting procedural errors and preventing injustice, the date of the permanent appointment of Armand J. LeBlanc, as deputy fire chief of the city of Waltham, is hereby established as being June 5, 1965, when he was duly certified on the eligible list established by the director of civil service and assigned to the duties of said position by the appointing authority of the city of Waltham.

Approved August 18, 1969.

Chap. 727. AN ACT TO FACILITATE THE DISTRIBUTION OF FEDERALLY DONATED FOODS TO NEEDY FAMILIES IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Pursuant to an agreement entered into between the commissioner of education and the department of public welfare, authorized by section seven of chapter five hundred and forty-eight of the acts of nineteen hundred and forty-eight, inserted by chapter six hundred and thirty-seven of the acts of nineteen hundred and fifty-three, under the terms of which the department of public welfare was authorized to supervise, administer and provide for the distribution of surplus agricultural commodities donated to the commonwealth by the United States department of agriculture and supplied to said department by said commissioner of education, the commissioner of public welfare may enter into agreements with any public or private agency which may provide for the donation of gratuitous services and the contribution of funds for the purpose of expediting such distribution. Such donations may provide for the cost of transportation, storage and distribution of such surplus agricultural commodities under the general supervision of the department of public welfare and for other related costs; provided, that no liability except that of general supervision shall be placed upon the department as a result of the contribution of such donated services or funds.

Approved August 18, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 18, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 727 of the Acts of 1969, entitled "AN ACT TO FACILITATE THE DISTRIBUTION OF FEDERALLY DONATED FOODS TO NEEDY FAMILIES IN THE COMMONWEALTH." and the enactment of which received my approval on August 18, 1969, should take effect forthwith.

To facilitate the distribution of Federally donated foods to needy families in the Commonwealth and so that the operation of this program may proceed without unnecessary delay, I declare that in my opinion said law is an emergency law and the above facts constitute the emergency.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 19, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at two o'clock and twenty minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter seven hundred and twenty-seven of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 728. AN ACT AUTHORIZING THE COUNTY OF HAMPDEN TO REIMBURSE THE CHIEF PROBATION OFFICER FOR THE SUPERIOR COURT FOR THE COUNTIES OF HAMPDEN AND BERKSHIRE ON ACCOUNT OF MONEY STOLEN FROM HIS OFFICE.

Be it enacted, etc., as follows:

The county of Hampden is hereby authorized and directed to reimburse the chief probation officer for the superior court for the counties of Hampden and Berkshire in the amount of seventeen hundred dollars and fifty cents which was the amount stolen and not recovered in a burglary of the office of said probation officer on January twenty-second, nineteen hundred and sixty. If after such payment such officer receives any sum in reduction of such losses, he shall forthwith pay over the same to the county of Hampden. *Approved August 18, 1969.*

Chap. 729. AN ACT AUTHORIZING AND DIRECTING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO GRANT TO THE CITY OF MEDFORD THE AIR RIGHTS OVER ITS PROPERTY IN THE WELLINGTON AREA OF SAID CITY.

Be it enacted, etc., as follows:

The Massachusetts Bay Transportation Authority is hereby authorized and directed to lease to the city of Medford air rights including rights for support, access, utilities, and light and air, for a term of years not exceeding ninety-nine years over a certain parcel of land owned by said Authority in the Wellington area of said city as shown on plans of land entitled "Massachusetts Bay Transportation Authority, Haymarket — North Extension Contract No. HN-Wellington Area — Land Takings — Col. S. H. Bingham Asso. Inc. Consulting Engineers —

Boston, Massachusetts, dated June 13, 1968 and identified as Plan No. M — a — 22863, and Plan No. M — a — 22864".

The foregoing description is intended to include all the Massachusetts Bay Transportation Authority property located in the Wellington Area of the city of Medford. The leasehold estate created by such lease may be subleased in whole or in part, assigned, pledged or mortgaged, and any pledge or mortgage may be foreclosed by appropriate action. The construction or occupancy of any building or other thing erected or affixed under any lease under this act shall be subject to the building, fire, garage, health and zoning ordinances, by-laws, rules and regulations of the city of Medford. Any building or other thing erected or affixed under any such lease shall be taxed to the lessee thereof or his assigns in the same manner and to the same extent as if such lessee or his assigns were the owners of the land in fee; provided that no part of the value of the land shall be included in any such assessment. Any such leasehold estate may be sold or taken by the collector of taxes of said city for the nonpayment of any taxes assessed as aforesaid in the manner provided by law for the sale or taking of real estate for nonpayment of local taxes. Said collector shall have for the collection of taxes assessed under this act all remedies provided by the General Laws for the collection of taxes by collectors of cities and towns. No billboards shall be erected under the provisions of this act. The premises authorized to be leased under the provisions of this act shall be leased by said Authority to said city for a nominal rental. The provisions of paragraph (c) of section five of chapter one hundred and sixty-one A of the General Laws shall not apply to any lease made under the provisions of this act.

Approved August 18, 1969.

Chap. 730. AN ACT AUTHORIZING CITIES TO APPROPRIATE MONEY FOR THE PAYMENT OF CERTAIN UNPAID BILLS OF PREVIOUS YEARS.

Be it enacted, etc., as follows:

Chapter 44 of the General Laws is hereby amended by striking out section 64, as amended by section 8 of chapter 505 of the acts of 1969, and inserting in place thereof the following section: —

Section 64. Any town or city having unpaid bills of previous years which may be legally unenforceable due to the insufficiency of an appropriation in the year in which such bills were incurred may, in the case of a town, at an annual meeting by a four fifths vote, or at a special meeting by a nine tenths vote, of the voters present and voting at a meeting duly called, and, in the case of a city which accepts this section, by a two thirds vote of the city council, appropriate money to pay such bills; but no bill or payroll shall be approved for payment or paid from an appropriation voted under authority of this section unless and until certificates have been signed and filed with the selectmen or the city auditor, as the case may be, as hereinafter provided, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or employee of the town or city and that such goods and materials were delivered and actually received by the town or city or that such services were rendered to or for the town or city, as the case may be.

Every such certificate that goods, materials or services were so ordered shall be signed and filed by the official or employee of the town or city who ordered the same or, if he has ceased to be an official or employee of the town or city, by any official or employee of the town or city; every such certificate of delivery to the town or city of goods or materials shall be signed and filed by the vendor thereof or, if such vendor is a corporation, shall be signed and filed by the treasurer thereof; every such certificate that goods or materials were received by the town or city shall be signed and filed by an official or employee of the town or city; and every such certificate of services rendered to or for a town or city shall be signed and filed by the person who rendered such services.

This section shall not prohibit or prevent appropriations by a majority vote for bills or obligations of previous years due to any other town or to a district, a city, a county or the commonwealth, or for legally incurred debt and interest the payment of which is provided for by any general or special law.

This section shall apply to districts.

A city which accepts this section may appropriate money to pay such bills to an amount not to exceed two hundred dollars.

Approved August 18, 1969.

Chap. 731. AN ACT AUTHORIZING A MASTER PLUMBER TO CONDUCT THE PLUMBING BUSINESS AS A CORPORATION OR AS A PARTNERSHIP.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 142 of the General Laws is hereby amended by inserting after the definition of "Certificate" the following definition: —

"Certificate of a plumbing corporation or certificate of a plumbing partnership", a certificate of registration issued to a master plumber authorizing him to conduct the plumbing business as a corporation or as a partner in a partnership, as the case may be.

SECTION 2. Said chapter 142 is hereby further amended by inserting after section 3A the following section: —

Section 3B. A person duly licensed in the commonwealth as a master plumber may apply to the examiners for a certificate of a plumbing corporation or a certificate of a plumbing partnership upon payment of a fee of fifty dollars and a biennial renewal fee of fifty dollars. A certificate of a plumbing corporation shall authorize a master plumber to conduct the plumbing business as a corporation, provided that he is an officer of a corporation organized under the laws of the commonwealth to engage in the business of plumbing. A certificate of a plumbing partnership shall authorize a master plumber to conduct the plumbing business as a partnership, provided that all his partners are master plumbers.

SECTION 3. Said chapter 142 is hereby further amended by inserting after section 4 the following section: —

Section 4A. Master plumbers, journeymen, or apprentice plumbers, regularly employed by cities and towns or by institutions or corporations that are not engaged in the business of plumbing, may install such plumbing or make such repairs as may be required on the premises

and property owned or leased and occupied by such cities, towns, institutions or corporations, provided that all such work performed by said plumbers shall be in compliance with the pertinent sections and provisions of this chapter. *Approved August 18, 1969.*

Chap. 732. AN ACT AUTHORIZING THE CITY OF WALTHAM TO CONTINUE TO EMPLOY VERONICA L. DEEHAN AS HEAD CLERK OF THE DEPARTMENT OF PUBLIC WORKS OF SAID CITY NOTWITHSTANDING THAT SHE IS BEYOND THE MAXIMUM RETIREMENT AGE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the city of Waltham is hereby authorized to continue to employ Veronica L. Deehan as head clerk of the department of public works of said city until June thirty, nineteen hundred and seventy or until such time as the next civil service list for said position is established, whichever comes first; provided, that there shall be deducted from the compensation for her services in such position an amount equal to the retirement allowance received by her.

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

Approved August 19, 1969.

Chap. 733. AN ACT TRANSFERRING THE FORESTRY DIVISION OF THE CITY OF QUINCY TO THE PARK AND RECREATION BOARD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the forestry division in the department of public works of the city of Quincy shall, upon the effective date of this act, be transferred to the park and recreation board of said city. Upon such transfer the mayor of said city may appoint a suitable person as director of the forestry section within the park division of the park and recreation board who shall serve for a term of one year and who shall be exempt from the provisions of the civil service law. All employees of the forestry division shall be transferred without loss of seniority, retirement or other rights. All powers, duties and liabilities of the forestry division shall hereafter be exercised and discharged by the park and recreation board.

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

Approved August 19, 1969.

Chap. 734. AN ACT AUTHORIZING THE TOWNS OF BREWSTER, CHATHAM, HARWICH AND ORLEANS TO ACQUIRE LAND IN THE TOWN OF HARWICH FOR THE CONSTRUCTION AND OPERATION OF AN ICE SKATING RINK THEREON BY THE DEPARTMENT OF NATURAL RESOURCES.

Be it enacted, etc., as follows:

SECTION 1. The towns of Brewster, Chatham and Orleans are hereby authorized to appropriate money and to pay the same to the town of

Harwich to be used in conjunction with an appropriation by the town of Harwich for the purpose of acquiring land in said town, and making improvements thereto, consisting of site preparation work and the installation of water and sewer connections and the construction of parking facilities therefor, said land to be used for the construction of an ice skating rink.

SECTION 2. The selectmen of the town of Harwich are hereby authorized to receive money appropriated under section one and to acquire by purchase, eminent domain, or otherwise, land in said town and to make the aforementioned improvements thereto and, after said acquisition and improvements thereto, to convey the same to the commonwealth to be used for the construction and operation of an ice skating rink by the department of natural resources.

SECTION 3. Agreements for the acquisition of the land and for the improvements relating thereto shall be made by the selectmen of the town of Harwich only when authorized by each of the four towns.

SECTION 4. Moneys appropriated by the towns of Brewster, Chatham and Orleans for their shares of the cost of the acquisition and work related thereto shall be paid over to the treasurer of the town of Harwich and be available, together with the share of the town of Harwich, for expenditure by the treasurer with the approval of the selectmen of the town of Harwich for all costs and expenses incidental to the acquisition of and improvements to the land.

SECTION 5. This act shall take effect upon its passage.

Approved August 19, 1969.

Chap. 735. AN ACT FURTHER REGULATING THE BORROWING POWER OF THE LOWELL TECHNOLOGICAL INSTITUTE BUILDING AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide urgently needed facilities for students at Lowell Technological Institute, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The fourth sentence of the fifth paragraph of section 7 of chapter 557 of the acts of 1961, as amended by chapter 667 of the acts of 1966, is hereby further amended by striking out, in line 11, the word "sixty-seven" and inserting in place thereof the word: — seventy.

Approved August 19, 1969.

Chap. 736. AN ACT PROVIDING FOR THE REMOVAL OF A SUPERINTENDENT OF A STATE HOSPITAL OR STATE SCHOOL, DIRECTOR OR OTHER HEAD OF A RESIDENTAL MENTAL HEALTH OR RETARDATION FACILITY OF THE DEPARTMENT OF MENTAL HEALTH.

Be it enacted, etc., as follows:

Section 28 of chapter 123 of the General Laws is hereby amended by striking out the last four sentences and inserting in place thereof the

following six sentences: — A superintendent of a state hospital or state school, director or other head of a residential mental health or retardation facility of the department not subject to the provisions of chapter thirty-one may be removed by the commissioner for inefficiency, failure to perform duties properly or other good cause. The superintendent, director or other head sought to be so removed shall be notified of the proposed action, shall be furnished with a copy of the reasons therefor and shall be afforded an opportunity for a hearing before the department in accordance with the provisions of sections ten, eleven and twelve of chapter thirty A. Within twenty days after receipt of notice of the final decision of the department, said superintendent, director or other head, if aggrieved thereby, may bring a petition in the superior court within and for the county wherein he resides or the county wherein the facility is situated praying that the action of the department be reviewed. After such notice to the department as the court deems necessary, it shall review such action, hear the witnesses and shall affirm the decision of the department unless it shall appear that such decision was made without proper cause or in bad faith, in which case said decision shall be reversed and the petitioner be reinstated to his office without loss of compensation. The decision of the court shall be final and conclusive upon the parties. Upon the issuance of notice of a final decision of the department calling for removal, the commissioner may appoint an acting superintendent, director or other head, who shall serve from the date of issuance of said notice until the above period for petition for judicial review has expired, and, in the event a petition is brought, until a final decision of the court. *Approved August 19, 1969.*

Chap. 737. AN ACT PROVIDING FOR BETTER IDENTIFICATION AND MARKING OF LOBSTER BUOYS, POTS, TRAPS, CARS, AND BOATS.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 38 of chapter 130 of the General Laws, as appearing in chapter 642 of the acts of 1960, is hereby amended by striking out the third sentence and inserting in place thereof the following eight sentences: — Each applicant for a license under this section shall state the color scheme of the buoys desired to be used by him, which, if approved by the director, shall be set forth in his license, and all buoys used by him shall be marked accordingly, and all buoys, pots, traps, and lobster cars used by him shall be marked with the licensee's number assigned to him by the director, which shall be burned or cut into the surface thereof. The size of said numbers shall be prescribed by regulation of the director. All buoys, pots, traps, and lobster cars that are not marked as required shall be removed from the coastal waters by any officer who is empowered to enforce this section and shall be held for up to six months. If the owner of any such buoy, pot, trap or lobster car fails to claim same within said six months it shall be permanently confiscated and disposed of by the director of law enforcement or his designee for the best interest of the commonwealth. Said director, designee, or officer shall in no way be liable for such removal, confiscation or disposal. Before any buoy, pot, trap or lobster car is transferred, sold or given away the owner shall burn or cut the letter "T" into the

buoy, pot, trap or lobster car, after his number, to indicate that the buoy, pot, trap or lobster car has been transferred and the new owner shall burn or cut his number into the buoy, pot, trap or lobster car. It shall be prima facie evidence of a violation of this section if a person has in his possession or uses any buoy, pot, trap or lobster car, that has had the license number removed, altered or defaced. No person shall use wooden lobster buoys in the coastal waters after January first, nineteen hundred and seventy-four.

SECTION 2. The fourth paragraph of said section 38, as so appearing, is hereby amended by striking out, in lines 1 and 2, the word "paragraph" and inserting in place thereof the word: — paragraphs.

SECTION 3. Said chapter 130 is hereby amended by inserting after section 38 the following section: —

Section 38A. No person shall take or attempt to take, by diving, lobsters or edible crabs from the coastal waters, unless he displays his lobster license number upon his air tank or upon the surface of said waters, in the area where he is taking or attempting to take lobsters and edible crabs, a floating marker displaying said number. Said number on a floating marker shall be displayed in the form of a single panel not less than twelve inches in height and width and shall be buoyed in an upright position. The marker shall have a white background with the licensee's number displayed on both sides thereof by black numerals of a size prescribed by regulation of the director.

No person shall take or attempt to take with the aid and use of a boat any lobsters or edible crabs by pots, traps or other contrivances designed or adapted to the taking of lobsters or edible crabs without first displaying the buoy colors used by him in accordance with his license by painting the color or colors (*a*) on each side of the hull or upon panels attached to each side of the hull, or (*b*) upon both sides of a single panel which is attached to the boat on top of the bow, or by mounting a buoy, not less than eleven inches in length, and four inches in diameter, with his color scheme thereon, in an upright position at least six inches above the roof of the boat. Color schemes painted on the hull of the boat or upon panels shall be displayed as a solid colored strip four inches high and eighteen inches long, each strip abutting another on the longest side, if more than one color, to form a rectangle or square. The rectangle or square thus formed shall have a black border all the way around at least one inch wide. All color schemes so displayed shall be clearly visible from both sides of the boat.

Whoever violates any provision of this section or section thirty-eight, unless otherwise provided, shall be punished by a fine of not less than fifty nor more than one hundred dollars.

SECTION 4. This act shall take effect on January first, nineteen hundred and seventy-one.

SECTION 5. The director of the division of marine fisheries shall furnish a copy of sections thirty-eight and thirty-nine of chapter 130 of the General Laws, as amended by sections one to four, inclusive, of this act, to each person licensed to take lobsters and edible crabs from the coastal waters of the commonwealth during the year nineteen hundred and seventy.

Approved August 19, 1969.

Chap. 738. AN ACT PROVIDING THAT CITIES AND TOWNS MAY GRANT AN ANNUITY TO THE SPOUSE OR CHILD OF A FORMER EMPLOYEE ALTHOUGH SUCH SPOUSE OR CHILD IS RECEIVING A RETIREMENT ALLOWANCE OR PENSION BASED ON HIS OWN SERVICE TO THE COMMONWEALTH OR TO A POLITICAL SUBDIVISION.

Be it enacted, etc., as follows:

The first paragraph of section 95A of chapter 32 of the General Laws, as most recently amended by chapter 716 of the acts of 1968, is hereby further amended by inserting after the word "law", in line 18, as appearing in chapter 727 of the acts of 1965, the words: — other than a retirement allowance or pension. *Approved August 19, 1969.*

Chap. 739. AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO SELL AND CONVEY TO VINCENZO MAZZAFERRO CERTAIN LAND IN THE TOWN OF SANDISFIELD.

Be it enacted, etc., as follows:

The water resources commission, on behalf of the commonwealth, is hereby authorized to sell and convey to Vincenzo Mazzaferro all the right, title and interest of the commonwealth in a certain parcel of land in the town of Sandisfield, bounded and described as follows: —

Beginning at a concrete bound on the southerly side of Hubbard Road lying 2,027.12 feet east of West Street; thence running south 66 degrees, 12 minutes, 05 seconds east, 906.80 feet by the southerly side of Hubbard Road to an iron bar; thence running south 25 degrees, 31 minutes, 00 seconds west, 1,150.00 feet by land of the Commonwealth to an iron pipe; thence running north 42 degrees, 41 minutes, 57 seconds west, 1,069.51 feet by land of the Commonwealth to a concrete bound; thence running north 32 degrees, 19 minutes, 50 seconds east, 731.07 feet by land now or formerly of Jadwiga and Olga Veremko to the point of beginning. Being parcel marked 100-a on a plan entitled, "Commonwealth of Massachusetts, Water Resources Commission, Plan of Land in the Town of Sandisfield Taken Under the Authority of Chapter 565, Acts of 1963, Scale 200 feet to 1 inch, acc. no. 00110-c", on file with the water resources commission.

Approved August 19, 1969.

Chap. 740. AN ACT MAKING CERTAIN EMPLOYEES ELIGIBLE FOR MEMBERSHIP IN THE CONTRIBUTORY RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Clause (iv) of paragraph (*a*) of subdivision (2) of section 3 of chapter 32 of the General Laws, as most recently amended by chapter 381 of the acts of 1959, is hereby further amended by striking out, in line 2, the word "sixty" and inserting in place thereof the word: — sixty-five.

SECTION 2. Clause (v) of said paragraph (*a*) of said subdivision (2) of said section 3, as appearing in section 1 of chapter 644 of the acts of 1951, is hereby amended by striking out, in line 2, the word "sixty" and inserting in place thereof the word: — sixty-five.

SECTION 3. Clause (vi) of said paragraph (*a*) of said subdivision (2) of said section 3, as so appearing, is hereby amended by striking out, in line 3, the word "sixty" and inserting in place thereof the word: — sixty-five.

SECTION 4. Paragraph (*f*) of subdivision (2) of said section 3, as most recently amended by section 2 of chapter 609 of the acts of 1956, is hereby further amended by striking out, in line 3, the word "sixty" and inserting in place thereof the word: — sixty-five, — and by striking out, in line 14, the words "fifty-five but before attaining age sixty" and inserting in place thereof the words: — sixty but before attaining age sixty-five.

SECTION 5. This act shall take effect as of January first, nineteen hundred and sixty-six. *Approved August 19, 1969.*

Chap. 741. AN ACT PROVIDING FOR THE CONSTRUCTION AND INSTALLATION OF A WEIGHING SCALE AT THE STATE PIER IN THE CITY OF NEW BEDFORD BY THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to purchase and install a vehicle scale with a maximum capacity of not less than one hundred thousand pounds and not less than ten feet in width and sixty feet in length. Said scale shall conform to all specifications, tolerances and other technical requirements for commercial weighing devices as set forth in National Bureau of Standards Handbook 44 — Third Edition, as most recently amended by action of the National Conference on Weights and Measures, 1969.

Approved August 19, 1969.

Chap. 742. AN ACT RELATIVE TO THE REBATE AND REFUNDS OF REGISTRATION FEES OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. The sixth paragraph of section 2 of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 3 of chapter 736 of the acts of 1967, and inserting in place thereof the following sentence: — A person who, before the first day of the seventh month next following the effective date appearing on the certificate of registration, for any reason other than suspension or revocation surrenders his number plates and registration certificate and does not apply for registration of another vehicle but who, on or before the first day of the month next following which date shall be at least one month prior to the expiration date appearing on said certificate of registration, files in the office of the registrar a written application for a rebate shall be entitled to a rebate of one half the fee paid in excess of fifteen dollars for the registration of a vehicle of which the plates and registration certificate have been surrendered as aforesaid; provided, that no such rebate shall be paid except upon a certificate, filed with the comptroller, setting forth the facts, and signed by the registrar or his authorized agent; and provided, also, that the rebate shall be paid out of the fees received for the registration of motor vehicles and trailers without specific appropriation.

SECTION 2. Subdivision (7) of section 33 of said chapter 90 is hereby amended by inserting after the fifth paragraph the following two paragraphs: —

For the registration of every motor vehicle used exclusively for the transportation of goods, wares or merchandise and for every tractor, trailer, semitrailer, heavy-duty platform trailer or motor truck carrying a permanently mounted water well drilling machine by an owner who applies therefor under section two during the period beginning with the first day of September and ending with the thirty-first day of December in any year, one half the fee for a full year's registration of said vehicle.

For the registration of every motor vehicle or trailer not specified in the preceding paragraph which the registrar has determined shall be issued on a calendar basis, by an owner who applies therefor under section two or section five during the period beginning with the first day of October and ending with the thirty-first day of December in any year, one half the fee for a full year's registration of said vehicle.

SECTION 3. Said section 33 of said chapter 90 is hereby further amended by adding the following paragraph: —

In the event that any fee computed under any provision of this chapter for the registration of any motor vehicle or trailer includes in its total an odd or even number of cents, such fee shall be adjusted to the nearest half dollar. *Approved August 19, 1969.*

Chap. 743. AN ACT AUTHORIZING A PROGRAM FOR THE EXPANSION OF THE COMMERCIAL FISHING INDUSTRY.

Be it enacted, etc., as follows:

SECTION 1. To provide for a program for the expansion and development of the commercial fishing industry, the improvement and conversion of fishing gear and for the purchase of industry equipment, 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 Natural Resources.

Division of Marine Fisheries.

Item		
1040-9100	For a program for the development and expansion of the commercial fishing industry, including the purchase of equipment and the conversion of gear; provided, that expenditures for this program shall be contingent upon the prior approval by the proper federal authorities for reimbursement of one hundred per cent of the amounts expended	**$950,000**
	Marine Fisheries Fund . . . 100.0%	

SECTION 3. 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. 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. *Approved August 19, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 19, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 743 of the Acts of 1969, entitled "AN ACT AUTHORIZING A PROGRAM FOR THE EXPANSION OF THE COMMERCIAL FISHING INDUSTRY." and the enactment of which received my approval on August 19, 1969, should take effect forthwith.

In order to facilitate the program for the expansion and development of the fishing industry and expedite the appropriation of the Federal monies involved, I declare that in my opinion said law is an emergency law and the facts as stated constitutes the emergency.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 20, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at ten o'clock, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter seven hundred and forty-three of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 744. AN ACT PROVIDING LIFE TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR HOWARD F. GIVEN, INCUMBENT OF THE POSITION OF PATROLMAN IN THE POLICE DEPARTMENT OF THE TOWN OF TYNGSBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Howard F. Given, incumbent of the position of patrolman in the police department of the town of

Tyngsborough shall, upon the effective date of this act, continue until he reaches the age of sixty-five, 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 Tyngsborough at the annual town meeting in the year nineteen hundred and seventy 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-nine, entitled 'An Act providing tenure of office until age sixty-five for Howard F. Given, incumbent of the position of patrolman in the police department of the town of Tyngsborough', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved August 19, 1969.*

Chap. 745. AN ACT PROVIDING THAT THE ASSISTANT DIRECTOR OF THE DIVISION OF WATER POLLUTION CONTROL EXERCISE DUTIES OF THE DIRECTOR OF SAID DIVISION IN HIS ABSENCE OR DISABILITY, AND PROVIDING THAT CLEAN WATERS SCHOLARSHIP INTERNS SHALL BE EXEMPTED FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 26 of chapter 21 of the General Laws, as appearing in section 1 of chapter 685 of the acts of 1966, is hereby amended by adding the following sentence: — In the event of the absence or the disability of the director, the assistant director shall perform the duties of the office.

SECTION 2. The third paragraph of section 38A of said chapter 21, as appearing in chapter 611 of the acts of 1968, is hereby amended by adding the following sentence: — Service rendered to the division by a recipient of such a scholarship during the three year period following his graduation, and during the regular periods of summer vacation, and such other vacation periods as the director may establish, shall not be subject to the provisions of chapter thirty-one.

Approved August 19, 1969.

Chap. 746. AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO TAKE THE WATER RIGHTS TO ONOTA LAKE IN SAID CITY.

Be it enacted, etc., as follows:

The city of Pittsfield is hereby authorized to take by eminent domain or to acquire by purchase or otherwise, for recreational and flood control purposes, the water rights and any land, buildings or other structures which may be necessarily incidental to the control of the flowage of the water in Onota lake located in said city. *Approved August 20, 1969.*

Chap. 747. AN ACT INCREASING RATE OF INTEREST THAT MAY BE CHARGED ON CERTAIN LOANS ON POLICIES OF LIFE INSURANCE COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 142 of chapter 175 of the General Laws, as amended by section 1 of chapter 345 of the acts of 1950, is hereby further amended by striking out, in line 9, the word "five" and inserting in place thereof the word: — six.

SECTION 2. The provisions of this act shall not apply to policies issued prior to the effective date of this act.

Approved August 20, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 20, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 747 of the Acts of 1969, entitled "AN ACT INCREASING RATE OF INTEREST THAT MAY BE CHARGED ON CERTAIN LOANS ON POLICIES OF LIFE INSURANCE COMPANIES." and the enactment of which received my approval on August 20, 1969, 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 effectiveness of this act would allow life insurance companies to get the same return on borrowed money as banks and other loan entities in the commonwealth.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 20, 1969.

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

JOHN F. X. DAVOREN,
Secretary of he Commonwealth.

Chap. 748. AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL AND CONVEY CERTAIN LAND LOCATED IN THE TOWN OF WESTBOROUGH.

Be it enacted, etc., as follows:

The commissioner of mental health, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor, to sell, at public auction or to the highest responsible bidder

after inviting sealed proposals, all the right, title and interest of the commonwealth in and to a certain parcel of land located in the town of Westborough and bounded and described as follows: —

Beginning at a drill hole set in the corner of a wall at land of Chase Realty Trust formerly land owned by Leslie D. and Grace E. Bowman, said point being 620 plus or minus feet, southwest of Muddy Pond.

Thence running by land of Chase Realty Trust as the wall stands north 59–11–02, west 297.18 feet to a drill hole set in the corner of a wall.

Thence turning and running by Chase Realty Trust north 01–10–50, west as the wall stands 265.98 feet to a drill hole set in said wall.

Thence continuing on the same course by Chase Realty Trust 160.36 feet to a point.

Thence turning and running by Commonwealth of Massachusetts, Westborough State Hospital land, south 68–30–15, east 442.49 feet to a point at land of Chase Realty Trust, said point being 178 plus or minus feet southwest of Muddy Pond.

Thence turning and running by land of Chase Realty Trust south 19–31–57, west 441.77 feet to the point of beginning.

Said parcel contains 3.48 acres. The deed conveying said parcel of land shall be approved as to form by the attorney general.

Approved August 20, 1969.

Chap. 749. AN ACT ESTABLISHING A UNIT OF NARCOTICS WITHIN THE CRIMINAL INFORMATION BUREAU OF STATE POLICE IN THE DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 22 of the General Laws is hereby amended by inserting after section 3A the following section: —

Section 3B. There shall be within the bureau of criminal information a unit of narcotics. The commissioner may from time to time assign to said unit such members of the state police and other assistants as he may deem necessary to carry out the duties of said unit. Personnel assigned to the unit as officers shall be in the uniformed branch of the division of state police.

SECTION 2. Subdivision (*a*) of section 4C of chapter 147 of the General Laws, as appearing in section 2 of chapter 771 of the acts of 1955, is hereby amended by inserting after the word "activities", in line 7, the words: — and of persons arrested for the illegal use, sale or possession of harmful drugs or narcotics.

SECTION 3. Said chapter 147 is hereby further amended by inserting after section 4D the following section: —

Section 4E. The narcotics unit within the bureau of criminal information of state police shall be charged with the following duties and functions: — to investigate all violations of the narcotic and harmful drug laws and to arrest all violators of such laws; to train men assigned to the unit in the recognition of, and the properties of, various narcotics and drugs, the sources of supply of such narcotics, their methods of use, their effects on the user, and the methods of illegal trafficking in such narcotics and drugs; and to conduct similar training courses for police officer of local police departments upon payment of a charge by the city or town in which the student officer is a member of the police department. *Approved August 20, 1969.*

Chap. 750. AN ACT AUTHORIZING THE ISSUANCE TO DAN BARKAI, A CITIZEN OF THE STATE OF ISRAEL, OF A SPECIAL PERMIT TO OWN OR POSSESS FIREARMS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section one hundred and thirty-one H of chapter one hundred and forty of the General Laws to the contrary, the commissioner of public safety may issue a special permit to Dan Barkai, a citizen of the state of Israel and the Israeli national free pistol champion, currently residing in the commonwealth, to own or have in his possession or under his control firearms for the purpose of engaging in practice for the forthcoming world small arms championship competition to be held in the United States in the year nineteen hundred and seventy, in which he will represent his native country. Said permit shall be subject to such conditions and restrictions as said commissioner may determine. *Approved August 20, 1969.*

Chap. 751. AN ACT RECODIFYING AND REVISING THE HOUSING AND URBAN RENEWAL LAWS.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 121A the following chapter:—

CHAPTER 121B.

HOUSING AND URBAN RENEWAL.

Section 1. The following words, whenever used in this chapter shall, unless a different meaning clearly appears from the context, have the following meanings:—

"Acquisition cost", the amount prudently required to be expended by an operating agency in acquiring a housing or clearance project.

"Blighted open area", a predominantly open area which is detrimental to the safety, health, morals, welfare or sound growth of a community because it is unduly costly to develop it soundly through the ordinary operations of private enterprise by reason of the existence of ledge, rock, unsuitable soil, or other physical conditions, or by reason of the necessity for unduly expensive excavation, fill or grading, or by reason of the need for unduly expensive foundations, retaining walls or unduly expensive measures for waterproofing structures or for draining the area or for the prevention of the flooding thereof or for the protection of adjacent properties and the water table therein or for unduly expensive measures incident to building around or over rights-of-way through the area, or for otherwise making the area appropriate for sound development, or by reason of obsolete, inappropriate or otherwise faulty platting or subdivision, deterioration of site improvements or facilities, division of the area by rights-of-way, diversity of ownership of plots, or inadequacy of transportation facilities or other utilities, or by reason of tax and special assessment delinquencies, or because there has been a substantial change in business or economic conditions or practices, or an abandonment or

cessation of a previous use or of work on improvements begun but not feasible to complete without the aids provided by this chapter, or by reason of any combination of the foregoing or other condition; or a predominantly open area which by reason of any condition or combination of conditions which are not being remedied by the ordinary operations of private enterprise is of such a character that in essence it is detrimental to the safety, health, morals, welfare or sound growth of the community in which it is situated.

"Clearance project", the demolition and removal of buildings from any substandard, decadent or blighted open area by an operating agency in accordance with subsection (*d*) of section twenty-six.

"Community renewal program", any planning work or other undertaking (1) to identify substandard, decadent, and blighted open areas and other deteriorated or deteriorating areas, (2) to measure the nature and degree of blight and blighting factors within such areas, (3) to determine the financial, relocation, and other resources needed and available to restore and renew such areas, (4) to identify potential project areas and, where feasible, types of action proposed within such areas, and (5) scheduling or programming of urban renewal projects and other renewal activities in the community.

"Commissioner", the commissioner of community affairs.

"Decadent area", an area which is detrimental to safety, health, morals, welfare or sound growth of a community because of the existence of buildings which are out of repair, physically deteriorated, unfit for human habitation, or obsolete, or in need of major maintenance or repair, or because much of the real estate in recent years has been sold or taken for nonpayment of taxes or upon foreclosure of mortgages, or because buildings have been torn down and not replaced and under existing conditions it is improbable that the buildings will be replaced, or because of a substantial change in business or economic conditions, or because of inadequate light, air, or open space, or because of excessive land coverage or because diversity of ownership, irregular lot sizes or obsolete street patterns make it improbable that the area will be redeveloped by the ordinary operations of private enterprise, or by reason of any combination of the foregoing conditions.

"Department", the department of community affairs.

"Elderly persons of low income", persons having reached the age of sixty-five or over whose annual net income is less than the amount necessary to enable them to maintain decent, safe and sanitary housing.

"Families of low income", families and persons whose net annual income is less than the amount necessary to enable them to obtain and maintain decent, safe and sanitary housing.

"Federal government", the United States of America, and any agency or instrumentality corporate or otherwise of the United States of America.

"Federal legislation", any legislation of the Congress of the United States relating to federal assistance for urban renewal, clearance of substandard, decadent or blighted open areas, city or regional planning, rehabilitation, code enforcement, housing, relocation or any related matters, and any regulations authorized thereunder.

"Housing authority", a public body politic and corporate created pursuant to section three or corresponding provisions of earlier laws.

"Housing project", such projects for housing as a housing authority is authorized to undertake under sections twenty-five to thirty-three, inclusive.

"Low rent housing", decent, safe and sanitary dwellings within the financial reach of families or elderly persons of low income, and developed and administered to promote service ability, efficiency, economy and stability; together with all necessary appurtenances of such dwellings.

"Low rent housing project", (1) a clearance project; or (2) any work or undertaking to provide decent, safe and sanitary dwellings, apartments or other living accommodations for families of low income, which work or undertaking may include buildings, land, equipment, facilities, and other real or personal property for necessary, convenient and desirable appurtenances, public or private ways, sewers, water supply, parks, site preparation or improvement, or administrative, community, health, recreational, welfare, or other facilities; or (3) the purchase of, or acquisition, otherwise than by eminent domain, of the right to use, completed dwelling units which have been recently constructed, reconstructed or remodeled (whether condominium units, individual buildings part of a larger development, or a portion of the units in a multifamily development); or (4) any combination of the foregoing. Such a project may include the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and other work performed in connection therewith, but construction activity in connection with a project may be confined to the reconstruction, remodeling or repair of existing buildings.

"Mayor", the city manager of the city in all cities having a Plan D or Plan E charter and the duly elected mayor of the city in all other cities. The mayor is hereby designated as the chief executive of the locality for purposes of any approval or action of such officer required by federal legislation.

"Municipal officers", in the case of all cities, the city council with the approval of the mayor, and in the case of all towns, the board of selectmen with the approval of the town manager, if any. The municipal officers are hereby designated as the local governing body for purposes of any approval or action of such body required by federal legislation.

"Operating agency", a housing authority or redevelopment authority.

"Redevelopment authority", a public body politic and corporate created pursuant to section four or corresponding provisions of earlier laws.

"Relocation payments", voluntary payments whether or not required by federal legislation made by an operating agency as reimbursement or compensation for the reasonable moving expenses necessarily incurred and any actual, direct loss of property, except good will or profit, suffered by individuals, families, business concerns and nonprofit organizations, resulting from displacement on or after August twelfth, nineteen hundred and sixty-five, if such displacement

is reasonably required to carry out an urban renewal plan or because of the acquisition of property by an operating agency.

Such relocation payments shall not include reimbursement or compensation for any expenses or losses for which reimbursement or compensation would be otherwise made, nor shall any person have any right of action for relocation payments, except as provided by federal legislation or chapter seventy-nine A.

"Relocation project", any work or undertaking for providing decent, safe and sanitary dwellings for persons or families displaced by any urban renewal project or other public improvement by the commonwealth or any city, town or other body politic and corporate of the commonwealth.

"Substandard area", any area wherein dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitation facilities or any combination of these factors, are detrimental to safety, health or morals.

"Urban renewal agency", the agency described in section nine.

"Urban renewal plan", a detailed plan, as it may exist from time to time, for an urban renewal project, which plan may comply with all requirements from time to time prescribed by federal legislation in order to qualify an urban renewal project for federal financial assistance and which plan shall (1) conform to the general plan for the municipality as a whole and be consistent with any definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational, educational and community facilities and other public improvements; (2) be sufficiently complete to indicate the boundaries of the area, such land acquisition, such demolition, removal, and rehabilitation of structures, and such redevelopment and general public improvements as may be proposed to be carried out within such area, zoning and planning changes, if any, and proposed land uses, maximum densities and building requirements; and (3) indicate or be accompanied by materials indicating the proposed method for relocation of persons and organizations to be displaced by the project and the availability of and means by which there will be provided dwelling units for such persons substantially equal in number to the number of dwelling units to be rendered temporarily or permanently uninhabitable as a result of carrying out the project. In any case where an educational institution or a hospital is located in or near an urban renewal project area, the urban renewal plan for such project, or a development plan prepared by the hospital or educational institution and approved by the urban renewal agency after due notice and public hearing, may include plans for the development of land, buildings and structures adjacent to or in the immediate vicinity of the project area acquired or to be acquired and redeveloped or rehabilitated by such educational institution for educational uses or by such hospital for hospital uses. Such plans may comply with all requirements of federal legislation as they may exist from time to time relating to noncash grant-in-aid credits for expenditures of such hospitals or educational institutions. After its approval by the urban renewal agency, as aforesaid, any development plan which is not part of an urban renewal plan shall be approved by the planning board, the municipal officers and the department in the same

manner as urban renewal plans, except that no further public hearing shall be required.

"Urban renewal project", a project to be undertaken in accordance with an urban renewal plan (1) for acquisition by an urban renewal agency of the land and all improvements thereon, if any, within a decadent, substandard or blighted open area covered by an urban renewal plan and for assembly or clearance by such agency of the land so acquired; or a project (2) for the elimination and for the prevention of the development or spread of a substandard, decadent or blighted open area covered by an urban renewal plan by means of rehabilitation or conservation work, which work may include the promulgation and enforcement of building and other codes within such area or the restoration and renewal of any such area or portion thereof, including the preservation, restoration or relocation of historical buildings, by carrying out plans for a program of voluntary repair and rehabilitation of buildings or other improvements or by the acquisition by gift, purchase or eminent domain of land and all improvements thereon, if any, and demolition, removal, or rehabilitation of any such improvements whenever necessary to eliminate unhealthful, unsanitary or unsafe conditions, lessen density, mitigate or eliminate traffic congestion, reduce traffic hazards, eliminate obsolete or other uses detrimental to the public welfare, provide land for needed public facilities or otherwise remove or prevent the spread of blight and deterioration; or a project (3) involving any combination of the foregoing types of project. "Urban renewal project" may also include the provision of financial and other assistance in the relocation of persons and organizations displaced as a result of carrying out a project, the installation, construction or reconstruction of public and private ways, public utilities and services, parks, playgrounds, off street parking lots, traffic or fire control and police communications systems and other like improvements necessary for carrying out the objectives of the urban renewal project, together with such site improvements as are necessary for the preparation of any sites for uses in accordance with the urban renewal plan, and making any land or improvements acquired in the area of the project available for redevelopment or rehabilitation by private enterprise or public charitable agencies, including sale, initial leasing or retention by the urban renewal agency itself for residential, recreational, education, hospital, commercial, industrial, public, charitable or other uses in accordance with the urban renewal plan. "Urban renewal project" may also include the construction by a housing authority of any of the buildings, for residential use, contemplated by the urban renewal plan and the repair, removal or rehabilitation by an operating agency of any of the buildings, structures or other improvements located in the area covered by the urban renewal plan and which, under such plan, are to be repaired, moved or rehabilitated. "Urban renewal project" may also include acquisition by any means other than eminent domain and not involving public expenses of land outside of but adjacent to or in the immediate vicinity of an urban renewal project to be developed for hospital or educational uses under the urban renewal plan, whenever such acquisition is for the purpose of making such land subject to the urban renewal plan and the hospital or

educational institution involved consents thereto. The term "redevelopment" shall include "development".

"Veteran", a person who has served in the active military or naval service of the United States at any time between September sixteenth, nineteen hundred and forty and July twenty-sixth, nineteen hundred and forty-seven, both dates inclusive, or at any time between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen, both dates inclusive, and a person who has served in the active armed forces of the United States at any time between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five, both dates inclusive, or at any time between February first, nineteen hundred and fifty-five and the date of the termination of the Vietnam campaign as declared by proper federal authority, both dates inclusive, and who was discharged or released therefrom under conditions other than dishonorable. The word "veteran", as used herein, shall also include the wife, widow, mother or other dependent of such person.

Section 2. The provisions of this chapter are hereby declared to be severable and if any such provision or the application of such provision to any person or circumstances 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 chapter or the application of such provision 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 chapter would have been adopted had such invalid or unconstitutional provisions not been included therein.

OPERATING AGENCIES.

Section 3. There is hereby created, in each city and town in the commonwealth, a public body politic and corporate to be known as the "Housing authority" of such city or town; provided, that no such authority shall transact any business or exercise any powers until the need for a housing authority has been determined and until a certificate of organization has been issued to it by the state secretary, both as hereinafter provided.

Whenever the municipal officers of a city or an annual or special town meeting shall determine that a housing authority is needed therein for the purpose of the clearance of substandard, decadent or blighted open areas or the provision of housing for families or elderly persons of low income or engaging in a land assembly and redevelopment project, including the preservation, restoration or relocation of historical buildings, it may by vote provide for the organization of such an authority. In determining the need for a housing authority, the city council or the town shall take into consideration the need for relieving congestion of population, the existence of substandard, decadent or blighted open areas or unsanitary or unsafe inhabited dwellings, and the shortage of safe or sanitary dwellings available for families or elderly persons of low income at rentals which they can afford.

Whenever a housing authority determines that there is no further need for its existence, that it has no property to administer, and that

all outstanding obligations of the authority have been satisfied, it may by a majority vote of the five members submit the question of its dissolution, in a town, to the voters at an annual town meeting or, in a city, to the municipal officers. If a city or town votes for such dissolution in accordance herewith and the department is satisfied of the existence of the facts required herein it shall so certify to the state secretary and said housing authority shall be dissolved forthwith subject to the applicable provisions of section fifty-one of chapter one hundred and fifty-five.

Section 4. There is hereby created, in each city and town in the commonwealth, a public body politic and corporate to be known as the "Redevelopment authority" of such city or town; provided, that no such authority shall transact any business or exercise any powers until the need for such an authority has been determined and a certificate of organization has been issued to it by the state secretary, both as hereinafter provided.

Whenever the municipal officers of a city, or the voters at an annual or special town meeting determine that there is a need for a redevelopment authority in such city or town for the purpose of engaging in urban renewal projects or other work under this chapter and that it is in the public interest that such an authority be organized in such city or town, a redevelopment authority shall be organized in such city or town.

Whenever a redevelopment authority determines that there is no further need for its existence, and that all outstanding obligations of the authority have been satisfied, it may by a majority vote of the five members submit the question of its dissolution, in a town, to the voters at an annual town meeting or, in a city, to the municipal officers. If a city or town votes for such dissolution in accordance herewith and the department is satisfied of the existence of the facts required herein, it shall so certify to the state secretary and said redevelopment authority shall be dissolved forthwith subject to the applicable provisions of section fifty-one of chapter one hundred and fifty-five.

Section 5. Every housing and redevelopment authority shall be managed, controlled and governed by five members, appointed or elected as provided in this section, of whom three shall constitute a quorum.

In a city, four members of a housing or redevelopment authority shall be appointed by the mayor subject to confirmation by the city council; provided, that, the members shall be appointed to serve for initial terms of one, two, four and five years, respectively.

In a town, four members shall be elected by the town; provided, that of the members originally elected at an annual town meeting, the one receiving the highest number of votes shall serve for five years, the one receiving the next highest number of votes, for four years, the one receiving the next highest number of votes, for two years, and the one receiving the next highest number of votes shall serve for one year; provided, that upon the initial organization of a housing or redevelopment authority, if a town so votes at an annual or special town meeting called for the purpose, four members of such an authority shall be appointed forthwith by the selectmen to serve only

until the qualification of their successors, who shall be elected at the next annual town meeting as provided above.

In a city or town, one member of a housing or redevelopment authority shall be appointed by the department for an initial term of three years.

Thereafter, as the term of a member of any housing or redevelopment authority expires, his successor shall be appointed or elected, in the same manner and by the same body, for a term of five years from such expiration. Membership in a housing or redevelopment authority shall be restricted to residents of the city or town.

In a city, one of the five members of a housing authority shall be a representative of organized labor. Vacancies, other than by reason of expiration of terms, shall be filled for the balance of the unexpired term, in the same manner and by the same body, except elected members in towns whose terms shall be filled in accordance with the provisions of section eleven of chapter forty-one. Every member, unless sooner removed, shall serve until the qualification of his successor.

As soon as possible after the qualification of the members of a housing or redevelopment authority the city or town clerk, as the case may be, shall file a certificate of such appointment, or of such appointment and election, as the case may be, with the department, and a duplicate thereof, in either case, in the office of the state secretary. If the state secretary finds that the housing or redevelopment authority has been organized and the members thereof elected or appointed according to law, he shall issue to it a certificate of organization and such certificate shall be conclusive evidence of the lawful organization of the authority and of the election or appointment of the members thereof.

Whenever the membership of an authority is changed by appointment, election, resignation or removal, a certificate and duplicate certificate to that effect shall be promptly so filed. A certificate so filed shall be conclusive evidence of the change in membership of the authority referred to therein.

Section 6. The mayor or city council or board of selectmen may make or receive written charges against, and the mayor with the approval of the city council, or the board of selectmen, as the case may be, may accept the resignation of, any member of a housing authority or redevelopment authority appointed or elected by such city or town or may, after hearing, remove any such member because of inefficiency, neglect of duty or misconduct in office provided that such member shall have been given, not less than fourteen days before the date set for such hearing, a copy in writing of the charges against him and written notice of the date and place of hearing to be held thereon, and at the hearing shall have been given the opportunity to be represented by counsel and to be heard in his defense. The mayor and city council or board of selectmen may also make or receive written charges against any member of a housing or redevelopment authority in such city or town appointed by the department and refer the same to the department which may proceed in the same manner as the mayor and city council or board of selectmen under the preceding sentence. Pending final action upon any such charges, the officer or

officers having the power to remove such member may temporarily suspend him, provided that they shall immediately reinstate him in office if they find such charges have not been substantiated, and may appoint a person to perform the duties of such suspended member until he is reinstated or until he is removed and his successor is qualified. In case of any such removal the removing authority shall forthwith deliver to the clerk of the city or town attested copies of such charges and of its findings thereon, and the clerk shall cause the same to be filed with the certificate and duplicate certificate required to be filed with the department and the state secretary under section five.

A member of a housing or redevelopment authority who ceases to be a resident of the city or town shall be removed upon the date of his change of residence by operation of law. A member of a housing authority who is a tenant in a housing project shall not participate in any decision relating to the project affecting his personal interest.

Section 7. A housing or redevelopment authority shall elect from among its members a chairman and a vice-chairman, and may employ counsel, an executive director who shall be ex officio secretary of the authority, a treasurer who may be a member of the authority and such other officers, agents and employees as it deems necessary or proper, and shall determine their qualifications, duties and compensation, and may delegate to one or more of its members, agents or employees such powers and duties as it deems necessary or proper for the carrying out of any action determined upon by it. So far as practicable, a housing or redevelopment authority shall make use of the services of the agencies, officers and employees of the city or town in which such authority is organized, and such city or town shall, if requested, make available such services, except, that in the city of Boston, the housing authority may contract with said city for the assignment of thirty-seven police officers of the police department of said city to police the buildings and grounds owned by said authority with the proviso that said authority shall reimburse said city for one third of the cost thereof.

A housing authority may compensate its members for each day spent in the performance of their duties and for such other services as they may render to the authority in connection with projects commenced prior to July first, nineteen hundred and sixty-five. Such compensation shall not exceed fifty dollars a day for the chairman and forty dollars a day for a member other than the chairman, provided that the total sum paid to all the members in any one month or year shall not exceed two per centum of the gross income of the housing authority during such month or year, respectively, nor shall the total sum paid in any year exceed twelve thousand five hundred dollars in the case of the chairman or ten thousand dollars in the case of a member other than the chairman. Such compensation shall be allocated by the housing authority among its various projects commenced prior to July first, nineteen hundred and sixty-five, in such manner and amounts as it deems proper. Members of a housing authority shall be allowed, or be reimbursed for, all expenses properly incurred by them within or without the city or town in the discharge of their duties. Such expenses shall be allocated by the housing

authority among its various projects in such manner and amounts as it deems proper.

For the purposes of chapter two hundred and sixty-eight A, each housing and redevelopment authority shall be considered a municipal agency and, without limiting the power of a city council or board of aldermen or board of selectmen to classify additional special municipal employees pursuant to said chapter, each member of such an authority, and any person who performs professional services for such an authority on a part-time, intermittent or consultant basis, such as those of architect, attorney, engineer, planner, or construction, financial, real estate or traffic expert, shall be considered a special municipal employee.

POWERS AND LIABILITIES OF OPERATING AGENCIES.

Section 8. The operating agencies having the powers and subject to the limitations provided in sections twenty-five to thirty-three, inclusive, shall be housing authorities.

Section 9. The operating agencies having the powers and subject to the limitations provided in sections forty-five to fifty-seven, inclusive, to be known as urban renewal agencies, shall be:—

(*a*) each redevelopment authority;

(*b*) each housing authority of a city or town in which no redevelopment authority has been organized; provided, however, that no housing authority shall initiate an urban renewal project until the municipal officers of a city or an annual or special town meeting shall have determined that there exists in such city or town a need for urban renewal;

(*c*) each housing authority of a city or town in which a redevelopment authority has been organized, but only with respect to projects initiated by such authority before the organization of a redevelopment authority and subject to section fifty-one.

Section 10. Unless otherwise particularly provided in sections fifty-eight and fifty-nine the operating agencies having the powers and subject to the limitations provided in sections fifty-eight and fifty-nine of this chapter shall be either housing authorities or urban renewal agencies, whichever may be designated for the purposes of the particular program by the municipal officers.

Section 11. Each operating agency shall have the powers and be subject to the limitations provided in sections one to sixteen, inclusive, shall have the powers necessary or convenient to carry out and effectuate the purposes of the relevant provisions of the General Laws and shall have the following powers in addition to those specifically granted in this chapter:—

(*a*) To sue and be sued; to have a seal; to have corporate succession;

(*b*) To act as agent of, or to cooperate with the federal government in any clearance, housing, relocation, urban renewal or other project which it is authorized to undertake;

(*c*) To receive loans, grants and annual or other contributions from the federal government or from any other source, public or private;

(*d*) To take by eminent domain under chapter seventy-nine or

chapter eighty A, or to purchase or lease, or to acquire by gift, bequest or grant, and hold, any property, real or personal, or any interest therein, found by it to be necessary or reasonably required to carry out the purposes of this chapter, or any of its sections, and to sell, exchange, transfer, lease or assign the same; provided, that in case of a taking by eminent domain under said chapter seventy-nine, the provisions of section forty of said chapter shall be applicable, except that the security therein required shall be deposited with the mayor of the city or the selectmen of the town in which the property to be taken is situated. Except as herein otherwise provided, the provisions of chapters seventy-nine and eighty A relative to counties, cities, towns and districts, so far as pertinent, shall apply to operating agencies, and the members of a housing or redevelopment authority shall act on its behalf under those chapters.

(*e*) To clear and improve any property acquired by it;

(*f*) To engage in or contract for the construction, reconstruction, alteration, remodeling or repair of any clearance, housing, relocation, urban renewal or other project which it is authorized to undertake or parts thereof;

(*g*) To make relocation payments to persons and businesses displaced as a result of carrying out any such project;

(*h*) To borrow money for any of its purposes upon the security of its bonds, notes or other evidences of indebtedness, and to secure the same by mortgages upon property held or to be held by it or by pledge of its revenue, including without limitation grants or contributions by the federal government, or in any other lawful manner, and in connection with the incurrence of any indebtedness to covenant that it shall not thereafter mortgage the whole or any specified part of its property or pledge the whole or any specified part of its revenues;

(*i*) To invest in securities legal for the investment of funds of savings banks any funds held by it and not required for immediate disbursement;

(*j*) To enter into, execute and carry out contracts with any person or organization undertaking a project under chapter one hundred and twenty-one A;

(*k*) To enter, with the approval of the mayor or board of selectmen and the department, into agreements with the federal government relative to the acceptance or borrowing of funds for any project it is authorized to undertake and containing such covenants, terms and conditions as the operating agency, with like approval, may deem desirable; provided, however, that nothing herein shall be construed to require approval by the mayor or selectmen or the department of requisition agreements and similar contracts between an agency and the federal government which are entered into pursuant to an agreement approved by them;

(*l*) To enter into, execute and carry out contracts and all other instruments necessary or convenient to the exercise of the powers granted in this chapter; and

(*m*) To make, and from time to time amend or repeal, by-laws, rules and regulations not inconsistent with pertinent rules and regulations of the department to govern its proceedings and effectuate the purposes of this chapter.

Section 12. Each contractor with an operating agency and each subcontractor shall comply with the applicable requirements of chapter one hundred and forty-nine as to wages and hours of labor and any other conditions relating to employment. The department of labor and industries shall enforce this paragraph and shall also have power to petition the court for injunction or other appropriate relief against any operating agency which fails to comply herewith.

An operating agency shall enter into a compact or compacts with the Social Security Board or take such other action as it may deem appropriate to enable its employees to come within the provisions and obtain the benefits of the Social Security Act. If the employees of such an agency shall come within the provisions of the Social Security Act, their employment shall be included in the term "employment" as used in sections one to seven, inclusive, of chapter one hundred and fifty-one A.

Except as provided in section twenty-nine of this chapter, the provisions of section fifty-one of chapter thirty-one and the rules made thereunder shall not apply to any officer, agent or employee of an operating agency or to any person employed on or in connection with any project of an operating agency.

Except as provided in sections twenty-eight and thirty all by-laws, ordinances and regulations of the city or town in which any such project lies relating to the construction of buildings, municipal planning, zoning and the protection of public health shall apply to every project of an operating agency located in such city or town.

Section 13. An operating agency shall be liable in contract or in tort in the same manner as a private corporation. The members, employees, officers and agents of an operating agency shall not be liable as such on its contracts or for torts not committed or directly authorized by them. The property or funds of an operating agency shall not be subject to attachment or to levy and sale on execution, but if such agency refuses to pay a judgment entered against it in any court of competent jurisdiction, the superior court, sitting within and for the county in which the agency is situated, may, by writ of mandamus, direct the treasurer of such agency to pay such judgment. The real estate of such an agency shall not be subject to liens under chapter two hundred and fifty-four, but the provisions of sections twenty-eight and twenty-nine of chapter one hundred and forty-nine shall be applicable to any construction work by such agencies.

An operating agency shall reimburse the Massachusetts Bay Transportation Authority and every railroad corporation for all reasonable costs and expenses incurred by said transportation authority or such railroad corporation to relocate such of their respective facilities as are required to be removed as part of a project being undertaken pursuant to this chapter by such operating agency and as are necessary for the continuance of the common carrier services performed by said transportation authority or such railroad corporation. "Facilities", as used in this paragraph, shall mean poles, tracks, switches, wires, conduits, cables, signals and structures and in addition thereto equipment appurtenant to any of the foregoing.

Section 14. An operating agency may obligate itself, in any contract with the federal government for a loan or the payment of annual

contributions authorized by section eleven, to convey to the federal government the project to which such contract relates, upon the occurrence of a substantial default with respect to the covenants, terms and conditions of such contract to which such agency is subject. Such contract may further provide that, in case of such conveyance, the federal government may complete, operate, manage, lease, convey or otherwise deal with the project in accordance with the terms of such contract; provided, that the contract shall require that, as soon as practicable, after the federal government is satisfied that all of the defaults on account of which it acquired the project have been remedied, and that the project will thereafter be operated in compliance with the terms of the contract, the federal government shall reconvey to such agency or its successor the project in the condition in which it then exists. The obligation of an operating agency under such contract shall be subject to specific enforcement by any court having jurisdiction, and, notwithstanding any other provision of the law, shall not be deemed to constitute a mortgage.

Section 15. The bonds, notes and certificates of indebtedness of an operating agency, in the absence of an express recital to the contrary on the face thereof, shall constitute negotiable instruments for all purposes. They may be payable from the income of the agency or constitute a general obligation thereof, may be sold at not less than par, at public or private sale, may mature at such time or times, may be secured in such manner, may provide for such rights and remedies upon their default, may contain such other covenants, terms and conditions not inconsistent with law, may be executed by such officers, and may be issued with or without the corporate seal, all as may be authorized either by vote of the agency or by the officer or officers to whom the power to determine any or all the matters set forth in this sentence may be expressly delegated by vote of such agency. The engraved or printed facsimile of the seal of an agency on its bonds, notes or certificates of indebtedness shall have the same validity and effect as if such seal were impressed thereon. Whenever a bond, note or certificate of indebtedness is required to bear the signatures of two or more officers, it shall be sufficient if the signature of any one of such officers upon such instrument is a written signature and the remaining signature or signatures are engraved, printed or stamped facsimile signatures; provided, that each officer whose facsimile signature appears on such instrument has, by a writing bearing his written signature and filed in the office of the secretary of the agency, authorized the officer whose written signature appears on such instrument to cause such facsimile to be placed thereon. The facsimile signature of any officer so engraved, printed or stamped thereon shall have the same validity and effect as his written signature.

The bonds, notes and certificates of indebtedness of an operating agency issued under this chapter and the interest thereon shall be exempt from taxation, with respect to principal and income. The bonds of such an agency issued under this chapter shall be legal investments for the deposits and the income derived therefrom of savings banks, for the trust funds of trust companies, for the capital and other funds of insurance companies, and for funds over which the commonwealth has exclusive control.

Section 16. The real estate and tangible personal property of an operating agency including houses constructed by a housing authority on private land in rural areas under the provisions of section twenty-seven shall be deemed to be public property used for essential public and governmental purposes and shall be exempt from taxation and from betterments and special assessments; provided, that in lieu of such taxes, betterments and special assessments, a city or town in which an operating agency holds real estate used or to be used in connection with such a project may determine a sum to be paid to the city or town annually in any year or period of years, such sum to be in any year not in excess of the amount that would be levied at the current tax rate upon the average of the assessed value of such real estate, including buildings and other structures, for the three years preceding the year of acquisition thereof, the valuation for each year being reduced by all abatements thereon.

Such a city or town may, however, agree with such an operating agency upon the payments to be made to the city or town as herein provided or such agency may make and such city or town may accept such payments, the amount of which shall not in either case be subject to the foregoing limitation. The last paragraph of section six and all of section seven of chapter fifty-nine shall, so far as apt, be applicable to payments under this section.

Nothing in this chapter shall be construed to prevent the taxation to the same extent and in the same manner as other real estate is taxed, of real estate acquired by an operating agency for an urban renewal project and sold by it, or of the leasehold interests and buildings and other structures belonging to private individuals or corporations on land acquired by it; provided, however, that real estate so acquired by an operating agency and sold or leased to an urban redevelopment corporation or other entity operating under chapter one hundred and twenty-one A, or to an insurance company or savings bank or group of savings banks operating under said chapter, shall be taxed as provided in said chapter and not otherwise.

MUNICIPAL POWERS AND LIABILITIES.

Section 17. No bond, note or other evidence of indebtedness executed or obligation or liability incurred by an operating agency shall be a debt or charge against the commonwealth or any political subdivision thereof other than such agency. Nothing in this chapter shall be construed to obligate the commonwealth, or any political subdivision thereof other than the applicable operating agency, or to pledge its credit, to any payment whatsoever to any operating agency or to any creditor or bondholder thereof, nor shall anything therein contained be construed as granting to any operating agency any exemption from taxation except as expressly provided therein or to render the commonwealth, or any political subdivision other than such agency liable for any indebtedness or liability incurred, acts done, or any omissions or failures to act, of any such agency.

Section 18. Whether or not an operating agency has been created therein any city or town may undertake, itself or by or through any department, board, agency, authority, or office of the city or town, or

by or through any operating agency, planning district, metropolitan district, or other public body any planning activities within such city or town for the preparation or completion of master or general plans, a workable program for development of the community, general neighborhood renewal plans, a community renewal project, any other planning study, project or program and a code enforcement project, including the voluntary or compulsory repair and rehabilitation of buildings and improvements, the enforcement of laws, codes and regulations relating to the use of land and the use and occupancy of buildings and improvements, and the provision and repair of streets, curbs, sidewalks, street lighting, tree planting and similar improvements in connection therewith and may authorize such department, board, agency, authority, office, operating agency, district or public body to act as the agent of such city or town in entering contracts for financial assistance for such purposes from the federal government or the commonwealth. Any such city or town may raise and appropriate or agree with such department, board, agency, authority, office, district, operating agency or public body or with the federal government or the commonwealth to raise and appropriate such sums as may be necessary for the purpose.

Section 19. Cities and towns may raise and appropriate money for the purpose of defraying the initial costs and annual administrative expenses of an operating agency authorized to be organized therein, including the expense of preparing any plans, studies, programs and surveys an operating agency is authorized to prepare and the expense of preparing plans in connection with one or more proposed projects.

Without limiting the generality of the foregoing, any city or town may from time to time appropriate or agree to appropriate money for the purpose of aiding in the preparation of plans and estimates needed to prepare applications for federal loans or grants and in the preparation of any other estimates, plans, orders of taking and contract documents in connection with any proposed or approved project. All moneys appropriated by a city or town under the preceding sentence shall be repaid by the operating agency to such city or town if said agency subsequently receives other moneys available for the purposes for which such moneys were appropriated, but otherwise such moneys need not be repaid.

All moneys appropriated under this section in aid of an operating agency or received by it from any source shall be paid to the treasurer of the agency or such other officer of the agency as may be authorized by it, and shall be disbursed by such treasurer or other officer, subject to accounting therefor as required by this chapter.

Section 20. A city or town in which an operating agency has been organized may raise and appropriate, or may borrow, or may agree with such agency or with the federal government or the commonwealth to raise and appropriate or to borrow, in aid of such agency, such sums as may be necessary for:—

(1) defraying all the development, acquisition and operating costs of a clearance, urban renewal, community renewal, relocation, rehabilitation or low-rent housing project within such city or town; or

(2) defraying such part of the development, acquisition and operating costs of any such project to which either the federal

government, pursuant to federal legislation, or any other source has rendered or has agreed to render financial assistance, as will not be met by loans other than temporary loans or by contributions or grants other than annual or other contributions and grants in the nature of reimbursement from the federal government or from any such other source; and for

(3) the making of relocation payments by such agency; and

(4) repaying any loss which the city or town has agreed to bear and which is incurred as a result of the early taking, acquisition or clearance of land not used for urban renewal purposes.

Section 21. Indebtedness authorized under section twenty shall be outside the limit of indebtedness prescribed in section ten of chapter forty-four, and shall be payable within twenty years and otherwise subject to sections sixteen to twenty-seven, inclusive, of said chapter forty-four, except that in the case of indebtedness authorized under clause (1) or clause (2) of section twenty, the first principal payment may be made within five years and the last within twenty-five years of the date of the bonds or notes issued for the Serial Loan. The total amount of indebtedness of any city or town outstanding at any one time under clause (3) of section twenty alone shall not exceed one half of one per cent, and under clauses (1), (2) and (4) combined of said section twenty shall not exceed five per cent, of its equalized valuation.

Section 22. So long as the emergency finance board, established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, is in existence, no city or town shall, without the approval of said board, incur indebtedness for any of the purposes of this chapter which would cause the total amount of its indebtedness for such purposes then outstanding to exceed two and one half per cent of its equalized valuation. If said emergency finance board shall cease to exist, a commission consisting of the attorney general, the state treasurer and the director of the bureau of accounts in the department of corporations and taxation shall exercise the powers given to said emergency finance board by this section and section twenty-four. Said board or commission, as the case may be, shall hold a public hearing upon any matter submitted to it under this section if requested in writing to do so by twenty-five taxable inhabitants of such city or town within three days after the submission of such matter.

Section 23. For the purpose of complying with the conditions of federal legislation, or in lieu of a contribution, loan or grant in cash to an operating agency organized within its limits, or to aid and cooperate in the planning, construction or operation of any project of such an agency, a city or town, or the appropriate board or officer thereof on behalf of such city or town, may upon such terms, and with or without consideration, do or agree to do any or all of the following things, as such city, town, board or officer, as the case may be, may determine:—

(*a*) Sell, convey or lease any of its interests in any property, or grant easements, licenses or any other rights or privileges therein to such agency or to the federal government;

(*b*) Cause parks, playgrounds or schools, or water, sewer or drainage facilities, or any other public improvements which it is otherwise authorized to undertake, to be laid out, constructed or furnished adjacent to or in connection with a housing, clearance, relocation or urban renewal project;

(*c*) Lay out and construct, alter, relocate, change the grade of, make specific repairs upon or discontinue, public ways and construct sidewalks, adjacent to or through a housing, clearance, relocation or urban renewal project;

(*d*) Adopt ordinances or by-laws under section twenty-five to thirty A, inclusive, of chapter forty or repeal or modify such ordinances or by-laws; establish exceptions to existing ordinances and by-laws regulating the design, construction and use of buildings; annul or modify any action taken or map adopted under sections eighty-one A to eighty-one J, inclusive, of chapter forty-one;

(*e*) Cause public improvements to be made and services and facilities to be furnished to or for the benefit of an operating agency for which betterments or special assessments may be levied or charges made, and assume or agree to assume such betterments, assessments or charges;

(*f*) Purchase and hold any of the bonds or notes of an operating agency and exercise all of the rights of a holder of such bonds or notes;

(*g*) Make available to an operating agency the services of its agencies, officers and employees;

(*h*) Cause private ways, sidewalks, footpaths, ways for vehicular travel, playgrounds, or water, sewer or drainage facilities and similar improvements to be constructed or furnished within the site of a project for the particular use of the project or of those dwelling therein;

(*i*) Enter into agreements with an operating agency, the term of which agreements may extend over the period of a loan to the operating agency by the federal government, respecting action to be taken by such city or town pursuant to any of the powers granted by this chapter; and

(*j*) Do any and all other things necessary or convenient to aid and cooperate in the planning, construction or operation of a housing, clearance, relocation or urban renewal project within its limits.

The entering of a contract under this section between a city or town and the federal government or between a city or town and an operating agency shall not be subject to any provision of law relating to publication or to advertising for bids.

Section 24. A city or town, in which the operating agency, pursuant to section forty-seven, proposes to take, acquire or clear land constituting the whole or part or parts of an area which the agency has determined to be a substandard, decadent or blighted open area and for which such agency is preparing an urban renewal plan, may enter into an agreement with the operating agency to bear any loss that may arise as a result of such taking, acquisition or clearance in the event that such land is not used for urban renewal purposes; provided, however, that no city or town shall, without first obtaining a finding

of financial feasibility from the emergency finance board described in section twenty-two, or the commission authorized to succeed to the function of said board under said section, enter into any agreement under this paragraph which would cause the losses agreed to be borne by such city or town under all agreements under this paragraph in effect at any one time, according to the estimates of costs upon which such agreement or agreements are originally based, to exceed four per cent of its equalized valuation.

HOUSING PROGRAMS.

Section 25. It is hereby declared that substandard and decadent areas exist in certain portions of the commonwealth, and that there is not in the commonwealth, within a reasonable distance of the principal centers of employment, an adequate supply of low-rent housing for families of low income; that in certain portions of the commonwealth decent, safe and sanitary housing cannot be provided for families of low income in rural areas at a cost which would warrant private enterprise in the locality or in the same general area to provide an adequate supply thereof; that this situation tends to cause an increase and spread of disease and crime and constitutes a menace to the health, safety, morals, welfare and comfort of the inhabitants of the commonwealth and is detrimental to property values therein; that this situation cannot readily be remedied by the ordinary operations of private enterprise; that a public exigency exists which makes the clearance of substandard or decadent areas and the provision of housing for persons of low income a public necessity; that the clearance of substandard and decadent areas and the provision of housing for persons of low income, or either, constitute a public use for which private property may be acquired by eminent domain and public funds raised by taxation may be expended; and the enactment of sections one to forty-four of this chapter is declared to be a public necessity.

Section 26. A housing authority shall have the following powers in addition to those set forth in section eleven or elsewhere in this chapter:—

(*a*) To make studies of housing needs and markets, including data with respect to population and family groups and their distribution according to income groups, the amount and quality of available housing and its distribution according to rentals and sales prices, employment, wages and other factors affecting housing needs and markets, and surveys and plans for housing related to community development, including desirable patterns for land use and community growth, and to make such studies, surveys and plans available to the federal government, the department and other state agencies, other operating agencies, the public and the building, housing and supply industries;

(*b*) To conduct investigations and disseminate information relative to housing and living conditions and any other matter deemed by it to be material in connection with any of its powers and duties;

(*c*) To determine what areas within its jurisdiction constitute substandard, decadent or blighted open areas;

(*d*) To prepare plans for the clearance of such decadent, substandard or blighted areas and to clear open areas whenever necessary or desirable to provide for the equivalent elimination of substandard buildings in accordance with section thirty-three provided that no housing authority in any city or town in which a redevelopment authority has been organized shall initiate such a clearance project without the approval of such redevelopment authority and the approval of the municipal officers of the city or town;

(*e*) To provide housing projects for families of low income;

(*f*) To provide projects or parts thereof for elderly persons of low income;

(*g*) To provide housing for families of low income in rural areas in accordance with provisions set forth in section twenty-seven;

(*h*) To undertake and provide relocation projects in order to house for a limited period families who are displaced by an urban renewal project or other public improvement involving the elimination of dwelling units whenever such project or public improvement is determined upon and it or an urban renewal agency finds that there exists in the city or town an acute shortage of housing and that there are no adequate means available for immediate relocation of persons and families displaced from that project area; and

(*i*) To lease, operate and, subject to section thirty-two establish or revise schedules of rents for any project or part thereof undertaken by it.

Section 27. If a housing authority organized in a city or town in which rural areas are located shall undertake the provision of housing for families of low income in such rural areas, it shall comply with the following provisions and shall have the following powers, in addition to others specifically granted in this chapter:—(i) The same preference shall be given to families of veterans as is provided in clause (*f*) of section thirty-two. (ii) So far as practicable, such housing shall consist of separate single-family houses. (iii) A housing authority which has undertaken housing in rural areas shall have the power to lease or sell houses erected or acquired by it, and, in case of sale, to impose such covenants, which shall run with the land if the housing authority so stipulates, regarding the land and the buildings thereon as it deems necessary to carry out the purposes of this chapter. In case of lease, the lessee shall have the option to purchase such house at any time during his occupancy thereof at the price designated in his lease. When any such option is exercised, the purchaser shall be given credit for payments made by him which were applied toward amortizing the cost of the house, and in case the lease with option to purchase, has been assigned to him by a previous lessee, such credit shall include such payments made by previous lessees. (iv) Until a purchaser makes full payment for a house constructed by a housing authority under this subsection the title to such house shall remain in the housing authority regardless of ownership of the land. (v) Provision for farm housing for families of low income shall be subject to the following conditions:—(1) Before housing is constructed on a farm, the United States department of agriculture, or the United States department of the interior in the case of farms included in reclamation projects of that department through such representatives as it may

designate shall certify that the net annual income of the farm, together with the nonfarm income of those to be housed, is less than the amount necessary to enable them otherwise to obtain and maintain decent, safe and sanitary housing and that the construction of a suitable type house on the farm is consistent with the respective programs of the department involved; (2) Based upon the normal earning capacity of the farm, as certified by the United States department of agriculture or department of the interior, the housing authority shall determine that the farm owner can meet at least the minimum payments required of him; (3) In developing standards as to what constitutes decent, safe and sanitary dwellings, the housing authority shall take into consideration the needs of the family for which such housing is to be used; (4) With respect to houses on farms, there shall, so far as practicable, be a system of variable payments so that in any year when there is below normal production or prices there may be an appropriate decrease that year in payment below the minimum otherwise required, but only to the extent that credits have been established as defined by the annual contributions contract through previous payments by the farm owner in excess of the minimum required payments. (vi) Provisions of nonfarm housing for families of low income in rural areas, with sufficient land for home gardens, shall be subject to the condition that the housing authority shall first determine that such housing will be so located that sources of employment will be accessible to the occupants thereof.

The department, with the approval of the municipal officers shall have all the powers of a housing authority under this section in order to provide housing for families of low income in any city or town where no housing authority exists. Upon the organization of a housing authority in such a city or town, all the rights, titles, powers, duties and obligations of a housing authority acquired or exercised by the department with respect to such housing shall immediately vest in such housing authority.

Section 28. Except as provided in section thirty with respect to projects leased from the federal government, every housing project shall be subject to all laws and all ordinances, by-laws and regulations of the city or town in which it lies, relating to the construction and repair of buildings, town planning, zoning and the protection of the public health; provided, that with the approval of the department and the supervisor of plans of the department of public safety, any building in a housing project of not more than three stories in height which is divided into two or more sections by fire division separations in accordance with any special law relative thereto or with any ordinance, by-law or regulation of the city or town in which it lies, which contains an enclosed stairway in each section extending from the roof to the ground directly accessible to the occupants of each dwelling unit therein, which is built of fireproof or fire resistive construction as defined by any special law relative thereto or by any ordinance, by-law or regulation of the city or town in which it lies, and which, together with the other buildings on the same project, does not occupy more than thirty per centum of the area thereof, may be designed, erected and maintained with only one means of egress from a dwelling unit to a stairway or public corridor; provided, that when

any room in a dwelling unit is more than forty feet from such means of egress, there shall be two egresses from such dwelling unit located at points as widely separated from one another as may be reasonably feasible, with not more than four dwelling units above the second story in each section, with exterior egress doors not less than three feet in width, although such dwelling units contained in the aggregate more than eight rooms and the only means of egress is as above described; and provided, further, with the approval of the department, and the supervisor of plans of the department of public safety, any building in a housing project or any section of such a building which is set apart by a fire wall or fire walls of more than three stories in height, which is of fireproof or fire resistive construction in accordance with any special law relative thereto, or with any ordinance, by-law or regulation of the city or town in which it lies, and which is provided with two enclosed stairways isolated from each other by fire division separations in accordance with any special law relative thereto or with any ordinance, by-law or regulation of the city or town in which it lies, or as widely separated from each other as may be reasonably feasible, and which, if of more than six stories in height, is equipped with automatic sprinklers installed in cellars, basements, workrooms, shops, storerooms and kitchens, may be designed, erected and maintained with only one means of egress from each dwelling unit to a public corridor; provided, that when any room of a dwelling unit is more than forty feet from such means of egress, there shall be two egresses from such dwelling unit located at points as widely separated from one another as may be reasonably feasible; and provided, further, that in buildings three or more stories in height, stairs and landings, and doors connecting public corridors and stair enclosures, when serving not more than three hundred persons, shall be not less than three feet in width between walls or between wall and balustrades with stairs equipped with a handrail on one side, although the only means of egress and fire extinguishing apparatus are as above described.

Section 29. Each housing authority shall keep an accurate account of all its activities and all its receipts and expenditures and shall annually in the month of January make a report thereof to the department, to the state auditor and to the mayor of the city or to the selectmen of the town within which such authority is organized, such reports to be in a form prescribed by the department with the written approval of said auditor. The department or said auditor may investigate the affairs of housing authorities and their dealings, transactions and relationship. They shall severally have the power to examine into the properties and records of housing authorities and to prescribe methods of accounting and the rendering of periodical reports in relation to clearance and housing projects undertaken by such authorities. The department may from time to time make, amend and repeal rules and regulations prescribing standards and stating principles governing the planning, construction, maintenance and operation of clearance and housing projects by housing authorities.

In the development or administration of a project which is not federally aided, a housing authority shall furnish the commissioner of labor and industries, upon his request, with a list of the classifications

of work performed by all architects, technical engineers, draftsmen, technicians, laborers and mechanics employed therein, and shall notify him from time to time of any changes in said classifications. Said commissioner shall determine rates of wages and fees and payments to health and welfare plans for each such classification and shall furnish the housing authority with a schedule of such rates, fees and payments. The rates of wages and fees paid by each housing authority to such architects, technical engineers, draftsmen, technicians, laborers and mechanics shall not be less than those determined by said commissioner who shall set the rate at no less than eighty per cent of the prevailing wage in accordance with sections twenty-six and twenty-seven of chapter one hundred and forty-nine. In the event that any housing authority fails to furnish said commissioner with said list within two weeks after the date of his request, said commissioner shall determine said rates of wages and fees and payments to health and welfare plans.

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.

No employee of any housing authority, except an employee occupying the position of executive director, who has held his office or position, including any promotion or reallocation therefrom within the authority for a total period of five years of uninterrupted service, shall be involuntarily separated therefrom except subject to and in accordance with the provisions of sections forty-three and forty-five of said chapter thirty-one to the same extent as if said office or position were classified under said chapter.

Except as otherwise stated therein, compliance with this chapter, the rules and regulations adopted by the department and the terms of any low-rent housing project or clearance project authorized by this chapter, may be enforced by a proceeding in equity.

Section 30. A housing authority, with the written approval of the department and of the mayor of the city or selectmen of the town in which the project is situated, may enter into a contract with the federal government for purchasing or leasing a clearance or housing project owned or controlled by the federal government. If such a project has been so leased by a housing authority and such authority has by vote declared that the buildings of the project have been constructed in a manner that will afford necessary safety, sanitation and protection in other respects to the public, no changes shall be required by any agent of the commonwealth or of the city or town in the manner of construction, or the buildings, the fixtures or appurtenances thereto or the use for which the project was designed.

Section 31. A housing authority shall not undertake a low-rent housing project until it has submitted to the department the plans and description of the project, the estimated cost thereof, the proposed method of financing it, and a detailed estimate of the expenses and revenues thereof and the department has found that the plans and

description conform to proper standards of health, sanitation and safety, that the financial plan is sound and that with the aid of any federal grant or other subsidy the revenue from the project will be sufficient to meet its annually recurring expenses, including, without limitation of the foregoing, payments in lieu of taxes, depreciation and service of its indebtedness, and that the probable costs are such that it will be practicable to rent the property in accordance with the limitations set forth in section thirty-two without incurring an annual deficit.

In addition, the provisions of subparagraphs (*a*) and (*b*) shall apply to all projects except those as to which a contract between the federal government and a housing authority was in effect on December seventh, nineteen hundred and sixty-six and those involving the reconstruction, remodeling or repair of existing buildings:—

(*a*) Projects involving the purchase or acquisition of the right to use completed dwelling units which have been recently constructed, reconstructed or remodeled, whether condominium units, individual buildings part of a larger development, or a portion of the units in a multi-family development, shall be approved by the department only after it makes the following determinations: (i) the number of units involved does not exceed the following limits: in a building or development containing one to twelve units, no limit; in a building or development containing thirteen to thirty units, twelve units; and in a building or development containing thirty-one or more units, forty per cent of the total units; and (ii) the housing authority has made adequate arrangements for the maintenance and operation of the units, either through use of its own personnel or by contract with the owner or manager of the other units in the development.

(*b*) Projects involving the construction of new buildings by a housing authority shall be approved by the department following due notice and a public hearing in the town or city involved held to consider testimony relating to the determinations required to be made. The department shall approve such a project only if it makes the following determinations: (i) the proposed project does not include in excess of one hundred dwelling units in any one site; (ii) no site for the proposed project is located adjacent to or within one eighth of a mile of any site for a low-rent housing project which is in existence or has been approved by the department or is before the department for approval, except sites for projects approved or being approved under the preceding subparagraph (*a*); (iii) the design and layout of the proposed project is appropriate to the neighborhood in which it is to be located; and (iv) an adequate supply of dwelling units for families of low income is not then available in the private market, and the housing authority, after reasonable effort, has been unable to obtain such units either through reconstruction, remodeling, or repair of existing buildings or by the purchase of completed dwelling units. The provisions of this clause shall not apply to any project which shall be certified by the commissioner to be a project designed specifically for elderly persons of low income. A project shall be deemed to be designed specifically for elderly persons of low income if a majority of the dwelling units in said project are designed

specifically for elderly persons of low income and if not more than one hundred dwelling units in said project are designed for families of low income.

The department shall give written notice to the authority of its decision with respect to any project within thirty days after submission of such project. The department shall hold a public hearing upon any project, if requested in writing so to do, within ten days after the submission of the project, by the housing authority, or by the mayor or city council of the city or the selectmen of the town in which the proposed project is located, or by twenty-five or more taxable inhabitants of such city or town. Such public hearing may be combined with that required under subparagraph (*b*) in the case of projects approved under that subparagraph. If the department shall disapprove any project, it shall state in writing in such notice its reason for disapproval.

A project which has not been approved by the department when submitted to it may be again submitted to it with such modifications as are necessary to meet its objections.

When a housing authority has determined the location of a proposed clearance or low-rent housing project, it may, without awaiting the approval of the department, proceed by option or otherwise, to obtain control of the real property to be acquired for the project; provided, however, that it shall not, without the approval of the department, unconditionally obligate itself to acquire such real estate. When a housing authority receives notice that such a project has been approved by the department, it may proceed to acquire real estate for the project, and may construct, or contract for the construction of, any buildings and facilities planned therefor.

Section 32. Upon the completion or acquisition of a housing project by a housing authority it shall be maintained and operated by such authority. It is hereby declared to be the policy of this commonwealth that each housing authority shall manage and operate its housing projects in an efficient manner so as to enable it to fix the rentals for dwelling accommodations at the lowest possible rates consistent with providing decent, safe and sanitary dwelling accommodations, and that no housing authority shall construct or operate any such project for profit, or as a source of revenue to the commonwealth or to the city or town in which it is located. To this end an authority shall fix the rentals for dwelling units in its projects at no higher rates than it shall find to be necessary in order to produce revenues which together with all other available moneys, revenues, income and receipts of the authority, from whatever sources derived, will be sufficient:—(*a*) to pay, as the same become due, the principal and interest on the bonds of the authority; (*b*) to meet the cost of insurance and the payments in lieu of taxes provided by section sixteen and to provide for maintaining, operating and using the projects and the administrative expenses of the authority; (*c*) to create, during not less than the twelve years immediately succeeding its issuance of any bonds, notes or other evidences of indebtedness, a reserve sufficient to meet the largest principal and interest payments which will be due on such bonds in any one year thereafter and to maintain such reserve; and (*d*) to provide, subject to the approval of the department, such

recreational and community facilities in or near a housing project or projects as the authority may deem necessary for the health and welfare of the residents in the projects under its control, and such supervision and maintenance as may be necessarily incidental thereto.

In the operation or management of state-aided low-rent housing projects an authority shall at all times observe the following requirements with respect to rentals and tenant selection:—(*a*) It shall rent or lease the dwelling accommodations therein only at rentals within the financial reach of persons and families of low income. (*b*) It shall rent or lease to a tenant dwelling accommodations consisting of the least number of rooms which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding. (*c*) It shall not accept as a tenant any person or persons whose net annual income at the time of admission, less an exemption of one hundred dollars for each minor member of the family other than the head of the family and his spouse, exceeds five times the annual rental, including the value or cost to them of water, electricity, gas, other heating and cooking fuels and other utilities, of the dwellings to be furnished such person or persons. For the sole purpose of determining eligibility for continued occupancy, it may allow, from the net income of any family, an exemption for each minor member of the family (other than the head of the family and his spouse) of either (1) one hundred dollars, or (2) all or any part of the annual income of such minor. For the purpose of this section, a minor shall mean a person less than twenty-one years of age. (*d*) It shall not accept as a tenant in any project any person who is not a citizen of the United States; provided, however, that aliens who have served honorably in the armed forces of the United States, and who have been honorably discharged therefrom, shall be admitted to occupancy if they have made application for such citizenship; and provided, further, that aliens who have reached the age of sixty-five and who are eligible to receive old age assistance under chapter one hundred and eighteen A shall be admitted to occupancy. (*e*) There shall be no discrimination or segregation; provided, that if the number of qualified applicants for dwelling accommodations exceed the dwelling units available, preference shall be given to inhabitants of the city or town in which the project is located, and to the families who occupied the dwellings eliminated by demolition, condemnation and effective closing as part of the project as far as is reasonably practicable without segregation or discrimination against persons living in other substandard areas within the same city or town. For all purposes of this chapter no person shall, because of race, color, creed or religion, be subjected to any discrimination or segregation. (*f*) As between applicants equally in need and eligible for occupancy of the dwelling and at the rent involved, preference shall be given in the selection of tenants in the following order:—(1) to families or eligible persons which are to be displaced by any low-rent housing project or by a public slum clearance or urban renewal project initiated after January first, nineteen hundred and forty-seven, or other public improvement, or which were so displaced within three years prior to making application to such housing authority for admission to any low-rent housing; and as among such families first preference shall be

given to families of disabled veterans whose disability has been determined by the veterans' administration to be service-connected, and second preference shall be given to families of deceased veterans whose death has been determined by the veterans' administration to be service-connected, and third preference shall be given to families of other veterans; and (2) to families of other veterans, and as among such families first preference shall be given to families of disabled veterans whose disability has been determined by the veterans' administration to be service-connected, and second preference shall be given to families of deceased veterans whose death has been determined by the veterans' administration to be service-connected; and (3) to persons and families displaced by other public action including, without limitation, enforcement of the minimum standards of fitness for human habitation established by the state sanitary code and other local ordinances, by-laws, rules or regulations. (*g*) It shall not establish any requirement that applicants who have been displaced by any such public action be residents 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.

In computing the rental for the purpose of this section, there shall be included therein the average annual cost, as determined by the authority, to occupants of heat, water, electricity, gas, cooking range and other necessary services or facilities, whether or not the charge for such services and facilities is in fact included in the rental.

In determining net income for the purpose of tenant eligibility with respect to a low-rent housing project financed by the commonwealth or by any city, town or other political subdivision thereof or administered by a housing authority under the provisions of this chapter or as agent for any municipality, the housing authority is authorized, where it finds such action equitable and in the public interest, to exclude amounts or portions thereof paid by the United States government or the commonwealth or any of its political subdivisions to the tenant for disability occurring in connection with military service. In determining the net income for the purpose of computing the rent of a totally unemployable disabled veteran, a housing authority is authorized to exclude amounts of disability compensation paid by the United States government for disability occurring in connection with military service in excess of eighteen hundred dollars in any year, but such authorization shall apply only in state-aided projects and while such projects are receiving state financial assistance, as provided in sections thirty-five and thirty-six.

In determining the net income of the tenant family for the purpose of computing the rent and determining eligibility for admission and continued occupancy, proceeds paid to such tenant family from policies of insurance shall be excluded from income.

The tenancy of a tenant of a housing authority shall not be terminated without cause and without reasons therefor given to said tenant in writing. A tenant at his request shall, except in the case of nonpayment of rent, be granted a hearing by a housing authority at least fifteen days prior to any such termination. The housing au-

thority's determination of cause shall be reviewable in the district court whenever an action for summary process is brought for possession of the premises.

A housing authority or its designee shall meet at reasonable times with tenant organizations to confer about complaints and grievances; provided, that if there is more than one tenant organization in any housing project, said authority or its designee shall not be obliged to meet with more than the two organizations in each project which represent, as the housing authority may determine, the largest number of tenants in that project. The housing authority shall inform the tenant organizations of its decisions on any matters presented.

Section 33. No project for low-rent housing involving the construction of new dwellings shall be undertaken by a housing authority unless the city or town has entered into an agreement with the housing authority providing that, subsequent to the initiation of the project and within five years after the completion thereof, there has been or will be elimination by demolition, condemnation, effective closing or compulsory repair or improvement of unsafe or unsanitary dwelling units situated in the locality or metropolitan area substantially equal in number to the number of newly constructed dwelling units provided by such project; provided, that where more than one family is living in an unsafe or unsanitary dwelling unit, the elimination of such unit shall count as the elimination of units equal to the number of families accommodated therein; and provided, further, that such elimination may, in the discretion of the department be deferred in any locality or metropolitan area where there is an acute shortage of decent, safe or sanitary housing available to families of low income; and provided, further, that this requirement shall not apply in the case of any low-rent housing project located in a rural nonfarm area, or to any low-rent housing project undertaken under the provisions of section thirty-four.

VETERANS AND RELOCATION HOUSING.

Section 34. The commonwealth, acting by and through the department, may enter into a contract or contracts with a housing authority for state financial assistance in the form of a guarantee by the commonwealth of notes or bonds or both of the housing authority issued to finance the cost of a housing project or projects, and annual contributions by the commonwealth. The guarantee by the commonwealth of notes or bonds or both of a housing authority shall be executed on each note or bond or both by the commissioner. Each such contract shall contain such limitations as to the development cost of the project and administrative and maintenance costs, and such other provisions, as the department may require. Each project shall be based upon a separate application made to the department and shall be planned to conform, as nearly as possible, to the existing published requirements of the federal government for low-rent or other housing projects, except such requirements as are based upon the cost limitations set forth in federal legislation. A project so planned shall be deemed to provide adequate performance as set forth in section three

J of chapter one hundred and forty-three. A housing authority may, with the approval of the department, acquire under the provisions of clause (*d*) of section eleven for the purposes of a project under this section or section thirty-five any land acquired by a city or town under the provisions of chapter three hundred and seventy-two of the acts of nineteen hundred and forty-six, as amended; provided, that such city or town has not completed construction of a housing project on such land. Each project developed under this section and section thirty-five shall be administered for occupancy in accordance with section thirty-two, except clause (*c*), and except that for each completed project the authority shall create, beginning in the first year immediately succeeding its issuance of any bonds, a reserve for principal and interest equal to one twelfth of the largest principal and interest payments which will be due on such bonds in any one year thereafter and shall maintain such reserve and increase the same by a similar amount for each of the eleven succeeding years thereafter and maintain each such increase; provided, however, that whenever the amount of the reserve shall equal at least fifty per cent of the total amount so required to be provided, the department may authorize extension of the time for creating such reserve to a period of twenty-four years from the issuance of any bonds and any such reserve shall be maintained and thereafter increased by equal amounts annually during the remaining portion of the twenty-four years; provided, however, that in the event a project is refinanced, there shall be appropriate adjustments made in the reserves required by the foregoing provisions to reflect any change in amounts of principal and interest payable to the end that twelve years after the date of the issuance of the original bonds, or, as soon thereafter as may be practicable, there will have been created and thereafter maintained a reserve equal to the largest amount of principal and interest due in any subsequent year on account of the outstanding bonds issued to finance the project; and except that each such project shall be occupied, except as hereinafter provided by veterans and their families, and priority shall be given first to veterans of World War II of low income and to veterans of low income who have served in the active armed forces of the United States at any time between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five, both dates inclusive; then to veterans of low income, such low income to be determined from time to time by the department; then to a person without regard to family status who is a veteran and who is fifty years of age or over; then to elderly persons qualifying for housing under the provisions of section forty; then, without regard to family status, to a person of low income who is permanently and totally disabled and eligible for assistance under chapter one hundred and eighteen D, or blind; then to other persons of low income living in substandard housing; and a housing authority may remodel or reconstruct parts of projects erected under this section to make the same available for occupancy by elderly persons qualifying for housing under the provisions of section forty and such remodeled or reconstructed apartments shall be available for occupancy by eligible elderly persons of low income only to the extent that no eligible veterans apply for such units; provided, that if no eligible

veterans or elderly persons of low income apply for such remodeled or reconstructed units, the units shall be made available to other persons of low income living in substandard housing. Notwithstanding the requirement that each project shall be based upon a separate application made to the department, the department may consolidate two or more projects of the same housing authority, for which projects applications have been seasonably made under this section and which projects shall have been approved by the department, into a single project, and may make on behalf of the commonwealth a contract with the housing authority for state financial assistance in respect of such consolidated project superseding any such contract made in respect of any of the constituent projects, and may determine the date of completion of the consolidated project superseding any such date determined in respect of any of the constituent projects and such consolidated project shall be constructed, financed and managed as a single project; provided, that nothing contained in this sentence shall affect the rights of the holders of any notes or bonds outstanding in respect of any of the constituent projects at the time of such consolidation.

If federal assistance for low-rent housing becomes available in any form not applicable to projects under this chapter, the department shall immediately report the circumstances to the general court together with such recommendations for legislation as may be necessary to enable such projects to qualify for such assistance. Upon the availability of federal financial assistance for low-rent housing projects under this section, each housing authority having a contract for state financial assistance shall, upon receipt of written notice from the department, immediately enter into negotiations with the federal government to arrange for federal assistance with respect to any project developed hereunder and for the termination, in whole or in part, of state financial assistance. For any such project the department may order any housing authority (1) to apply for federal financial assistance, and (2) upon obtaining the approval of the federal government, to enter into a contract or contracts for federal assistance, and to make such arrangements as are possible to terminate, reduce or subordinate the obligation of the commonwealth to render financial assistance in such amount as is provided by federal assistance. No order of the department shall in any way affect any outstanding obligations of a housing authority or the rights of any holders of notes or bonds. The amount of federal payments shall be used to the fullest allowable extent to meet the payment of principal and interest on all notes or bonds guaranteed by the commonwealth.

After March thirty-first, nineteen hundred and fifty-three, or such later date as the department shall determine that an acute shortage of housing for veterans constituting a public exigency, emergency or distress no longer exists in a particular city or town, any project, or a part of any project with the land appurtenant thereto, constructed under this section may, with the approval of the department, be sold for the fair market value thereof as determined by the department, but not less than the total of the outstanding obligations of the housing authority with respect to such project if the whole is sold or not less than that percentage of the total outstanding obligations of

the authority with respect to such project which the cost of the part sold bears to the total cost of the entire project if a part is sold. Upon the expiration of the period for which the commonwealth is obliged to furnish state financial assistance, and provided the federal government has not become obligated to furnish federal financial assistance, any such project shall be offered for sale and disposed of as soon as is consistent with sound business judgment; provided, that any such sale shall be approved by the department. The Housing Authority Bonds Sinking Fund is hereby established and the state treasurer is hereby designated custodian thereof and he shall administer such fund in accordance with the provisions of chapter twenty-nine. So long as any notes or bonds or both issued by a housing authority to finance the cost of a project under this section or section thirty-five and guaranteed by the commonwealth are outstanding, the proceeds of any sale of such project shall be paid by the housing authority into such fund and shall be expended from time to time by the state treasurer to pay interest and principal of any notes or bonds or both issued by such housing authority to finance such project.

The proceeds of any sale of such project in excess of the total of all obligations of the housing authority with respect to such project shall, after the payment of all notes or bonds or both issued by the housing authority to finance the cost of such project, be paid to the city or town in which such project is located and to the commonwealth. The respective payments to such city or town and the commonwealth shall be proportional to the contributions theretofore made by such city or town and the commonwealth toward the development and maintenance of such project, as determined by the department. In determining the contributions of a city or town, the department shall include the amounts which the city or town would have received if such project had not been exempt from taxes, betterments and special assessments, less any amounts paid by the housing authority to the city or town in lieu of such taxes, betterments and special assessments. Payments to the commonwealth hereunder shall be paid into the state treasury and shall be credited to the General Fund.

The provisions of sections one to forty-four, inclusive, except section thirty-three shall, as far as apt, be applicable to projects developed under this section and under section thirty-five and to housing authorities while engaged in developing and administering such projects; provided, that whenever the phrases "federal government" or "federal legislation" are used in said sections one to forty-four, inclusive, they shall also mean the commonwealth or laws of the commonwealth, as the case may be; and that whenever the words "low-rent housing project" or "projects" are used in said sections they shall also mean a state-aided project under this section and section thirty-five.

The following provisions shall be applicable to each contract for state financial assistance under this section and section thirty-five:—

(*a*) A housing authority may sell temporary notes or bonds or both to finance a project; provided, that the total amount outstanding at any one time, exclusive of any notes or bonds or both which may be issued for refunding purposes shall not be in excess of the cost of the

project as approved by the department. Any such notes or bonds, whether original or refunding, may at any time be refunded through the issue and sale of notes or bonds hereunder but in no event for a term more than forty years after completion of the project, as determined by the department.

Notwithstanding the provisions of section seventeen the payment of the principal of, and interest on, all such notes or bonds or both shall be guaranteed by the commonwealth, and the full faith and credit of the commonwealth is hereby pledged for any such guarantee; provided, that the total amount of notes or bonds or both so guaranteed shall not exceed two hundred and twenty-five million dollars, in the aggregate, for all projects constructed under this section and section thirty-five, exclusive of any such notes or bonds or both which may be issued for refunding purposes.

No housing authority shall sell or offer for sale any such notes or bonds without receiving from the department approval of the amount, the term, the time of sale, the amortization schedule and other conditions of sale which the department may deem relevant in connection with the sale of such notes or bonds. Except as otherwise provided in this paragraph, the amortization schedule for any bonds issued hereunder shall provide for payment of principal and interest combined in substantially equal amounts during each year that any of said bonds remain outstanding. Bonds may be issued for a maximum period of forty years from the completion of the project as determined by the department or for any portion of such period as may remain at the time of issue of said bonds. Bonds may be issued for less than the maximum period permitted hereunder under an amortization schedule which provides for the payment of a larger amount of principal and interest in the last year any such bonds remain outstanding than in the prior years, in which event the amortization schedule for such bonds shall provide (1) for payment of principal and interest combined during each year except the last in amounts which are not less than the amounts which would be required by an amortization schedule for bonds bearing the same rate of interest and issued for the maximum period permitted; and (2) for the payment of the entire balance of such bonds in such last year. In the event bonds are issued for less than the maximum period permitted hereunder with a large amount of principal and interest payable in the last year as hereinbefore provided, the amount of principal and interest payable in said last year shall be disregarded in computing the requirements for the reserve under the first paragraph of this section. In the event notes are issued to finance or refinance a completed project, such notes shall be payable not later than twenty-four months after such issuance, and (1) such notes shall be permanently retired at the maturity thereof in an amount at least equivalent to the amount of retirement of bonds which would have been required by an amortization schedule for bonds issued for the maximum period permitted hereunder and bearing interest at the rate of two and one half per cent per annum, adjusted to the nearest month where notes are issued for a period other than one year; and (2) a reserve for principal and interest shall be created and maintained beginning in the first year immediately

succeeding the issuance of such notes, equal to one twelfth of the largest principal and interest payments which would become due in any one year thereafter, if such bonds had been issued, and such reserve shall be increased by a similar amount for each succeeding year; provided, however, that after June fourteenth, nineteen hundred and sixty-three, all such reserves whether theretofore or thereafter created and the maintenance and increase thereof, shall be governed in all respects solely by the provisions of the first paragraph of this section as if such bonds had been issued. Anything herein to the contrary notwithstanding, the failure of any amortization schedule of bonds or retirements of notes approved by the department to meet the foregoing requirements shall not affect the validity of bonds or notes issued hereunder.

(*b*) Each contract for financial assistance or supplementary state financial assistance shall provide that the commonwealth will pay to the housing authority annual contributions; provided, however, that the total amount of annual contributions contracted for by the commonwealth for any one year shall not exceed five million six hundred and twenty-five thousand dollars. Each such annual contribution by the commonwealth to the housing authorities shall be paid by the commonwealth upon approval and certification by the department to the state comptroller.

Each such contract shall contain a provision that the annual contributions shall be used for the payment of interest on, and principal of, notes or bonds or both of the housing authority. The annual contributions for any one project shall be payable in an amount not exceeding two and one half per cent of the cost of the project, as determined by the department, and for the fixed period during which the notes or bonds or both issued to finance the cost of the project or any refunding notes or bonds or both remain outstanding but in no event for more than forty years after the completion of the project, as determined by the department. Each such contract shall provide that whenever in any year the receipts of a housing authority in connection with a project exceed its expenditures for that project, including debt service, payments in lieu of taxes, administration, establishment of reserves, and other costs, as determined by the department, an amount equal to such excess, or, in the case of projects under section thirty-five, an amount equal to such portion of the excess as the department shall prescribe, shall be applied, or set aside for application, to purposes which shall effect a reduction in the amount of subsequent annual contributions. The full faith and credit of the commonwealth is hereby pledged to the payment of all annual contributions contracted for by the commonwealth.

In addition to the provisions set forth in the preceding two paragraphs which shall apply to projects completed on or before July first, nineteen hundred and sixty-six, this paragraph and the following paragraph shall apply to those projects which are completed after that date. Each contract for state financial assistance or for supplementary state financial assistance shall provide that the commonwealth will pay to the housing authority annual contributions; provided, however, that the total amount of such additional contributions contracted for

by the commonwealth for any one year shall not exceed one million eight hundred and seventy-five thousand dollars. Each such annual contribution by the commonwealth to the housing authorities shall be paid by the commonwealth upon approval and certification by the department to the state comptroller.

Each such contract shall contain a provision that the annual contributions shall be used for the payment of interest on, and principal of, notes or bonds or both of the housing authority. The annual contributions for any one project shall be payable in an amount not exceeding five per cent of the cost of the project, as determined by the department, and for the fixed period during which the notes or bonds or both issued to finance the cost of the project or any refunding notes or bonds or both remain outstanding, but in no event for more than forty years after the completion of the project, as determined by the department. Each such contract shall provide that whenever in any year the receipts of a housing authority in connection with a project exceed its expenditures for that project, including debt service, payments in lieu of taxes, administration, establishment of reserves, and other costs, as determined by the department, an amount equal to such excess, or, in the case of projects under section thirty-five, an amount equal to such portion of the excess as the department shall prescribe, shall be applied, or set aside for application, to purposes which shall effect a reduction in the amount of subsequent annual contributions. The full faith and credit of the commonwealth is hereby pledged to the payment of all contributions contracted for by the commonwealth. The provisions of subdivision (*e*) of this section shall not apply to projects completed after July first, nineteen hundred and sixty-six.

In addition to said annual contribution the commonwealth shall, upon approval and certification by the department to the state comptroller, pay, during any fiscal year, an additional annual contribution not exceeding one and one half per cent of the completion cost of such projects or parts of projects which are under temporary financing; provided that said projects or parts of projects have been determined to be completed and eligible to receive such annual contribution by said department; and provided, further, that the combined revenue and subsidy of such projects is insufficient to meet the cost of operation and debt service. Such additional annual contribution shall be in addition to that permitted under the second paragraph of this subdivision. In the case of a consolidated project, such additional annual contribution shall be computed on the basis of the completion cost or costs of the constituent projects or parts of projects under temporary financing. The additional annual contributions authorized under this paragraph shall not in any year exceed one million eighty-eight thousand five hundred and twenty dollars over and above the five million six hundred and twenty-five thousand dollars already provided for under the first paragraph of this subdivision.

(*c*) The department may enforce any of its orders, rules or regulations or the provisions of any contract between the commonwealth and a housing authority by a bill in equity filed in the superior

court or by a petition for a writ of mandamus filed under the provisions of section five of chapter two hundred and forty-nine. In the event of a breach by a housing authority of any provisions of contract between it and the commonwealth relating to a project, the commonwealth, acting by the department, may take immediate possession of the project, and retain possession and operate the project in the place and stead of the housing authority, with all the rights and powers of the housing authority, and subject to all of its obligations respecting the possession and operation of the project and the revenues therefrom, until such time as such breach shall have been corrected to the satisfaction of the department.

(*d*) A housing authority which sells bonds or notes to finance a project under authority of this section, or which has received funds from a city or town under authority of chapter three hundred and seventy-two of the acts of nineteen hundred and forty-six as amended, shall cause an audit to be made of its accounts annually at the close of a fiscal year by the department of the state auditor and a copy of the report of said audit shall be filed promptly with the department.

(*e*) Any type of housing including one, two and three family dwellings may be constructed under this section notwithstanding the provision that each project shall conform as nearly as possible to the existing published requirements of the federal government for low-rent or other housing projects. In offering for sale residences constructed under this section, preference to potential buyers shall be given whenever reasonably possible as follows:—(1) veterans tenants of such residences; (2) all other World War II veterans, as defined in section seven of chapter four; (3) surviving widows and mothers of said veterans of World War II; (4) all other United States war veterans, (5) all other resident citizens of the city or town in which said residences are located; (6) all other citizens of the commonwealth; (7) an urban redevelopment corporation; and (8) all others.

(*f*) Whenever a housing authority shall determine that land acquired by it under clause (*d*) of section eleven for the purposes of this section is in excess of or no longer required for such purposes it may, upon approval by the department, sell or otherwise dispose of such land by deed or instrument approved as to form by the attorney general. Funds received from a sale of land as herein provided shall be paid into the Housing Authority Bonds Sinking Fund as provided in this section.

(*g*) Whenever a housing authority shall determine that any gas, electric or heating distribution system which has been built or acquired for the purposes of this section is no longer required for such purposes, it may, upon approval by the department, sell or otherwise dispose of such gas, electric or heating distribution system, or any part thereof, by deed or instrument approved as to form by the attorney general. Funds received from a sale of a gas, electric or heating distribution system or any part thereof, as herein provided, shall be paid into the Housing Authority Bonds Sinking Fund as provided in this section.

(*h*) The department 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.

Notwithstanding any of the provisions of sections thirty-five to thirty-seven, inclusive, any housing authority having a contract for state financial assistance may, with respect to any project developed hereunder, and in accordance with the provisions of section fourteen and section thirty, contract with the federal government for financial assistance in accordance with the provisions of federal legislation.

Section 35. The commonwealth, acting by and through the department, may enter into a contract or contracts with the housing authority for supplementary state financial assistance in the form of a guarantee by the commonwealth of any loan made by the housing authority to finance that portion of the cost of the housing project or projects not financed with federal assistance and annual contributions by the commonwealth on that portion of the cost of such project or projects for which no federal contributions are available.

Section 36. The commonwealth shall have power to receive loans and grants from the federal government or any agency or instrumentality thereof, or from any other source, public or private, and to use any such loan or grant or part thereof for any purpose of this chapter, or to act as agent of, or to cooperate in any way with, the federal government or any agency or instrumentality thereof on any project authorized by this chapter.

Section 37. For the purpose of avoiding, so far as practicable, during the period of public exigency, emergency and distress now existing on account of the acute shortage of housing in many cities and towns of the commonwealth, the making of persons or families homeless as the result of the demolition of dwelling units on land acquired or to be acquired for the purposes of an urban renewal project, or any other public improvement by the commonwealth, a city or town, or any other public body, the commonwealth acting by and through the department may enter into a contract or contracts with a housing authority, or, in the event an urban renewal agency exists within a city or town, with a housing authority upon request of the urban renewal agency, for state financial assistance in the form of a guarantee by the commonwealth of notes or bonds or both of the housing authority issued to finance the cost of a relocation project or projects. The guarantee by the commonwealth of the notes or bonds or both of a housing authority shall be executed on each note or bond or both by the commissioner; provided, however, that the total amount guaranteed shall not exceed twenty-five million dollars in the aggregate or the actual cost of the construction of two thousand units, whichever amount is the lesser. Each such contract shall contain such limitations as to the development cost of the project and administrative and maintenance costs, as the department may require. Each project shall be based upon a separate application made to the department, which shall include such evidence of need as the department may require including a statement that the local planning board has been informed as to the location and number of dwelling units of the proposed project. The department shall ascertain and certify the need for each project after determining that there exists in such city

or town and its vicinity a period of public exigency, emergency and distress occasioned by an acute shortage of housing; provided, that the department may not approve a project or projects in any city or town for a number of dwelling units in excess of fifty per cent of the number of families to be displaced by an urban renewal project or other public improvement.

A project constructed under this section shall be deemed to provide adequate performance as set forth in section three J of chapter one hundred and forty-three.

After such date as the department may determine that such acute shortage of housing for displaced persons constituting a public exigency, emergency or distress no longer exists, any relocation project acquired, constructed, moved or rehabilitated may, with the approval of the department, be offered for sale at its fair market value and disposed of as soon as is consistent with sound business judgment; provided, that no such sale shall be for less than the total of the outstanding obligations of the housing authority with respect to such project. If the proceeds of the sale of such a project are in excess of the total of all obligations for the housing authority with respect to such project, such excess shall after the payment of all notes, bonds and other outstanding obligations issued by the housing authority to finance the cost of such project be paid to the city or town in which such project is located.

Sections one to forty-four, inclusive, of this chapter, except sections thirty-two and thirty-three, shall, as far as apt, be applicable to projects developed under this section and to housing authorities while engaged in developing and administerng such projects; provided that no application for state financial assistance under this section shall be accepted by the department after January first, nineteen hundred and sixty-five.

An authority shall not acquire land for the site of a relocation project by eminent domain under chapter seventy-nine or chapter eighty A, or by purchase, gift or otherwise, unless such land is entirely or almost entirely unoccupied by inhabited dwellings; provided, however, that an authority may acquire a completed dwelling or a group of dwellings for a relocation project if acquisition of such does not involve their demolition. The total number of dwelling units to be created in any one city or town in connection with relocation projects, for which state assistance may be granted, shall not exceed two per cent of the total of dwelling units in such city or town as reported by the United States census of nineteen hundred and fifty.

The following provisions shall be applicable to each contract for state financial assistance under this section and section thirty-five:—

(*a*) A housing authority may sell temporary notes or bonds or both to finance a relocation project; provided, that the total amount outstanding at any one time, exclusive of any notes or bonds or both which may be issued for refunding purposes, shall not be in excess of the cost of the projects as approved by the department. Any such notes or bonds may be refunded through the sale of similar notes or bonds, but in no event for a term more than as determined by the department. Notwithstanding the provisions of section seventeen, the

payment of the principal of, and interest on, all such notes or bonds or both shall be guaranteed by the commonwealth and the faith and credit of the commonwealth is hereby pledged for any such guarantee; provided, that the total amount so guaranteed shall not exceed twenty-five million dollars in the aggregate. No housing authority shall sell or offer for sale any such notes or bonds without receiving from the department approval of the amount, the term and the time of sale. The net income of the project, after operating charges and expenses as approved by the department, shall be applied annually in reduction of the outstanding indebtedness of the housing authority in relation to the project. In case any funds become available for the payment of any bonds, notes or other obligations issued or incurred in connection with a relocation project before such obligations are due, and the holders of any such obligations are not willing to accept present payment thereof, such funds shall be held by the authority until such obligations are due and then applied to the payment thereof, and in the meantime shall be invested only in securities legal for the investment of funds of savings banks.

(*b*) Upon the completion or acquisition of a project by a housing authority, it shall be maintained and operated by such authority. In the operation or management of relocation projects, an authority shall at all times observe the following requirements with respect to rentals and tenant selection:—

(1) It shall rent to a tenant dwelling accommodations consisting of the least number of rooms which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof without overcrowding, in accordance with a rent schedule approved by the department. Such rent schedule shall be arranged so as to be sufficient, in the opinion of the department, to pay all of the costs of maintaining and operating the project, including a reasonable allowance for depreciation, and may, in the discretion of the department, be sufficient so as also to include each year an allowance for the amortization of all or part of the cost of acquiring and constructing the project not otherwise provided for.

(2) A housing authority shall not admit a person or family for occupancy in a relocation project for a period longer than may be from time to time determined by the department. A housing authority shall accept as tenants persons or families who occupied dwellings eliminated by demolition, condemnation and effective closing as part of any public improvement made by the commonwealth, city or town or other body politic and corporate or of any urban renewal, code enforcement or chapter one hundred and twenty-one A project; provided, that to the extent that no displaced persons apply for tenancy in such relocation project the authority may admit as tenants veterans, elderly persons of low income, and families of low income; provided, that no vacancies exist for such elderly persons and families of low income in existing low-rent public housing projects. If a housing authority acquired a completed dwelling or group of dwellings for a relocation project, and the acquisition of such does not involve their demolition, the authority may permit any person or family otherwise eligible under this chapter to continue in occupancy for such period or

periods that such dwelling units are not needed for persons or families displaced by any public improvement or urban renewal, code enforcement or chapter one hundred and twenty-one A project.

(3) In any action to recover possession of premises occupied in a relocation project, the provisions of sections twelve and thirteen of chapter one hundred and eighty-six and section nine of chapter two hundred and thirty-nine shall not apply.

The provisions of this chapter or any other law to the contrary notwithstanding, a housing authority may acquire with the approval of the department for use as a relocation project any existing project owned by it or leased to it by the federal government, and may with the approval of the department operate and maintain such project as a relocation project.

HOUSING FOR THE ELDERLY.

Section 38. It is hereby declared that substandard and decadent areas exist in certain portions of the commonwealth and that there is not, in certain parts of the commonwealth, an adequate supply of decent, safe and sanitary housing for elderly persons of low income, available for rents which such persons can afford to pay, and the rents which such persons can afford to pay would not warrant private enterprise in providing housing for such persons; that this situation tends to cause an increase and spread of communicable and chronic diseases, that the lack of properly constructed dwelling units designed specifically to meet the needs of elderly persons aggravates those diseases peculiar to the elderly thereby crowding the hospitals in the commonwealth with elderly persons under conditions of idleness that inevitably invite further senility; that this situation constitutes a menace to the health, safety, welfare and comfort of the inhabitants of the commonwealth and is detrimental to property values in the localities in which it exists; that this situation cannot readily be remedied by private enterprise; and that a public exigency exists which makes the provision of housing for elderly persons of low income and the clearance of decadent or substandard areas a public necessity; that the provision of housing for elderly persons of low income for the purpose of reducing the cost to the commonwealth of their care by promoting their health and welfare, thereby prolonging their productivity in the interest of the state and nation, and the clearance of decadent or substandard areas, or either, constitutes and hereby is declared to be a public use for which private property may be taken by eminent domain and public funds raised by taxation may be expended.

Section 39. The housing authority of each city or town organized under section three shall have power to provide housing for elderly persons of low income either in separate projects or as a definite portion of any other projects undertaken under sections twenty-five to forty-four, inclusive, of this chapter, or in remodeled or reconstructed existing buildings, and the provisions of sections one to forty-four, inclusive, of this chapter shall, so far as apt, be applicable to projects and parts of projects undertaken under sections thirty-eight through forty-one except as otherwise provided in section forty or elsewhere in this chapter.

In any town in which a veterans' housing project or project for the housing of elderly persons has already been constructed or established, the local housing authority shall not be empowered to erect a new housing project for elderly persons nor shall a contract for financial assistance applicable to the construction of a new project for the housing of elderly persons be entered into pursuant to the provisions of section forty-one until there shall have been submitted to, and approved by vote of, an annual town meeting or a special town meeting called therefor, the question whether the local housing authority should be empowered to erect such new housing project, for one of the purposes authorized by law, as said authority should thereafter determine to be reasonably necessary and feasible.

Section 40. The following provisions shall be applicable to housing for elderly persons of low income:—

(*a*) There shall be no requirement that the occupants of such housing constitute families, and housing may be provided in separate dwelling units for elderly persons living alone or with such other persons who are either eligible under the provisions of sections thirty-eight to forty-one, inclusive, or necessary to the physical welfare of the elderly occupant; provided, that such other necessary person is eligible for low-rent housing.

(*b*) Projects for such housing may and shall, when practicable, be established near the neighborhoods where the elderly persons reside.

(*c*) Housing for elderly persons of low income shall conform to standards established by the department after consultation with the department of public health, the department of public welfare and the board of standards, and shall be designed so as to alleviate the infirmities characteristic of the elderly.

(*d*) Projects or parts of projects shall be constructed for elderly persons of low income and shall be available and assigned to such persons without regard to their status as veterans upon the application of such elderly persons and the establishment of their eligibility under the provisions of sections thirty-eight to forty-one, inclusive.

(*e*) Rents for dwelling units in projects or parts of projects constructed for elderly persons of low income shall be computed as provided in section thirty-two; provided, however, that the rent so computed shall not be increased as to any tenant unless his annual income has increased at least twelve hundred dollars above the annual income received by him at the time the rent was computed; and provided, further, that in the case of persons receiving old age assistance under chapter one hundred and eighteen A, directly or indirectly in whole or in part, from the commonwealth, dwelling units in projects or parts of projects constructed under section thirty-nine shall be deemed to be adequate housing for elderly persons and shall qualify for and rent at the maximum rental allowance under the old age assistance laws, regulations or policies.

(*f*) The department 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.

STATE GUARANTEE OF BONDS AND NOTES.

Section 41. The commonwealth, acting by and through the department, may enter into a contract or contracts with a housing authority for state financial assistance in the form of a guarantee by the commonwealth of bonds and notes, or either bonds or notes, of the housing authority issued to finance the cost of a project or projects or a part or parts of a project or projects to provide housing for elderly persons of low income. The amount of bonds and notes, or bonds or notes, guaranteed by the commonwealth under this section shall not exceed two hundred and ten million dollars. Each contract for state financial assistance shall provide that the commonwealth will pay to the housing authority annual contributions; provided, however, that the total amount of annual contributions contracted for by the commonwealth for any one year shall not exceed five million two hundred and fifty thousand dollars. Each such annual contribution by the commonwealth shall be paid by the commonwealth upon approval and certification by the department to the state comptroller. The provisions of sections thirty-four and thirty-five shall, so far as apt, be applicable to contracts for state financial assistance under this section.

In addition to said annual contribution, the commonwealth shall upon approval and certification by the department to the state comptroller pay an additional annual contribution of one and one half per cent of the completion cost during any fiscal year over and above the annual contribution of two and one half per cent of the completion cost permitted under the first paragraph of this section and under sections thirty-four and thirty-five for any project or projects or a part or parts of a project or projects to provide housing for elderly persons of low income; provided, said project or projects have been determined to be complete and eligible to receive such annual contributions by the department; and provided, further, that the commissioner finds that the combined revenue and subsidy of such projects is insufficient to meet the cost of operation and debt service. The additional annual contributions authorized under this paragraph shall not in any one year exceed three million one hundred and fifty thousand dollars, over and above the five million two hundred and fifty thousand dollars as authorized under the first paragraph.

RENTAL ASSISTANCE PROGRAM.

Section 42. It is hereby declared (*a*) that there does not now exist within the commonwealth an adequate supply of decent, safe and sanitary dwelling units available at rents which families of low income can afford without depriving themselves of the other necessities of life, (*b*) that the elimination of decadent or substandard areas in the commonwealth and the rehousing of the families now in such areas, many of them of low income, in decent, safe and sanitary housing is a public necessity, (*c*) that experience has demonstrated that the construction of the new low-rent housing projects on the large scale required to provide the needed dwelling units would be unduly expensive and would generate undesirable social consequences, (*d*)

that there exists a supply of moderate rental dwelling units within the commonwealth presently under construction or vacant which could be used to house such families of low income as cannot presently afford decent, safe and sanitary housing, provided public funds are available to supplement the portion of their income which they can afford to spend on housing, and (*e*) a program of rental assistance operated through the housing authorities in the cities and towns would help end the undesirable concentration and segregation of families of low income in separate, concentrated areas of our cities and towns and help give every citizen an equal opportunity to enjoy decent, safe and sanitary housing in a neighborhood of his own choice.

Section 43. In addition to its other powers and for the purpose of implementing a program of rental assistance a housing authority may rent or lease dwelling units for periods of not less than one nor more than five years. Any such lease shall contain a provision conditioning the obligations of the housing authority thereunder upon the prior certification by the board of health of the city or town that such dwelling unit is in compliance with the provisions of the minimum standards of fitness for human habitation set forth in the state sanitary code. No housing authority shall enter into any such lease until (*a*) the housing authority has adopted a scale of maximum rents, including specified utility charges, payable by the authority for housing units of various types under such leases and the department has approved such scale as being consistent with the purposes of the rental assistance program, (*b*) the housing authority has determined that an adequate supply of the type of housing to be leased is not presently available in the low-rent housing projects located within the city or town, and (*c*) the housing authority has determined that the rent payable under the lease is not in excess of rents payable for similar types of housing units within the city or town. A housing authority shall, in order to encourage the construction and remodeling of dwelling units, endeavor to lease units recently constructed, reconstructed or remodeled but may enter into leases for other units. In no event shall the number of units leased by any housing authority in any one building or development exceed the following limits: In a building or development containing one to three units, no limit; in a building or development containing four to eight units, two units; in a building or development containing nine or more units, one fourth of the total units, rounded up to the highest whole number; in any one block bounded by public ways, twenty per cent of the total units therein contained.

Section 44. The requirements with respect to rentals and tenant selection for low-rent housing projects shall apply to units leased by a housing authority under the rental assistance program, except that (*a*) as between applicants, who need not be residents of the city or town, equally in need and eligible for occupancy, preference shall be given in the selection of tenants to the following types of applicants; first to families with four or more minor dependents, then to families displaced by public action, and then to elderly persons of low income; provided, however, that in the case of any project financially assisted by the federal government, preference shall be given in the selection of tenants in whatever manner is required by federal legislation, (*b*)

rentals payable by selected tenant families or persons shall be determined by a housing authority solely on the basis of the ability of such family or person to pay, and shall be adjusted whenever such ability changes; (*c*) a housing authority shall release and assign its rights under any lease to the tenant then occupying a dwelling unit under the rental assistance program provided the tenant so requests, and provided the tenant demonstrates financial ability to pay the full rent called for under the lease; and (*d*) payments to the owner of a dwelling unit leased under the rental assistance program shall be made in the manner determined by the housing authority and agreed to by said owner. Amounts paid on behalf of tenant families under the rental assistance program shall not be considered in determining the amount of welfare or other public assistance payments to which they may be entitled.

Funds appropriated for the rental assistance program established by sections forty-two to forty-four, inclusive, or which may become available therefor from the federal government or any other sources, shall be allocated within the following limits:—cities with over five hundred thousand population, not in excess of fifty per cent of such funds for any one such city; cities and towns with between one hundred thousand and five hundred thousand population, not in excess of twenty per cent of such funds for any one such city or town; and cities and towns under one hundred thousand population, not in excess of ten per cent of such funds for any one such city or town. The department shall allocate funds on the basis of applications therefor from the housing authorities.

URBAN RENEWAL PROGRAMS.

Section 45. It is hereby declared that substandard, decadent or blighted open areas exist in certain cities and towns in this commonwealth; that each constitutes a serious and growing menace, injurious and inimical to the safety, health, morals and welfare of the residents of the commonwealth; that each contributes substantially to the spread of disease and crime, necessitating excessive and disproportionate expenditure of public funds for the preservation of the public health and safety, for crime prevention, correction, prosecution and punishment and the treatment of juvenile delinquency and for the maintenance of adequate police, fire and accident protection and other public services and facilities; that each constitutes an economic and social liability, substantially impairs or arrests the sound growth of cities and towns, and retards the provision of housing accommodation; that each decreases the value of private investments and threatens the sources of public revenue and the financial stability of communities; that because of the economic and social interdependence of different communities and of different areas within single communities, the redevelopment of land in decadent, substandard and blighted open areas in accordance with a comprehensive plan to promote the sound growth of the community is necessary in order to achieve permanent and comprehensive elimination of existing slums and substandard conditions and to prevent the recurrence of such slums or conditions or their development in other parts of the community or in

other communities; that the redevelopment of blighted open areas promotes the clearance of decadent or substandard areas and prevents their creation and occurrence; that the menace of such decadent, substandard or blighted open areas is beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided; that the acquisition of property for the purpose of eliminating decadent, substandard or blighted open conditions thereon and preventing recurrence of such conditions in the area, the removal of structures and improvement of sites, the disposition of the property for redevelopment incidental to the foregoing, the exercise of powers by urban renewal agencies and any assistance which may be given by cities and towns or any other public bodies in connection therewith are public uses and purposes for which public money may be expended and the power of eminent domain exercised; and that the acquisition, planning, clearance, conservation, rehabilitation or rebuilding of such decadent, substandard and blighted open areas for residential, governmental, recreational, educational, hospital, business, commercial, industrial or other purposes, including the provision of streets, parks, recreational areas and other open spaces, are public uses and benefits for which private property may be acquired by eminent domain or regulated by wholesome and reasonable orders, laws and directions and for which public funds may be expended for the good and welfare of this commonwealth.

It is further declared that while certain of such decadent, substandard and blighted open areas, or portions thereof, may require acquisition and clearance because the state of deterioration may make impracticable the reclamation of such areas or portions by conservation and rehabilitation, other of such areas, or portions thereof, are in such condition that they may be conserved and rehabilitated in such a manner that the conditions and evils enumerated above may be alleviated or eliminated; and that all powers relating to conservation and rehabilitation conferred by this chapter are for public uses and purposes for which public money may be expended and said powers exercised.

The necessity in the public interest for the provisions of this chapter relating to urban renewal projects is hereby declared as a matter of legislative determination.

Section 46. An urban renewal agency shall have all the powers necessary or convenient to carry out and effectuate the purposes of relevant provisions of the General Laws, and shall have the following powers in addition to those specifically granted in section eleven or elsewhere in this chapter:—

(*a*) to determine what areas within its jurisdiction constitute decadent, substandard or blighted open areas;

(*b*) to prepare plans for the clearance, conservation and rehabilitation of decadent, substandard or blighted open areas, including plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements, plans for the enforcement of laws, codes and regulations relating to the use of land and the use or occupancy of buildings and improvements, plans for the compulsory repair and

rehabilitation of buildings and improvements, and plans for the demolition and removal of buildings and improvements;

(*c*) to prepare or cause to be prepared urban renewal plans, master or general plans, workable programs for development of the community, general neighborhood renewal plans, community renewal programs and any plans or studies required or assisted under federal law;

(*d*) to engage in urban renewal projects, and to enforce restrictions and controls contained in any approved urban renewal plan or any covenant or agreement contained in any contract, deed or lease by the urban renewal agency notwithstanding that said agency may no longer have any title to or interest in the property to which such restrictions and controls apply or to any neighboring property;

(*e*) to conduct investigations, make studies, surveys and plans and disseminate information relative to community development, including desirable patterns for land use and community growth, urban renewal, relocation, and any other matter deemed by it to be material in connection with any of its powers and duties, and to make such studies, plans and information available to the federal government, to agencies or subdivisions of the commonwealth and to interested persons;

(*f*) to develop, test and report methods and techniques and carry out demonstrations for the prevention and elimination of slums and urban blight; and

(*g*) to receive gifts, loans, grants, contributions or other financial assistance from the federal government, the commonwealth, the city or town in which it was organized or any other source.

Section 47. Notwithstanding any contrary provision of this chapter, an urban renewal agency may, with the consent of the department and municipal officers, and after a temporary loan contract for the purpose has been executed under the federal Housing Act of 1949, as amended, take by eminent domain, as provided in clause (*d*) of section eleven, or acquire by purchase, lease, gift, bequest or grant, and hold, clear, repair, operate and, after having taken or acquired the same, dispose of land constituting the whole or any part or parts of any area which, after a public hearing of which the land owners of record have been notified by registered mail and of which at least twenty days notice has been given by publication in a newspaper having a general circulation in the city or town in which the land lies, it has determined to be a decadent, substandard or blighted open area and for which it is preparing an urban renewal plan, and for such purposes may borrow money from the federal government or any other source or use any available funds or both; provided, however, that no such taking or acquisition shall be effected until the expiration of thirty days after the urban renewal agency has notified the land owner of record by registered mail and has caused a notice of such determination to be published, in a newspaper having general circulation in such city or town. Within thirty days after publication of the notice of such determination, any person aggrieved by such determination may file a petition in the supreme judicial or superior court sitting in Suffolk county for a writ of certiorari against the urban renewal agency to correct errors of law in such determination, which shall be

the exclusive remedy for such purpose; and the provisions of section one D of chapter two hundred and thirteen, and of section four of chapter two hundred and forty-nine, shall apply to said petition except as herein provided with respect to the time for the filing thereof.

Section 48. No urban renewal project shall be undertaken until (1) a public hearing relating to the urban renewal plan for such project has been held after due notice before the city council of a city or the municipal officers of a town and (2) the urban renewal plan therefor has been approved by the municipal officers and the department as provided in this section.

Whenever the urban renewal agency determines that an urban renewal project should be undertaken in the city or town in which it was organized, it shall apply to the municipal officers for approval of the urban renewal plan for such project. Such application shall be accompanied by an urban renewal plan for the project, a statement of the proposed method for financing the project and such other information as the urban renewal agency deems advisable.

Every urban renewal plan approved by the municipal officers shall be submitted to the department together with such other material as the department may require.

The department shall not approve any urban renewal plan unless the planning board established under the provisions of section seventy or eighty-one A of chapter forty-one for the city or town where the project is located has found and the department concurs in such finding or, if no planning board exists in such city or town, the department finds that the urban renewal plan is based upon a local survey and conforms to a comprehensive plan for the locality as a whole. The department shall likewise not approve any urban renewal plan unless it shall have found (*a*) the project area would not by private enterprise alone and without either government subsidy or the exercise of governmental powers be made available for urban renewal; (*b*) the proposed land uses and building requirements in the project area will afford maximum opportunity to privately financed urban renewal consistent with the sound needs of the locality as a whole; (*c*) the financial plan is sound; (*d*) the project area is a decadent, substandard or blighted open area; (*e*) that the urban renewal plan is sufficiently complete, as required by section one; and (*f*) the relocation plan has been approved under chapter seventy-nine A.

Within sixty days after submission of the urban renewal plan, the department shall give written notice to the urban renewal agency of its decision with respect to the plan. If the department shall disapprove any such plan, it shall state in writing in such notice its reasons for disapproval. A plan which has not been approved by the department when submitted may be again submitted to it with such modifications, supporting data or arguments as are necessary to meet its objections. The department may hold a public hearing upon any urban renewal plan submitted to it, and shall do so if requested in writing within ten days after submission of the plan by the urban renewal agency, the mayor or city council of the city or selectmen of the town in which the proposed project is located, or twenty-five or more taxable inhabitants of such city or town.

Any provision to the contrary notwithstanding, when the location of a proposed urban renewal project has been determined, the urban renewal agency may, without awaiting the approval of the department, proceed, by option or otherwise, to obtain control of such property within the urban renewal project area as is necessary to carry out the urban renewal plan; but it shall not, without the approval of the department, unconditionally obligate itself to purchase or otherwise acquire any such property except as provided in section forty-seven.

When the urban renewal plan or such a project has been approved by the department and notice of such approval has been given to the urban renewal agency, such agency may proceed at once to acquire real estate within the location of the project, either by eminent domain or by grant, purchase, lease, gift, exchange or otherwise.

Section 49. If an urban renewal agency shall sell or lease any property acquired by it for an urban renewal project, the terms of such sales or leases shall obligate the purchasers or lessees, (*a*) to devote the land to the use specified in the urban renewal plan for said land; (*b*) to begin the building of their improvements within a reasonable time; provided, however, that, with respect to any improvements of a type which any federal agency, as defined in subsection (*b*) of section 3 of the Federal Property and Administrative Services Act of 1949, as amended, is otherwise authorized to make, this clause shall apply to such federal agency only to the extent that it is authorized, and funds have been made available, to make the improvements involved; (*c*) to give preference in the selection of tenants for dwelling units built in the project area to families displaced therefrom because of clearance and renewal activity who desire to live in such dwelling units and who will be able to pay rents or prices equal to rents or prices charged other families for similar or comparable dwelling units built as a part of the same redevelopment; and (*d*) to comply with such other conditions as are deemed necessary to carry out the purposes of this chapter, or requirements of federal legislation or regulations under which loans, grants or contributions have been made or agreed to be made to meet a part of the cost of the project. Nothing in this chapter shall be construed as limiting the power of an urban renewal agency in the event of a default by a purchaser or lessee of land in an urban renewal project to retake title to and possession of the property sold or leased free from the obligations in the conveyance or lease thereof.

Section 50. An urban renewal agency is hereby authorized to delegate to a city or town or other public body or to any board or officer of a city, town or other public body any of the powers or functions of the agency with respect to the planning or undertaking of an urban renewal project in the area in which such city, town or other public body is authorized to act, and such city, town or other public body, or such board or officer thereof, is hereby authorized to carry out or perform such powers or functions for the agency. Any public body is hereby authorized to enter into agreements which may extend over the period of a loan to the urban renewal agency by the federal government, notwithstanding any provision of rule of law to the

contrary, with any other public body or bodies respecting action to be taken pursuant to any of the powers granted by this chapter, including the furnishing of funds or other assistance, in connection with an urban renewal plan or urban renewal project. An urban renewal agency, to the greatest extent it determines to be feasible in carrying out the provisions of this chapter, shall afford maximum opportunity consistent with the sound needs of the city or town as a whole for the rehabilitation or redevelopment of decadent, substandard or blighted open areas by private enterprise.

Section 51. A housing authority of a city or town which, prior to the organization of a redevelopment authority in such city or town, has initiated an urban renewal project may complete, operate and maintain such project notwithstanding such organization of a redevelopment authority; provided, however, that if the municipal officers of such city or town so order and with the consent in writing of the holders of any bonds, notes or certificates of indebtedness of the housing authority issued for such project and then outstanding, the redevelopment authority shall take over a planned or existing urban renewal project initiated by a housing authority. The initiating authority shall use its best efforts promptly to secure the consent of all such holders and, all necessary consents having been secured, shall promptly execute an agreement with the authority which is to take over such project. Thereupon such authority shall assume, exercise, continue, perform and carry out all undertakings, obligations, duties, rights, powers, plans and activities with respect to such project and the authority which initiated the project shall have no powers and duties with respect to such project.

Section 52. Each urban renewal agency shall keep an accurate account of all its activities, receipts and expenditures in connection with the planning and execution of urban renewal projects and shall annually in the month of January make a report of such activities, receipts and expenditures to the department, the state auditor and the mayor of the city or to the selectmen of the town within which such authority is organized, such reports to be in a form prescribed by the department and approved by the state auditor; provided, that such form shall not be inconsistent with any federal legislation and shall conform as closely as may be to such legislation. The department or state auditor shall have the power to examine into the properties and records of urban renewal agencies and to prescribe methods of accounting, not inconsistent with federal legislation, for such activities, receipts and expenditures.

A veteran, as defined in section twenty-one of chapter thirty-one, who holds an office or position in the service of a redevelopment authority not classified under said chapter thirty-one, and has held such office or position for not less than three years, shall not be involuntarily separated from such office or position except subject to and in accordance with the provisions of sections forty-three and forty-five of said chapter thirty-one to the same extent as if said office or position were classified under said chapter. If the separation in the case of such unclassified offices or positions results from lack of work or lack of money, such a veteran shall not be separated from his office

or position while similar offices or positions in the same group or grade, as defined in section forty-five of chapter thirty, exist unless all such offices or positions are held by such veterans, in which case such separation shall occur in the inverse order of their respective original appointments.

No person permanently employed by a redevelopment authority, who is not classified under chapter thirty-one, shall, after having actually performed the duties of his office or position for a period of six months, be discharged, removed, suspended, laid off, transferred from the latest office or employment held by him without his consent, lowered in rank or compensation, nor shall his office or position be abolished, except for just cause and in the manner provided by sections forty-three and forty-five of chapter thirty-one.

Any employee who has transferred from a housing authority to a redevelopment authority in the same city or town shall, for the purposes of this section, be credited for the period of time in which he was employed by a housing authority.

STATE AID FOR URBAN RENEWAL.

Section 53. Any city or town, acting by and through its urban renewal agency may apply to the department for an urban renewal assistance grant to meet in part the cost of an approved urban renewal project. Such application shall be in the form prescribed by the department, and shall be accompanied by such additional information, drawings, plans, reports, estimates and exhibits as the department may require. The department shall make such rules and regulations as are necessary to effectuate the purposes of this section and sections fifty-four to fifty-seven, inclusive.

Section 54. Upon receipt of an application under the provisions of section fifty-three the department shall examine such application and any facts, estimates or other information relative thereto, and shall determine whether the proposed project complies with the provisions of the general laws and with rules and regulations prescribed in accordance therewith governing the approval and administration of urban renewal assistance grants. Upon the determination of satisfactory compliance, the department shall determine the estimated approved cost of such project, and compute the amount of the urban renewal assistance grant to which the city or town would be entitled under section fifty-five.

Within a reasonable time after receipt of such application, the department shall notify such city or town of its approval or rejection thereof, and, in the event of its rejection, of the reasons therefor. If the department rejects such application, the city or town may elect to proceed with such project without the benefit of said urban renewal assistance grant. Notice of approval hereunder shall be accompanied by a statement of the estimated approved cost as determined by the department and an estimate of the amount of urban renewal assistance grant to which such city or town may be entitled under the provisions of section fifty-five.

The final approved cost shall be determined by the department

within a reasonable time after the completion of the urban renewal project by the urban renewal agency.

If the determination of the final approved cost is delayed because the project is not completed, the payments preceding determination of the final approved cost may be based upon the estimated approved cost, and adjustments shall be made in the payment or payments which are made subsequent to the determination of the final approved cost.

Section 55. From time to time, the department shall certify to the comptroller, and the state treasurer shall, within thirty days after each such certification, pay to the several cities and towns, from any amounts appropriated therefor, the amounts due them in accordance with the following clauses:—

(*a*) Certification may be made only of projects with respect to which contracts for federal capital grants under Title I of the Federal Housing Act of 1949, as amended, have been signed.

(*b*) The total urban renewal assistance grant for any approved federally-aided project as defined in clause (*a*) shall not exceed one half of the local share of the contribution required from the municipality under the federal capital grant contract or more than one sixth of the net project cost when the municipality pays for administrative planning and legal expenses as a part of the gross project cost.

(*c*) The total urban renewal assistance grant to be paid under the provisions of this section shall be payable in twenty equal annual installments, except that the department may adjust the annual payment upon final determination of the net cost of each approved project.

(*d*) The total amount of urban renewal assistance grants to be paid under the provisions of this section shall not exceed two million dollars in any one fiscal year or a total of forty million dollars in the aggregate.

Section 56. The commonwealth, acting by and through the department, may contract with the cities and towns of the commonwealth, acting by and through urban renewal agencies to provide financial assistance for residential, commercial or industrial urban renewal projects as authorized by the provisions of this chapter. Such state financial assistance may be provided only for projects which are to be redeveloped for residential, commercial or industrial reuse, and which projects are ineligible for federal capital grants under federal legislation or for which a grant application has been denied. In determining whether a project is rendered ineligible for federal capital-grant assistance, the provisions of federal legislation permitting a limited amount of redevelopment for nonresidential uses need not be considered unless federal funds have been made available under such provisions.

Section 57. The department may make advances of funds to local urban renewal agencies for up to seventy-five per cent of the estimated cost of surveys and plans and administrative expenses in preparation of projects which may be assisted under this section, and contracts for such advances of funds shall be made upon the condition that such advances of funds shall be repaid out of any moneys which

become available to such agency for the undertaking of the project or projects under this section and section fifty-six.

The contracts referred to in section fifty-six shall provide for a state grant-in-aid equal to one half of the net cost of each project as determined by the department. Any such contract shall provide that no state grant-in-aid shall be made until the city or town shall have appropriated the funds required for the entire project cost.

From time to time the department shall certify to the state comptroller, and the state treasurer shall, within thirty days after such certification, pay to the several cities and towns, from any amounts appropriated therefor, the amounts due them in accordance with the provisions of section fifty-six and of the following clauses:—

(*a*) The total state grant-in-aid for any approved project shall not exceed one half of the net cost of project, including advances for surveys, planning and administrative expenses, with respect to which a contract under the provisions of section fifty-six and this section has been signed.

(*b*) The total amount of urban renewal assistance grants to be paid under the provisions of this section shall be payable in twenty equal annual installments, except that the department may adjust the annual payment upon final determination of the net cost of each approved project.

(*c*) The total amount of urban renewal assistance grants to be paid under the provisions of this section shall not exceed one million dollars in any one fiscal year or a total of twenty million dollars in the aggregate, and, within the limits of the maximums herein established, an amount not exceeding two hundred thousand dollars in any one fiscal year may be authorized by the department to be advanced for the estimated cost of surveys, plans and administrative expenses as provided in the first paragraph.

OTHER PROGRAMS.

Section 58. It is hereby declared (*a*) that there exist in certain cities and towns in the commonwealth substandard dwelling houses in urban renewal project areas which constitute a serious and growing menace and create a housing shortage, injurious to the public health, safety, morals and welfare of the residents of the commonwealth, and the declarations heretofore made in this chapter with respect to such areas are hereby reaffirmed; (*b*) that while many of such dwelling houses may require acquisition and clearance as provided in this chapter because their state of deterioration may make impracticable their reclamation by conservation or rehabilitation, others in such areas are in such condition that they may, through the means provided in section fifty-nine, be conserved or rehabilitated in such a manner that the conditions and evils hereinbefore enumerated may be alleviated or eliminated so that such dwelling houses may be returned to or remain in private ownership and be available as decent, safe and sanitary housing; and (*c*) that all powers conferred by said section fifty-nine are for public uses and purposes for which public money may be expended.

Section 59. The commonwealth, acting by and through the department, may enter into a contract or contracts with an operating agency having powers under this section for state financial assistance in the form of a guarantee by the commonwealth of notes and bonds of such agency issued to finance the acquisition and rehabilitation of dwellings within the limits of an urban renewal project area. The guarantee of the commonwealth of such notes and bonds of such agency shall be executed on each note and bond by the commissioner. The amount of notes and bonds guaranteed by the commonwealth under this section shall not exceed twenty million dollars.

In addition to its other powers, an operating agency may plan and undertake the rehabilitation of dwellings within the limits of an urban renewal project area, and may acquire by purchase, deed or grant or take by eminent domain, hold, improve, rent, lease for a period not in excess of five years, with options to lessees or tenants to purchase during such five-year period, grant, sell, convey, as condominiums or otherwise, or deliver possession, of such property in accordance with such terms and conditions as it may determine, and shall have the power to make mortgage loans for the purpose of financing the rehabilitation of dwellings within an urban renewal project area, subject to such regulations as the department may make as to interest rates, maturity dates and other terms and conditions.

A rehabilitation project shall be any work or undertaking involving the rehabilitation of a dwelling or dwellings in an urban renewal project area so as to provide decent, safe and sanitary housing; such work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, site preparation or improvement.

Whenever the department determines a public emergency or distress no longer exists in a particular city or town, a rehabilitation project, or a part of any such project with the land appurtenant thereto, rehabilitated or reconstructed under this section may, at the direction of the department, be sold for the fair market value thereof, as determined by the department, but not for less than the total of the outstanding obligations of the applicable operating agency with respect to such project if the whole is sold, or not for less than that percentage of the total cost which the cost of the part sold bears to the total cost of the entire project if a part is sold. So long as any notes and bonds issued by the operating agency to finance the cost of such project and guaranteed by the commonwealth are outstanding, the proceeds of any sale of such project shall be paid by the operating agency into the Housing Authority Bonds Sinking Fund and shall be expended from time to time by the state treasurer to pay interest and principal of any notes and bonds issued by such operating agency to finance such project.

Owners of dwellings rehabilitated under this section shall, during the period of five years following the completion of such rehabilitation and in any event during the period any mortgage loan made under this section to finance such rehabilitation is outstanding, and subject to such regulations as the department may establish, give preference in the selection of tenants for such dwellings, first to the individuals

or families in occupancy thereof last prior to such rehabilitation and second to other residents of the city or town in which such dwellings are located; and who are able to pay rents charged other individuals or families for similar or comparable dwellings in the urban renewal project area.

SECTION 2. Sections twenty-three to twenty-six MMM, inclusive, forty-three and forty-four of chapter one hundred and twenty-one of the General Laws are hereby repealed.

SECTION 3. The first sentence of section 7A of chapter 121A of the General Laws is hereby amended by striking out, in lines 8 and 9, as appearing in section 4A of chapter 654 of the acts of 1955, the words "one hundred and twenty-one" and inserting in place thereof the words:—one hundred and twenty-one B.

SECTION 4. The first sentence of section 18B of said chapter 121A, as appearing in section 9 of chapter 647 of the acts of 1953, is hereby amended by striking out, in lines 8 and 9, the words "one hundred and twenty-one" and inserting in place thereof the words:—one hundred and twenty-one B.

SECTION 5. Nothing in this act shall affect the powers, rights, duties or obligations of the commonwealth or of any board, division, department, authority or other political subdivision of the commonwealth under the provisions of sections twenty-six I to twenty-six MMM, inclusive, forty-three or forty-four of chapter one hundred and twenty-one of the General Laws or the validity of any action taken thereunder, on or before the effective date of this act. Without limiting the generality of the foregoing, any project, contract or transaction initiated or entered into by the commonwealth or any board, division, department, authority or other political subdivision thereof which was approved by the persons whose approval was required under the provisions of said sections prior to the effective date of this act shall be valid and may be carried out in accordance with its terms without any further proceedings or approvals under this act. Any project, contract or transaction initiated or entered into by the commonwealth or any board, subdivision, department, authority or other political subdivision thereof which has not been fully approved under the provisions of said sections prior to said effective date need not be reinitiated, but shall require only such further approval or proceedings as are provided under this act in substitution for the approval or proceedings provided under said sections but not obtained or taken prior to the effective date of this act.

A housing authority or redevelopment authority created in any city or town under the provisions of sections twenty-six K or twenty-six QQ of chapter one hundred and twenty-one of the General Laws and existing on the effective date of this act shall be deemed to be, and shall have all the powers, rights, duties and obligations of, the housing authority or redevelopment authority created in such city or town under the provisions of sections three or four, as the case may be, of chapter one hundred and twenty-one B of the General Laws, as inserted by section one of this act; each person serving on the effective date of this act as a member of any such existing housing authority or redevelopment authority in any city or town shall by virtue of this

act and without further appointment or election become a member of the housing authority or redevelopment authority created in such city or town, as the case may be, under the provisions of said chapter one hundred and twenty-one B; and the term of each such member shall continue, unless sooner terminated by reason of death, resignation or removal, until the expiration of the current term to which such members shall have been appointed or elected most recently prior to the effective date of this act.

SECTION 6. All employees of any housing or redevelopment authority who immediately prior to the effective date of this act hold positions classified under chapter thirty-one of the General Laws or have tenure in their positions by reason of the provisions of chapter thirty or chapter one hundred and twenty-one of the General Laws or the provisions of any other law, general or special, shall be transferred to a similar office or position under the housing or redevelopment authority, as the case may be, existing in the same city or town under the provisions of chapter one hundred and twenty-one B of the General Laws; and by such transfer, their civil service, seniority, retirement or other rights shall not be impaired and their term of office shall not be deemed to be interrupted within the meaning of said chapter thirty, thirty-one or one hundred and twenty-one, notwithstanding any change in title or duties, provided that no such employee shall be lowered in rank or compensation.

The term of office of employees of any housing or redevelopment authority who immediately prior to the effective date of this act hold positions not classified under chapter thirty-one of the General Laws or have not acquired tenure in their positions under the provisions of chapter thirty or chapter one hundred and twenty-one of the General Laws or the provisions of any other law, general or special, shall be transferred to a similar office or position under the housing or redevelopment authority as the case may be, existing in the same city or town under the provisions of chapter one hundred and twenty-one B of the General Laws; and by such transfer none of their rights shall be impaired and their term of office shall not be deemed to be interrupted within the meaning of any of said chapters.

Any person who transfers or who has transferred from a housing authority to a redevelopment authority or who transfers or has transferred from a redevelopment authority to a housing authority shall, for the purpose of this act, if said transfer is made without interruption of service, be credited for the period of time in which he was employed by the authority from which he transferred, without loss of the retirement, tenure or any of the rights to which such uninterrupted service in the position previously held would have entitled him.

SECTION 7. Section 9 of chapter 23B of the General Laws, as appearing in section 1 of chapter 761 of the acts of 1968, is hereby amended by striking out, in line 4, the words "twenty-six J of chapter one hundred and twenty-one" and inserting in place thereof the words:—one of chapter one hundred and twenty-one B.

SECTION 8. The definition of "Political subdivision" in section 1 of chapter 32 of the General Laws is hereby further amended by striking

out, in lines 3 and 4, as appearing in section 4 of chapter 597 of the acts of 1967, the words "twenty-six L of chapter one hundred and twenty-one" and inserting in place thereof the words:—five of chapter one hundred and twenty-one B.

SECTION 9. Paragraph (*a*) of subdivision (5) of section 28 of said chapter 32 is hereby amended by striking out, in lines 2 and 3, as appearing in section 2 of chapter 150 of the acts of 1957, the words "twenty-six L of chapter one hundred and twenty-one" and inserting in place thereof the words:—five of chapter one hundred and twenty-one B; and by striking out, in line 4, as so appearing, the word "twenty-six QQ" and inserting in place thereof the word:—four.

SECTION 10. The first paragraph of section 5 of chapter 151B of the General Laws is hereby amended by striking out, in lines 3 and 4, as appearing in section 4 of chapter 479 of the acts of 1950, the words "twenty-six FF of chapter one hundred and twenty-one" and inserting in place thereof the words:—thirty-two of chapter one hundred and twenty-one B; and by striking out, in lines 11 and 12 and in line 19, as so appearing, the word "twenty-six FF" and inserting in place thereof, in each instance, the word:—thirty-two.

SECTION 11. The second paragraph of said section 5 of said chapter 151B is hereby amended by striking out, in line 17, as appearing in chapter 483 of the acts of 1967, and in lines 57 and 58, 62, 67 and 73, as appearing in section 2 of chapter 613 of the acts of 1963, the word "twenty-six FF" and inserting in place thereof, in each instance, the word:—thirty-two.

SECTION 12. The third paragraph of said section 5 of said chapter 151B, added by chapter 569 of the acts of 1965, is hereby amended by striking out, in line 3, the word "twenty-six FF" and inserting in place thereof the word:—thirty-two.

SECTION 13. The first sentence of paragraph 2 of section 21 of chapter 168 of the General Laws, as most recently amended by section 2 of chapter 253 of the acts of 1963, is hereby further amended by striking out, in lines 22 and 23, the words "section twenty-six K of chapter one hundred and twenty-one" and inserting in place thereof the words:—sections three and five of chapter one hundred and twenty-one B. *Approved August 21, 1969.*

Chap. 752. AN ACT FURTHER DECREASING THE LIQUIDITY RESERVE IN CO-OPERATIVE BANKS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide forthwith the release of certain funds held by co-operative banks thereby increasing the amount of money available to said banks for loans to members and home owners, 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 sentence of section 40 of chapter 170 of the General Laws, as appearing in chapter 195 of the acts of 1960, is hereby amended by striking out, in line 4, the word "ten" and inserting in place thereof the word: — eight. *Approved August 22, 1969.*

Chap. 753. AN ACT RELATIVE TO THE STEP-IN-RANGE IN THE SALARY SCHEDULE OF TEMPORARY CLERKS AND FIRST ASSISTANT CLERKS WHO ARE APPOINTED CLERKS, AND ASSISTANT CLERKS WHO ARE APPOINTED FIRST ASSISTANT CLERKS, OF DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Section 80 of chapter 218 of the General Laws is hereby amended by adding the following two paragraphs: —

A first assistant clerk who is appointed clerk and an assistant clerk who is promoted to first assistant clerk shall be allocated to the same step-in-range in the position to which he has been appointed or promoted as he had attained in his previous position.

A person who has not served as a first assistant clerk or assistant clerk and who is appointed clerk shall, if he has served as temporary clerk, be allocated to the step-in-range computed according to the number of years he has served as temporary clerk.

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

Approved August 22, 1969.

Chap. 754. AN ACT AUTHORIZING THE CITY OF GLOUCESTER TO BORROW MONEY FOR THE CONSTRUCTION OF A BUILDING FOR USE AS A POLICE STATION AND COURT HOUSE.

Be it enacted, etc., as follows:

SECTION 1. The city of Gloucester is authorized to acquire land for and to construct, originally equip and furnish a building for use as a police station and court house.

SECTION 2. For the purposes stated in section one said city is authorized to borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one million dollars, and to issue bonds and notes therefor. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory debt limit, but shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, exclusive of any limitation or condition contained in the first paragraph of section seven thereof.

SECTION 3. The city manager of the city of Gloucester, when authorized by the city council, may contract with the county commissioners of the county of Essex for the use by the county of the court house portion of the building for such period and on such terms as the city and the county may agree.

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

Approved August 22, 1969.

Chap. 755. AN ACT RELATIVE TO THE LIABILITY OF GENERAL EMPLOYERS AND SPECIAL EMPLOYERS UNDER THE WORKMEN'S COMPENSATION ACT.

Be it enacted, etc., as follows:

SECTION 1. The definition of "Employer" in subsection (5) of section 1 of chapter 152 of the General Laws is hereby amended by adding

the following sentence: — The word "employer" shall include both the general employer and the special employer in any case where both relationships exist with respect to an employee.

SECTION 2. Section 18 of said chapter 152 is hereby amended by adding the following paragraph: —

In any case where there shall exist with respect to an employee a general employer and a special employer relationship, as between the general employer and the special employer, the liability for the payment of compensation for the injury shall be borne by the general employer or its insurer, and the special employer or its insurer shall be liable for such payment if the parties have so agreed or if the general employer shall not be an insurer or insured person under this chapter.

Approved August 22, 1969.

Chap. 756. AN ACT RELEASING THE RIGHT OF REVERSION OF ALL THE RIGHT, TITLE, INTEREST AND ESTATE OF THE COMMONWEALTH IN A CERTAIN PARCEL OF LAND IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. The armory commission, on behalf of the commonwealth, is hereby authorized to release and surrender to the city of Pittsfield the right of the commonwealth to a reversion to the commonwealth of all the right, title, interest and estate of the commonwealth in and to a certain parcel of land described in a deed dated September twenty-seventh, nineteen hundred and sixty-two, and recorded in the Berkshire County Registry of Deeds, Middle District, Book 753, Page 355, wherein the commonwealth conveyed to the city of Pittsfield said land on condition that title thereto would revert to the commonwealth whenever said land ceased to be used for municipal purposes by said city. The release of said right to reversion shall be approved as to form by the attorney general.

SECTION 2. Chapter five hundred and forty-two of the acts of nineteen hundred and sixty-two is hereby amended by striking out section two.

Approved August 22, 1969.

Chap. 757. AN ACT AUTHORIZING THE DIVISION OF FISHERIES AND GAME TO EXCHANGE CERTAIN LAND IN BARNSTABLE COUNTY FOR OTHER LAND OF EQUAL VALUE.

Be it enacted, etc., as follows:

The division of fisheries and game in the department of natural resources is hereby authorized to exchange for other land of equal value seven parcels of land in Barnstable county which were transferred by the special military reservation commission to said division for its use on October sixteenth, nineteen hundred and fifty-eight, pursuant to the provisions of chapter six hundred and sixty-five of the acts of nineteen hundred and fifty-five. Said seven parcels of land shall not be subject to the reverter provided by section two of said chapter six hundred and sixty-five. The deeds of exchange shall be approved as to form by the attorney general.

Approved August 22, 1969.

Chap. 758. AN ACT RELATING TO CONTRACTS BY CITIES, TOWNS AND DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 40 of the General Laws is hereby amended by inserting after the first paragraph the following three paragraphs: —

For the construction of sewers, sewerage systems, and sewage treatment and disposal facilities, for making connections, thereto, and for the collection, treatment, and disposal of sewage, with one or more other governmental units as defined in section four A, for a period not exceeding thirty years, provided that such contract has been authorized by majority vote as defined in section one of chapter forty-four, and the terms thereof have been approved by the emergency finance board.

For the establishment or construction of such water supply, treatment and distribution facilities as cities, towns and districts are authorized to incur debt under the provisions of section eight of chapter forty-four, and for the maintenance and operation of such water supply, treatment and distribution facilities, with one or more other governmental units as defined in section four A. Such contracts may be for terms not exceeding twenty years, provided that the contract has been approved by majority vote as defined in section one of chapter forty-four, and the terms thereof have been approved by the emergency finance board.

For a supply of water to one or more governmental units as defined in section four A. Such contracts may be for terms not exceeding twenty years, provided that the contract has been approved by majority vote as defined in section one of chapter forty-four, and the terms thereof have been approved by the emergency finance board.

SECTION 2. The second sentence of the second paragraph of said section 4 of said chapter 40, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 2, the words "by the board of public welfare or".

SECTION 3. Said section 4 of said chapter 40 is hereby further amended by striking out the paragraph added by chapter 621 of the acts of 1968 and inserting in place thereof the following paragraph: —

For the lease, or lease with an option to purchase, of data processing equipment. Contracts for such leases may be made for periods not exceeding five years.

SECTION 4. Said section 4 of said chapter 40 is hereby further amended by adding the following paragraph: —

This section, so far as apt, shall apply to districts.

SECTION 5. The first paragraph of section 4A of said chapter 40 is hereby amended by striking out the last sentence, as appearing in chapter 286 of the acts of 1966, and inserting in place thereof the following sentence: — The words "governmental unit" as used herein shall mean a city or town, a regional school district, or a district as defined in section one A.

SECTION 6. Section 4B of said chapter 40, as most recently amended by section 1 of chapter 79 of the acts of 1967, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Unless otherwise provided by by-law or special law in towns and districts, no contract for the purchase of equipment,

supplies or materials, the actual or estimated cost of which amounts to two thousand dollars or more, except in cases of special emergency involving the health or safety of the people or their property, shall be awarded unless proposals for the same have been invited by advertisement in at least one newspaper, if any, published in the town or district, otherwise in at least one newspaper of general circulation in the town or district, such publication to be at least one week before the time specified for the opening of said proposals.

SECTION 7. Section 1 of chapter 83 of the General Laws is hereby amended by striking out the fifth paragraph, as appearing in section 2 of chapter 736 of the acts of 1964, and inserting in place thereof the following paragraph: —

Any city, town or district may enter into agreements and contracts with the metropolitan district commission for the purpose of making connections and for the collection, treatment and disposal of sewage. No connection shall be made until the plans have been approved by the department of public health, and in instances within the metropolitan sewerage district until the contract and plans are approved by the metropolitan district commission. The word "district", as used in this paragraph, shall be construed, so far as apt, as it is defined in section one A of chapter forty.

Approved August 22, 1969.

Chap. 759. AN ACT PROHIBITING THE REPRODUCTION OF CERTIFIED COPIES OF CERTAIN RECORDS OF BIRTH, MARRIAGE OR DEATH.

Be it enacted, etc., as follows:

Chapter 46 of the General Laws is hereby amended by inserting after section 19 the following section: —

Section 19A. Reproductions of certificates or records referred to in section nineteen by any person other than the town clerk, assistant clerk, secretary of state or one of his deputies shall be prohibited, except that a register of deeds, register of probate or other county, state, municipal or federal official keeper of public records may, in the course of his official duties, reproduce such certificates or records as are required in his office. Whoever violates the provisions of this section shall be punished by a fine of not more than one hundred dollars.

Approved August 22, 1969.

Chap. 760. AN ACT ESTABLISHING A NARCOTICS DIVISION IN THE OFFICE OF THE DISTRICT ATTORNEY OF THE NORFOLK DISTRICT.

Be it enacted, etc., as follows:

The district attorney of the Norfolk district is hereby authorized and directed to establish a narcotics division within his office, consisting of an investigating unit and an educational unit, for the investigation of the illegal sale and use of drugs and to inform the general public of the district, relative to the use and abuse of narcotics by the distribution of appropriate literature, the showing of educational motion pictures and the holding of seminars and lectures by experts. He may appoint two special investigators, one for each of said units, who shall each be

compensated by Norfolk county at an annual rate, to be determined by him with the approval of the county commissioners, not in excess of ten thousand dollars. *Approved August 22, 1969.*

Chap. 761. AN ACT LIMITING THE EFFECT OF CONTRIBUTORY NEGLIGENCE AS A DEFENSE AND ESTABLISHING THE DOCTRINE OF COMPARATIVE NEGLIGENCE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 231 of the General Laws is hereby amended by striking out section 85 and inserting in place thereof the following section: —

Section 85. Contributory negligence shall not bar recovery in any action by any person or legal representative to recover damages for negligence resulting in death or in injury to person or property, if such negligence was not as great as the negligence of the person against whom recovery is sought, but any damages allowed shall be diminished in proportion to the amount of negligence attributable to the person for whose injury, damage or death recovery is made.

In any such action the court, in a nonjury trial, shall make findings of fact or, in a jury trial, the jury shall return a special verdict, which shall state:

(1) the amount of the damages which would have been recoverable if there had been no contributory negligence; and

(2) the degree of negligence of each party, expressed as a percentage.

Upon such findings of fact or the return of such a special verdict by the jury, the court shall reduce the amount of the damages in proportion to the amount of negligence attributable to the person for whose injury, damage or death recovery is made; provided, however, that if said proportion is equal to or greater than the negligence of the person against whom recovery is sought, then, in such event, the court shall enter judgment for the defendant.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy-one, and shall apply only to causes of action arising on or after said date. *Approved August 22, 1969.*

Chap. 762. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO PROVIDE REIMBURSEMENT FOR CERTAIN TAXES ERRONEOUSLY ASSESSED AND COLLECTED FROM ANNA W. RITCHIE.

Be it enacted, etc., as follows:

The town of Braintree is hereby authorized to appropriate and pay to Anna W. Ritchie of Marshfield the sum of two hundred and twenty-five dollars, the same being the amount collected by said town from said Anna W. Ritchie as taxes in the years nineteen hundred and sixty-one through nineteen hundred and sixty-six upon certain real estate in said town, which was erroneously assumed by the assessors of said town to have been the property of said Anna W. Ritchie.

No payment shall be made hereunder until there has been filed with the town accountant of Braintree an agreement signed by said Anna W. Ritchie 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.

Approved August 22, 1969.

Chap. 763. AN ACT DIRECTING THE COMMONWEALTH TO REIMBURSE THE TOWN OF TEMPLETON FOR CERTAIN MONIES EXPENDED FOR VETERANS' BENEFITS.

Be it enacted, etc., as follows:

There shall be allowed and paid out of the state treasury to the town of Templeton, subject to appropriation and subject to the approval of the commissioner of veterans' services, such sum, not exceeding twenty-eight thousand two hundred and seventy-four dollars, as said town would have been entitled to receive in reimbursement for veterans' benefits paid by it in the years nineteen hundred and sixty-five, sixty-six, sixty-seven and sixty-eight 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 August 22, 1969.*

Chap. 764. AN ACT DIRECTING THE COMMONWEALTH TO REIMBURSE THE TOWN OF ROYALSTON FOR CERTAIN MONIES EXPENDED FOR VETERANS' BENEFITS.

Be it enacted, etc., as follows:

There shall be allowed and paid out of the state treasury to the town of Royalston, subject to appropriation and subject to the approval of the commissioner of veterans' services, such sum, not exceeding nine hundred and ninety-one dollars, as said town would have been entitled to receive in reimbursement for veterans' benefits paid by it in the years nineteen hundred and sixty-five, sixty-seven and sixty-eight, 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 August 22, 1969.

Chap. 765. AN ACT DIRECTING THE COMMONWEALTH TO REIMBURSE THE TOWN OF PHILLIPSTON FOR CERTAIN MONIES EXPENDED FOR VETERANS' BENEFITS.

Be it enacted, etc., as follows:

There shall be allowed and paid out of the state treasury to the town of Phillipston, subject to appropriation and subject to the approval of the commissioner of veterans' services, such sum, not exceeding three thousand and thirty-five dollars, as said town would have been entitled to receive in reimbursement for veterans' benefits paid by it in the years nineteen hundred and sixty-five, sixty-six, sixty-seven and sixty-eight, 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 August 22, 1969.

Chap. 766. AN ACT RELATIVE TO THE SALARIES OF CERTAIN OFFICERS OF THE COMMONWEALTH.

Be it enacted, etc. as follows:

SECTION 1. Section 22 of chapter 6 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 844 of the acts of 1967, and inserting in place thereof the following sentence: — There shall be an officer to be known as the commissioner of veterans' services, who shall be appointed by the governor for a term coterminous with that of the governor, at a salary of sixteen thousand dollars and shall devote his full time during business hours to the duties of his office.

SECTION 2. Section 43 of said chapter 6 is hereby amended by striking out the next to the last sentence, as most recently amended by section 4 of chapter 801 of the acts of 1963, and inserting in place thereof the following sentence: — The chairman shall receive a salary of eleven thousand four hundred dollars and each other member shall receive a salary of nine thousand seven hundred dollars.

SECTION 3. The third paragraph of section 48 of chapter 6 is hereby amended by striking out the first sentence, as most recently amended by section 5 of said chapter 801, and inserting in place thereof the following sentence: — The chairman shall receive a salary of nine thousand one hundred dollars and each other member shall receive a salary of seven thousand seven hundred dollars.

SECTION 4. The third paragraph of section 56 of said chapter 6, as appearing in section 1 of chapter 719 of the acts of 1963, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The chairman of the commission shall receive a salary of fifteen thousand nine hundred dollars and each of the other members shall receive a salary of seven thousand eight hundred dollars, and each member shall also be entitled to his expenses actually and necessarily incurred by him in the performance of his duties, and shall be eligible for reappointment.

SECTION 5. Section 66 of said chapter 6 is hereby amended by striking out the second sentence, as most recently amended by section 9 of chapter 801 of the acts of 1963, and inserting in place thereof the following sentence: — The chairman shall receive a salary of eighteen thousand two hundred dollars and each other member shall receive a salary of fourteen thousand eight hundred dollars, and each member shall devote his full time during business hours to the duties of his office, and each member shall also be reimbursed for his expenses actually and necessarily incurred by him in the performance of his official duties.

SECTION 6. Section 2A of chapter 120 of the General Laws is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — The first deputy director shall receive a salary of fourteen thousand eight hundred dollars and second and third deputy directors shall receive a salary of fourteen thousand three hundred dollars.

SECTION 7. Section 75 of said chapter 6 of the General Laws is hereby amended by striking out the second sentence, as amended by section 10 of chapter 801 of the acts of 1963, and inserting in place thereof the following sentence: — He shall receive a salary of seventeen thousand

two hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 8. The second paragraph of section 129 of said chapter 6, as appearing in section 2 of chapter 535 of the acts of 1966, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — He shall receive a salary of sixteen thousand dollars and shall devote his entire time to the duties of his office.

SECTION 9. Section 4 of chapter 7 of the General Laws is hereby amended by striking out the second sentence, as amended by section 11 of chapter 801 of the acts of 1963, and inserting in place thereof the following sentence: — He shall serve at the pleasure of the governor, shall receive a salary of twenty-seven thousand six hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 10. Section 4A of said chapter 7, as most recently amended by section 6 of chapter 844 of the acts of 1967, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The executive office for administration and finance shall include a comptroller's division, in charge of a comptroller, who shall have the rank of a deputy commissioner and shall be appointed by the governor for a term coterminous with that of the governor, and shall receive a salary of twenty-three thousand five hundred dollars; a purchasing agent's division, in charge of a purchasing agent, who shall have the rank of deputy commissioner and shall be appointed by the governor for a term coterminous with that of the governor, and shall receive a salary of twenty-three thousand five hundred dollars; a fiscal affairs division, headed by a deputy commissioner for fiscal affairs; and a central services division, headed by a deputy commissioner for central services.

SECTION 11. The second paragraph of section 2 of chapter 13 of the General Laws is hereby amended by striking out the last sentence, as most recently amended by section 13 of chapter 801 of the acts of 1963, and inserting in place thereof the following sentence: — Said director shall receive a salary of twenty-three thousand five hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 12. Section 2A of said chapter 13 is hereby amended by striking out the fourth sentence, as most recently amended by section 14 of said chapter 801, and inserting in place thereof the following sentence: — The chairman shall receive a salary of thirteen thousand dollars and each other member shall receive a salary of twelve thousand dollars.

SECTION 13. Section 8 of said chapter 13 is hereby amended by striking out the first sentence, as most recently amended by section 15 of said chapter 801, and inserting in place thereof the following sentence: — The division of registration shall be under the supervision of a director, to be known as the director of registration, at a salary of nine thousand one hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 14. Said chapter 13 is hereby amended by striking out section 41, as most recently amended by section 26 of said chapter 801, and inserting in place thereof the following section: —

Section 41. The members of the board shall devote their full time to the duties of their offices. The chairman shall receive a salary of six thousand four hundred dollars and each other member shall receive a

salary of five thousand seven hundred dollars, and each member shall receive his necessary expenses incurred in the discharge of his official duties; provided, that the salaries and expenses of the members of the board shall not be in excess of the receipts for registration and receipts from other sources received by the state treasurer from the board. The secretary of the board shall receive a salary of five thousand seven hundred dollars.

SECTION 15. Said chapter 13 is hereby amended by striking out section 44, as most recently amended by section 27 of said chapter 801, and inserting in place thereof the following section: —

Section 44. The chairman shall receive a salary of seven thousand eight hundred dollars and each of the other two members of the board shall receive a salary of seven thousand one hundred dollars and each member shall receive his necessary expenses incurred in the discharge of his official duties; provided, that the salaries and expenses of the members of the board, and the expenses of the board, shall not be in excess of the receipts for registration and from other sources received by the state treasurer from the board. The members of the board shall devote their full time to the duties of their offices.

SECTION 16. The third paragraph of section 2 of chapter 14 of the General Laws is hereby amended by striking out the second sentence, as amended by section 8 of chapter 844 of the acts of 1967, and inserting in place thereof the following sentence: — The commissioner shall receive a salary of twenty-three thousand five hundred dollars and each associate commissioner shall receive a salary of eighteen thousand two hundred dollars.

SECTION 17. Section 1 of chapter 16 of the General Laws is hereby amended by striking out the seventh sentence, as appearing in section 1 of chapter 821 of the acts of 1963, and inserting in place thereof the following sentence: — The commissioner shall receive a salary of twenty-six thousand one hundred dollars and each of the associate commissioners shall receive a salary of twenty thousand five hundred dollars and each shall devote his full time during business hours to the duties of his office.

SECTION 18. The second paragraph of section 5 of said chapter 16, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The commission shall have a secretary, appointed by the governor, who shall receive a salary of thirteen thousand seven hundred dollars.

SECTION 18A. Subparagraph (*b*) of the third paragraph of said section 5 of said chapter 16, as so appearing, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — The hearing examiner shall receive a salary of sixteen thousand dollars and shall devote his entire time during business hours to the duties of his position.

SECTION 19. Section 9 of said chapter 16 is hereby amended by striking out the third sentence, as amended by section 10 of chapter 844 of the acts of 1967, and inserting in place thereof the following sentence: — He shall serve for a term coterminous with that of the governor and shall receive a salary of nineteen thousand nine hundred dollars.

SECTION 20. Section 12 of said chapter 16 is hereby amended by striking out the third sentence, as appearing in section 1 of chapter 821 of the acts of 1963, and inserting in place thereof the following sen-

tence: — The director shall receive a salary of fourteen thousand six hundred dollars, which shall be paid out of the recreational boating fund.

SECTION 21. Section 2 of chapter 17 of the General Laws is hereby amended by striking out the third sentence, as most recently amended by section 37 of chapter 801 of the acts of 1963, and inserting in place thereof the following sentence: — The commissioner shall receive a salary of twenty-eight thousand seven hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 22. The third paragraph of section 12 of said chapter 17 is hereby amended by striking out the third sentence, as appearing in section 1 of chapter 763 of the acts of 1963, and inserting in place thereof the following sentence: — The administrator shall receive a salary of sixteen thousand dollars.

SECTION 23. Section 3 of chapter 18 of the General Laws, as appearing in section 1 of chapter 658 of the acts of 1967, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — He shall receive a salary of twenty-eight thousand five hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 24. Section 4 of said chapter 18, as so appearing, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — The deputy commissioner shall receive a salary of twenty-five thousand one hundred dollars and each assistant commissioner shall receive a salary of twenty thousand five hundred dollars, as the commissioner may determine.

SECTION 25. Section 2 of chapter 19 of the General Laws, as appearing in section 1 of chapter 735 of the acts of 1966, is hereby amended by striking out the sixth paragraph and inserting in place thereof the following paragraph: —

The commissioner shall receive a salary of thirty-seven thousand dollars.

SECTION 26. Section 2 of chapter 20 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 41 of chapter 801 of the acts of 1963, and inserting in place thereof the following sentence: — The commissioner shall receive a salary of sixteen thousand three hundred dollars, and traveling expenses incurred in his official duties, and shall devote his full time during business hours to the duties of his office.

SECTION 27. Said chapter 20 is hereby further amended by striking out section 5, as amended by section 42 of said chapter 801, and inserting in place thereof the following section: —

Section 5. The assistant commissioner shall receive a salary of nine thousand four hundred dollars, and traveling expenses incurred in the performance of his official duties, and shall devote his full time during business hours to the duties of his office.

SECTION 28. Section 3A of chapter 21 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 5 of chapter 802 of the acts of 1967, and inserting in place thereof the following sentence: — The commissioner shall receive such salary, not exceeding twenty thousand five hundred dollars, as the board of natural resources may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 29. Section 2 of chapter 22 of the General Laws, as most recently amended by section 15 of chapter 844 of the acts of 1967, is hereby amended by striking out the second sentence and inserting in lace thereof the following sentence: — The commissioner shall receive a salary of nineteen thousand nine hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 30. Section 2 of chapter 23 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 53 of chapter 801 of the acts of 1963, and inserting in place thereof the following sentence: — The commissioner shall receive a salary of eighteen thousand one hundred dollars, and the assistant commissioner and the associate commissioners a salary of ten thousand eight hundred dollars and each shall devote his full time during business hours to the duties of his office.

SECTION 31. Section 9I of said chapter 23 is hereby amended by striking out paragraph (*b*), as amended by section 54 of said chapter 801, and inserting in place thereof the following paragraph: —

(*b*) The director shall receive a salary of twenty-one thousand, six hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 32. Paragraph (*b*) of section 9N of said chapter 23 is hereby amended by striking out the eighth sentence, as most recently amended by section 56 of said chapter 801, and inserting in place thereof the following sentence: — The chairman shall receive a salary of thirteen thousand seven hundred dollars and each other member of the board shall receive a salary of twelve thousand six hundred dollars and each shall devote his full time during business hours to the duties of his office.

SECTION 33. Section 9P of said chapter 23 is hereby amended by striking out the first sentence, as most recently amended by section 57 of said chapter 801, and inserting in place thereof the following sensence: — The chairman shall receive a salary of sixteen thousand three hundred dollars and each of the other members of the commission shall receive a salary of ten thousand three hundred dollars, and each member shall devote his full time during business hours to the duties of his office, and shall be eligible for reappointment.

SECTION 34. Section 15 of said chapter 23 is hereby amended by striking out the first paragraph, as most recently amended by section 59 of said chapter 801, and inserting in place thereof the following paragraph: —

The industrial accident board shall consist of twelve members, at least one of whom shall be a woman. The chairman shall receive a salary of eighteen thousand two hundred dollars, and each of the other members shall receive a salary of seventeen thousand one hundred dollars, and each shall devote his full time during business hours to the duties of his office.

SECTION 35. Section 1 of chapter 23A of the General Laws is hereby amended by striking out the fourth sentence, as appearing in section 1 of chapter 636 of the acts of 1964, and inserting in place thereof the following sentence: — The commissioner shall receive a salary of twenty-two thousand eight hundred dollars, shall devote his full time during business hours to the duties of his office and shall give to the state treasurer a bond for the faithful performance of his duties in such penal sum and with such sureties as may be approved by the governor.

SECTION 36. Section 1 of chapter 23B of the General Laws, as appearing in section 1 of chapter 761 of the acts of 1968, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — The commissioner shall receive a salary of twenty-one thousand six hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 37. Section 2 of chapter 25 of the General Laws is hereby amended by striking out the fifth sentence, as amended by section 62 of chapter 801 of the acts of 1963, and inserting in place thereof the following sentence: — The chairman shall receive a salary of eighteen thousand one hundred dollars and each of the other commissioners shall receive a salary of thirteen thousand one hundred dollars.

SECTION 38. Section 2 of chapter 26 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 19 of chapter 844 of the acts of 1967, and inserting in place thereof the following sentence: — The commissioner shall receive a salary of nineteen thousand nine hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 39. Section 6 of said chapter 26, as most recently amended by section 20 of said chapter 844, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — He shall receive a salary of twenty thousand eight hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 40. Section 1 of chapter 27 of the General Laws is hereby amended by striking out the third sentence, as amended by section 66 of chapter 801 of the acts of 1963, and inserting in place thereof the following sentence: — He shall receive a salary of twenty-three thousand five hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 41. Section 2 of said chapter 27 is hereby amended by striking out the first sentence, as amended by section 67 of said chapter 801, and inserting in place thereof the following sentence: — The commissioner shall, with the approval of the governor, appoint and may, with like approval, remove a deputy commissioner for institutional services, a deputy commissioner for classification and treatment and a deputy commissioner for personnel and training, each of whom shall receive a salary of thirteen thousand seven hundred dollars and each shall devote his full time during business hours to the duties of his office.

SECTION 42. Section 4 of said chapter 27 is hereby amended by striking out the second paragraph, as amended by section 68 of said chapter 801, and inserting in place thereof the following paragraph: —

The chairman shall receive a salary of nineteen thousand nine hundred dollars and each of the other members shall receive a salary of fifteen thousand four hundred dollars and each shall devote his full time during business hours to the duties of his office.

SECTION 43. Chapter 28 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 69 of said chapter 801, and inserting in place thereof the following section: —

Section 2. The commissioner shall receive a salary of twenty-three thousand five hundred dollars, and each associate commissioner shall receive a salary of seven thousand six hundred dollars and the commis-

sioner shall devote his full time during business hours to the duties of his office.

SECTION 43A. Paragraph (*f*) of section 43 of chapter 31 of the General Laws is hereby amended by striking out the fourth sentence, as amended by section 72 of chapter 801 of the acts of 1963.

SECTION 44. The first paragraph of section 1 of chapter 58A of the General Laws is hereby amended by striking out the fourth sentence, as most recently amended by section 74 of chapter 801, and inserting in place thereof the following sentence: — The chairman shall receive a salary of nineteen thousand nine hundred dollars and each other member of the board shall receive a salary of sixteen thousand dollars and each member shall devote his full time during business hours to the duties of his office.

SECTION 45. The first paragraph of section 98 of chapter 276 of the General Laws is hereby amended by striking out the last sentence, as amended by section 79 of said chapter 801, and inserting in place thereof the following sentence: — He shall be paid by the commonwealth a salary of seventeen thousand one hundred dollars and shall devote his full time during business hours to the duties of his office.

SECTION 45A. The second paragraph of said section 98 of said chapter 276, as most recently amended by chapter 843 of the acts of 1965, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — Each deputy commissioner shall be paid by the commonwealth such salary, not exceeding sixteen thousand dollars, as the committee on probation may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 46. Chapter 635 of the acts of 1960 is hereby amended by striking out section 2, as amended by section 90 of chapter 801 of the acts of 1963, and inserting in place thereof the following section: —

Section 2. The chairman of the commission shall receive a salary of ten thousand seven hundred dollars and each of the other members shall receive a salary of seven thousand two hundred dollars and each member shall be reimbursed for his actual expenses necessarily incurred in the performance of his duties.

SECTION 47. Section 3 of said chapter 635 is hereby amended by striking out the third sentence, as amended by section 91 of said chapter 801, and inserting in place thereof the following sentence: — The commission shall appoint an executive secretary who shall receive a salary of not less than fourteen thousand dollars nor more than nineteen thousand four hundred dollars, as the commission may determine.

SECTION 47A. Notwithstanding the provisions of section four of chapter twenty-seven of the General Laws, as amended by section forty-two of this act, any person appointed as a member of the parole board between the effective date of this act and the sixth day of January, nineteen hundred and seventy-one, both dates, inclusive, shall receive the salary payable under section four of said chapter twenty-seven immediately prior to said effective date.

SECTION 48. This act shall take effect as of January first, nineteen hundred and sixty-nine. *Approved August 23, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 23, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 766 of the Acts of 1969, entitled "AN ACT RELATIVE TO THE SALARIES OF CERTAIN OFFICERS OF THE COMMONWEALTH." and the enactment of which received my approval on August 23, 1969, 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 facilitate the immediate payment to the officers cited in this law and not further delay this payment, I deem these facts constitute the emergency.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 23, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at eleven 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 seven hundred and sixty-six of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 767. 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.

Executive Office for Administration and Finance.

Central Services Division.

Item

8070–11 For various renovations and improvements to the Gardner auditorium and certain areas adjacent to the auditorium, state house, including the cost of an engineering study, plans and specifications, reconstruction and the cost of furnishings and equipment; to be in addition to the amount appropriated in item 8068–01 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven **$50,000**

8070–12 For the purchase and installation of furnishings and equipment for the mental health center and state laboratories building in the government center **500,000**

Bureau of Building Construction.

8070–13 To cover unexpected contingencies in the cost of projects authorized by this act and by chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-five, chapter five hundred and ninety of the acts of nineteen hundred and sixty-six, chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven and chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight, other than the acquisition of land, to be allocated by the commissioner of administration with the approval of the governor; provided, that the allocation to any project shall not exceed a percentage of the total amount appropriated for the project in this or any other act, said percentage to be not more than five per cent plus the percentage increase in the cost of building construction as determined for the period involved by the commissioner of administration from available building cost indexes; and, provided further, that copies of said allocations shall be filed immediately with the house and senate committees on ways and means; and, provided further, that the unencumbered balances remaining in item 8261–20 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty, item 8262–29 of section two of chapter five hundred and forty-four of the acts of nineteen hundred and sixty-one, item 8063–44 of section two of chapter seven hundred and five of the acts of nineteen hundred and sixty-two, item 8064–53 of section two of chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-three, item 8065–83 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four, item 8066–68 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-five, 8067–62 of section two of chapter five hundred and ninety of the acts of nineteen hundred and sixty-six, item 8068–56 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven, and item 8069–04 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight are hereby transferred and made available for the purposes of this item; and that any limitation of the total project cost of an item may be increased by an amount not exceeding said allocation to the project as previously determined, for the period involved, by the commissioner of administration **$5,000,500**

8070–14 For project feasibility studies and for preparation of preliminary plans and descriptive specifications, as authorized by section thirty H of chapter seven of the General Laws; provided, that an approved schedule of said studies authorized by the commissioner of administration shall be filed with the house and senate committees on ways and means fifteen days prior to the initiation of any study **150,000**

Bureau of State Buildings.

8070–15 For certain renovations to the plumbing system, state house, to be in addition to the amount appropriated in item 8165–22 of section two of chapter three hundred and ninety-eight of the acts of nineteen hundred and sixty-four **$440,000**

Item

8070–16 For certain renovations to the electrical system, state house, to be in addition to the amount appropriated in item 8069–08 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight $158,000

8070–17 For renovations to the heating system, state house, to be in addition to the amount appropriated in item 8067–03 of section two of chapter five hundred and ninety of the acts of nineteen hundred and sixty-six 85,000

Other Boards and Commissions serving under Governor and Council.

Massachusetts Aeronautics Commission.

8070–18 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 seventy and succeeding years; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws $33,000

Soldiers' Home in Massachusetts.

8069–11 Item 8069–11 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by adding the words: — and the laundry building.

Department of Correction.

Correctional Institution at Bridgewater.

8070–19 For the construction of a four-hundred-and-fifty-bed hospital, and for certain renovations of existing food preparation facilities, including the cost of furnishings and equipment; total project cost not to exceed eight million seven hundred and thirty-seven thousand dollars; to be in addition to the amount appropriated in item 8068–71 of section two of chapter eight hundred and thirty-six of the acts of nineteen hundred and sixty-seven, as amended by item 8068–71 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight $8,397,000

Department of Public Health.

Institute of Laboratories.

8070–20 For the preparation of plans and construction of a new laboratory, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8068–50 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven; provided, that application shall be made for federal funds, and such funds, when received, shall be credited to the federal Capital Improvement Fund $2,500,000

Lemuel Shattuck Hospital.

8068–53 Item 8068–53 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven is hereby amended by inserting after the word "towers", in line three, the words: —, renovations to air conditioning and ventilation systems including necessary equipment,.

Department of Mental Health.

Region One.

Greenfield Mental Health Center.

Item

8070–21 For the preparation of plans for a mental health treatment center, as authorized by chapter four hundred and fourteen of the acts of nineteen hundred and sixty-four, and for necessary renovations of the existing building to provide day care for the mentally retarded, including the cost of furnishings and equipment; and for the acquisition of 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; total project cost not to exceed five hundred thousand dollars; to be in addition to the amount appropriated in item 8067–45 of section two of chapter five hundred and ninety of the acts of nineteen hundred and sixty-six **$60,000**

Belchertown State School.

8070–22 For the renovation and improvement of the sanitary facilities in buildings D and M and for certain structural renovations to building D, to be in addition to the amount appropriated in item 8068–41 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven, as amended by item 8068–41 of section two of chapter one hundred and thirty-eight of the acts of the current year **$50,000**

Region Three.

Walter E. Fernald State School.

8069–28 Item 8069–28 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the wording and inserting in place thereof the following: —

For the preparation of plans for thirteen sixteen-bed-dormitory-cottage units, one thirty-two-bed-dormitory-cottage unit and an activities building, total project cost not to exceed four million seven hundred and fifty thousand dollars.

Metropolitan State Hospital.

8070–23 For improvements and additions to the steam distribution systems to the laundry, kitchen and medical-surgical building . . **$110,000**

Region Six.

Mental Health Treatment, Training and Research Center.

8069–33 Item 8069–33 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by striking out, in line six, the words "one million fifty-nine thousand dollars" and inserting in place thereof the following: — two million one hundred and twenty-two thousand dollars; total project cost not to exceed twenty million seventy-five thousand dollars.

8070–24 For the construction of a treatment, training and research center, East Newton street, Boston, including furnishings and equipment; 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 two million one hundred and twenty-two thousand dollars; total project cost not to exceed twenty million seventy-five thousand dollars; to be in addition to the amount appropriated in item 8069–33 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight **$3,700,000**

Region Seven.

Brockton Mental Health and Public Health Center.

Item

8070-25 For the preparation of plans and construction of a comprehensive mental health and public health center in the city of Brockton, total project cost not to exceed two million six hundred and twenty thousand dollars; and for the acquisition of 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; to be in addition to the amount appropriated in item 8068-62 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven **$2,620,000**

New Bedford Mental Health Center.

8070-26 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 demolition of certain existing structures; and for the preparation of plans for a community mental health center; total project cost not to exceed two million five hundred thousand dollars . . **$150,000**

Department of Education.

Board of Trustees of State Colleges.

State College at Boston.

8069-40 Item 8069-40 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by inserting after the word "including", in line seven, the words: — the cost of furnishings and equipment,.

State College at Bridgewater.

8070-28 For the purchase and installation of furnishings and equipment for the auditorium, student-union and cafeteria building; to be in addition to the amount appropriated in item 8068-06 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven **$690,000**

8070-29 For plans and construction of a pedestrian overpass . . **110,000**

8070-58 For the preparation of plans for a teacher preparation facility and training school **300,000**

State College at Fitchburg.

8070-30 For the preparation of plans for a new boiler plant, including a maintenance shop; total project cost not to exceed one million one hundred and twenty thousand dollars **$150,000**

8070-31 For the preparation of plans for a library-student-union building; total project cost not to exceed nine million three hundred thousand dollars **300,000**

8070-59 For the preparation of plans for a special education center **250,000**

State College at Framingham.

8066-17 Item 8066-17 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-five, as amended, is hereby further amended by striking out, in lines five, six and seven, the words ", 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".

Item

8070–32 For the preparation of plans for two additional home economic and science wings to the existing science building; total project cost not to exceed four million two hundred thousand dollars $200,000

State College at Lowell.

8070–33 For the construction of a library-student-union building, including the cost of furnishings and equipment; total project cost not to exceed seven million nine hundred and eighty thousand dollars; to be in addition to the amount appropriated in item 8069–46 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight $7,736,000

State College at North Adams.

8069–96 Item 8069–96 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by adding the words: — ; and for the demolition of certain existing structures.

8070–34 For the preparation of plans for an addition to the gymnasium-student-union complex, including a swimming pool, related utilities and parking facilities; total project cost not to exceed five million three hundred and sixty-two thousand dollars $270,000

8070–35 For the acquisition of certain land, or land with buildings thereon, for the further development of the college, by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser 100,000

State College at Salem.

8070–36 For certain interior renovations and improvements to the academic building, including the cost of furnishings and equipment . $450,000

8070–37 For the construction of a physical education center; total project cost not to exceed four million six hundred thousand dollars; provided, that application shall be made for federal funds and such funds, when received, shall be credited to the federal Capital Improvement Fund; to be in addition to the amount appropriated in item 8069–49 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight 4,150,000

State College at Westfield.

8070–38 For the construction of a swimming pool in connection with the student-union-library-center development, total project cost not to exceed three hundred thousand dollars; to be in addition to the amount appropriated in item 8067–15 of section two of chapter five hundred and ninety of the acts of nineteen hundred and sixty-six $300,000

8070–39 For the preparation of plans and construction of a new boiler plant, including utility distribution systems, to be in addition to the amount appropriated in item 8068–12 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven; total project cost not to exceed one million seven hundred and thirty-one thousand dollars 400,000

8070–40 For the acquisition of certain land, or land with buildings thereon, for the development of the college, by purchase, or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser; to be in addition to the amount appropriated in item 8068–59 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven 123,500

Massachusetts Maritime Academy.

Item

8070–41 For the purchase and installation of furnishings and equipment in the science and engineering laboratories building; provided, that application shall be made for federal funds and such funds, when received, shall be credited to the federal Capital Improvement Fund; to be in addition to the amount appropriated in item 8067–18 of section two of chapter five hundred and ninety of the acts of nineteen hundred and sixty-six **$240,000**

8070–42 For the construction of a dining hall, student-union and infirmary building, including the cost of furnishings and equipment, total project cost not to exceed one million dollars; to be in addition to the amount appropriated in item 8069–54 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight; provided, that application shall be made for federal funds, and such funds, when received, shall be credited to the federal Capital Improvement Fund **30,000**

8070–60 For the preparation of plans and certain site development, construction, including necessary grading, drainage and facilities related to the further development of the campus, including the acquisition of certain land **1,300,000**

Lowell Technological Institute.

8169–04 Item 8169–04 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by adding the words: — and the power plant and master plan study of all utilities.

Southeastern Massachusetts Technological Institute.

8070–43 For the purchase and installation of furnishings and equipment for the economics research building, to be in addition to the amount appropriated in item 8068–26 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven . **$250,000**

University of Massachusetts.

8069–64 Item 8069–64 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by adding the words: — and for the preparation of plans for expansion of the boiler plant.

8070–44 For certain renovations and improvements to the H. E. Shaw building for the medical school in the city of Worcester, including the cost of furnishings and equipment; total project cost not to exceed one million three hundred thousand dollars; to be in addition to the amount appropriated in item 8069–72 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight; provided, that said building shall be included in the master plan of said medical school **$1,200,000**

8070–45 For the purchase and installation of furnishings and equipment for teaching and research facilities, undergraduate and graduate classrooms, laboratories, and faculty offices, including a chemistry tower with basement storage and foundations for two additional towers, a technical library wing and a computer center wing; to be in addition to the amount appropriated in item 8067–23 of section two of chapter five hundred and ninety of the acts of nineteen hundred and sixty-six **1,735,000**

8070–46 For the construction of additional facilities to include a theatre and auditorium in the classroom and laboratory building for the college of arts and sciences, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8069–63 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight; total project cost not to exceed thirteen million eight hundred thousand dollars **13,390,000**

Item

8070–47 For the construction of an addition to the health services building, including certain renovations to the existing building and the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8069–97 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight; total project cost not to exceed one million three hundred and sixty-eight thousand dollars **$1,268,000**

Massachusetts Board of Regional Community Colleges.

Berkshire Community College.

8070–48 For the purchase and installation of furnishings and equipment for a regional community college, including a power plant, library, cafeteria, student center, gymnasium, classrooms, laboratories and administration offices; to be in addition to the amount appropriated in item 8068–33 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven, as amended by item 8068–33 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight **$840,000**

Cape Cod Community College.

8070–49 For the construction of a physical education-auditorium building, including the cost of furnishings and equipment; total project cost not to exceed four million dollars **$3,950,000**

Greenfield Community College.

8070–50 For the construction of a regional community college, phase I, for fifteen hundred students, including classrooms, student-union, administration building and gymnasium; including the cost of furnishings and equipment; provided, that any 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 establishment of said college will be not less than one million six hundred and eighty thousand dollars; total project cost not to exceed twelve million dollars; to be in addition to the amount appropriated in item 8069–77 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight **$10,900,000**

Massachusetts Bay Community College.

8070–51 For the preparation of plans and the construction of the foundation and for certain utility systems, including limited site development for phase I of the college development program; total project cost not to exceed sixteen million eight hundred thousand dollars; to include classrooms, laboratories, lecture halls, a library, an auditorium, cafeteria facilities, administration facilities and a student union; to be in addition to the amount appropriated in item 8068–32 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven **$1,220,000**

Massasoit Community College.

8070–61 For the construction of a regional community college, phase I, for twelve hundred students, including the costs of furnishings and equipment; 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 establishment of said college will be not less than seven hundred and thirty-two thousand seven hundred and fifty-five dollars; to be in addition to the amount appropriated in item 8069–78 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight **$993,500**

North Shore Community College.

Item

8070-52 For the preparation of preliminary plans for a regional community college, phase I, for twenty-five hundred students; total project cost not to exceed fifteen million dollars **$200,000**

Springfield Technical Community College.

8070-53 For certain renovations, including demolition, in accordance with the master plan, and for furnishings and equipment and for movable equipment for certain technical programs **$1,600,000**

Middlesex Community College.

8070-54 For certain renovations and improvements to buildings 8 and 9 of the veterans' administration hospital for the purpose of providing facilities for five hundred students, including sixteen classrooms, laboratories, related facilities and a parking area, and including the cost of furnishings and equipment **$600,000**

Division of Youth Service.

Industrial School for Boys.

8068-36 Item 8068-36 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by adding the words: — , and for certain other renovations.

Industrial School for Girls.

8069-83 Item 8069-83 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by striking out the wording and inserting in place thereof the following: — For the construction of a new twenty-five bed security treatment unit and infirmary, including the cost of furnishings and equipment, the demolition of the existing hospital, and for certain improvements to the power plant and utility distribution systems.

8069-83 } From the unexpended balance remaining in item 8069-83 of section two
8070-55 } of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight, the sum of two million five hundred thousand dollars is hereby transferred and made available for the purposes of the following item: —

8070-55 For the purchase of the former Maryknoll novitiate property in Topsfield to be converted to replace the institute of juvenile guidance; including alterations and renovations to the existing buildings, the construction of a swimming pool, and necessary 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.

Judge John J. Connelly Youth Center.

8070-56 For certain renovations and improvements to the reception-detention center, including the cost of furnishings and equipment, total project cost not to exceed five hundred and forty-three thousand dollars; to be in addition to the amount appropriated in item 8069-85 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight **$330,920**

Reception and Detention Facilities for Girls, Boston.

8070-57 For certain renovations to the heating system, and to the hot water supply facilities **$170,000**

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. 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. To meet the cost of a portion of the expenditures authorized by section two of this act and section two of chapter one hundred and thirty-eight of the acts of the current year, there is hereby appropriated from the federal Capital Improvement Fund the sum of three million three hundred and ninety-three thousand dollars; provided, that federal funds received on account of projects contained in items 8070–06, 8069–33 and 8070–50 and any projects incorporated therein by reference shall be credited to said federal Capital Improvement Fund; and, provided further, that the condition precedent requiring federal participation, when required in any item in section two of chapter one hundred and thirty-eight of the acts of the current year or in section two of this act, shall also apply to the items incorporated therein by reference.

SECTION 5. Any premium or accrued interest received from the sale of bonds and notes payable from the General 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-nine, be credited to the General Fund debt service account; and, provided further, that any other receipts, disposition of which is not provided in the bond or note authorization, shall be credited to the respective fund debt service account.

SECTION 6. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purposes of meeting additional 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-five. Notwithstanding any

provisions of this act such notes shall be general obligations of the commonwealth.

SECTION 7. To meet the additional expenditures necessary in carrying out the provisions of this act and the provisions of chapter one hundred and thirty-eight of the acts of nineteen hundred and sixty-nine; or to refinance notes issued as provided in section six of this act and section five of chapter one hundred and thirty-eight of the acts of nineteen hundred and sixty-nine, the state treasurer shall, upon the 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 ten million eight hundred and seventy thousand dollars.

All bonds issued by the commonwealth, as aforesaid, shall be designated on their face Capital Outlay Loan, Act of 1969, and shall be on the serial payment plan for such maximum term of years not exceeding twenty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and ninety-five.

SECTION 7A. In anticipation of the receipt of the federal funds appropriated in this act, 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 purposes of meeting payments authorized to be made from the federal Capital Improvement Fund, not to exceed the amount so authorized, 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-five. All payments on account of principal on such notes shall be repaid from the federal Capital Improvement Fund; and all payments on account of interest on such notes shall be repaid from the General Fund debt service account; provided, that notwithstanding any provision of this act, such notes shall be general obligations of the commonwealth.

SECTION 8. Section 9 of chapter 476 of the acts of 1968 is hereby amended by striking out, in line 3, the words "five hundred" and inserting in place thereof the words: — seven hundred and fifty.

Approved August 23, 1969.

Chap. 768. 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, is hereby authorized and directed to expend a sum not to exceed two hundred and forty-five million dollars for projects for the laying out, construction, reconstruction, resurfacing, relocation or improvement of highways, bridges, grade crossing eliminations and alteration of crossings at other than grade, and for construction of needed improvements on other 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, and on roads constructed under the provisions of section thirty-four of chapter ninety of the General Laws, and for traffic studies, including the establishment of school zones in cities and towns in accordance with the provisions of section seventeen of said chapter ninety; and 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 acts 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 2A. Pursuant to the provisions of section one, the department is hereby authorized and directed to lay out and construct a limited access, divided highway from a point on Route 140 in the town of West Boylston to a point on Route 2 in northern Worcester county and to lay out and construct a new highway in the Route 140 corridor from a point on Route 2 in the town of Westminster to a point on the proposed Route 52 in the Sterling-West Boylston area from funds provided in section 1.

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 six hundred and seventy-nine of the acts of nineteen hundred and sixty-five, or chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven. Each recommendation of said real estate review board shall be in writing and shall be accompanied by a written statement indicating the reasons for such recommendation.

No settlement, by reason of a taking under this act or under said chapters six hundred and seventy-nine and six hundred and sixteen 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 chapters six hundred and seventy-nine and six hundred and sixteen 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 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 of this act, the department is hereby authorized and directed to apportion the sum of five million dollars among the several cities and towns, each city and town to receive one third of the amount set forth in the schedule for each city and town in section five A of chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six.

The department shall certify said apportionment to the comptroller, and such sums approved by the department not exceeding five million dollars shall be made available for distribution on or before December first, nineteen hundred and seventy; and the entire sum authorized by this section and section five of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven on or before December first, nineteen hundred and seventy-one. 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 safety devices; 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 seventy-two. Any unexpended balances remaining on said June thirtieth shall be refunded

to the department forthwith, to be applied as refunds of amounts expended under this section.

SECTION 5. The department is hereby authorized and directed to apportion the sum of fifteen million dollars, in addition to the amount apportioned as provided in section four, 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 sum payable to each city and town as provided in this section shall be used only to reimburse such city or town for funds expended for the purpose of reconstruction, maintenance, and repair of public highways and bridges, and of the enforcement of traffic laws, for the calendar year nineteen hundred and seventy, and shall not exceed the amount so expended by such city or town.

The department shall certify said apportionment to the comptroller and such sums approved by the department not exceeding fifteen million dollars shall be made available for distribution on or before December first, nineteen hundred and seventy; provided, that the mayor of each city and selectmen of each town shall notify the department in writing of the amount that will be expended by their respective cities and towns during the calendar year nineteen hundred and seventy for the reconstruction, maintenance and repair of highways and bridges and for the enforcement of traffic laws.

The department shall notify the state tax commission of the estimated amounts to be distributed under the provisions of this section upon the passage of this act, and the state tax commission shall include the amount so estimated in the notice to each city and town as provided in section twenty-five of chapter fifty-eight of the General Laws.

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 and thirty million dollars, to be in addition to the amounts appropriated in section six of chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five and section seven of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven.

SECTION 7. In anticipation of the receipt of the federal funds authorized to be expended from the Highway Fund pursuant to section six, 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 seventy-three. 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 six hundred and seventy-nine of the acts of nineteen hundred and sixty-five and section one of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven shall be available for expenditure until June thirtieth, nineteen hundred and seventy-four.

SECTION 9. To meet the expenditures necessary in carrying out the provisions of section five of this act, there is hereby appropriated from the Highway Fund, Debt Service account, the sum of fifteen million dollars to be available for expenditure for the fiscal year nineteen hundred and seventy-one. To meet a portion of the expenditures necessary in carrying out the provisions of section one of this act, there is hereby appropriated from said Highway Fund, Debt Service account, the sum of fifteen million dollars to be available for expenditure on and after July first, nineteen hundred and seventy, said sum to be charged against revenue in said Highway Fund, Debt Service account, for the fiscal year nineteen hundred and seventy-one, to be in addition to the amounts made available by section ten of chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five and section eleven of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven. *Approved August 23, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 29, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 768 of the Acts of 1969, entitled "AN ACT RELATIVE TO THE ACCELERATED HIGHWAY PROGRAM." and the enactment of which received my approval on August 23, 1969, should take effect forthwith.

To expedite the bidding procedure so that the construction of our highways will not be delayed unnecessarily, I declare that said law is an emergency law and the above facts constitute the emergency.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, September 2, 1969.

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

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 769. AN ACT INCREASING THE SALARIES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS FOR THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 12 of the General Laws is hereby further amended by striking out section 15, as most recently amended by chapter 376 of the acts of 1967, and inserting in place thereof the following section: —

Section 15. District attorneys shall receive from the commonwealth salaries as follows: —

For the Suffolk district, twenty-eight thousand dollars, and such district attorney shall devote his entire time during ordinary business hours to his duties, and shall not directly, or indirectly, engage in the practice of law.

For the northern district, nineteen thousand dollars.

For the eastern district, sixteen thousand five hundred dollars.

For the middle district, sixteen thousand five hundred dollars.

For the Norfolk district, sixteen thousand five hundred dollars.

For the Plymouth district, fifteen thousand dollars.

For the southern district, sixteen thousand five hundred dollars.

For the western district, fifteen thousand dollars.

For the northwestern district, twelve thousand dollars.

SECTION 2. Said chapter 12 is hereby further amended by striking out section 16, as most recently amended by chapter 897 of the acts of 1967, and inserting in place thereof the following section: —

Section 16. Assistant district attorneys shall receive from the commonwealth salaries as follows: —

For the Suffolk district, one assistant, fifteen thousand dollars; two assistants, fourteen thousand eight hundred dollars; four assistants, twelve thousand eight hundred dollars; two assistants, eleven thousand seven hundred dollars; five assistants, eleven thousand one hundred dollars; ten assistants, ten thousand dollars; and three assistants, nine thousand dollars.

For the northern district, one assistant, thirteen thousand seven hundred dollars; ten assistants, ten thousand four hundred dollars; and two assistants, ten thousand dollars.

For the eastern district, one assistant, ten thousand five hundred dollars; one assistant, nine thousand five hundred dollars; and five assistants, eight thousand five hundred dollars.

For the middle district, one assistant, ten thousand five hundred dollars; one assistant, nine thousand five hundred dollars; and six assistants, eight thousand five hundred dollars.

For the Norfolk district, one assistant, ten thousand five hundred dollars; one assistant, nine thousand five hundred dollars; and four assistants, eight thousand five hundred dollars.

For the Plymouth district, one assistant, ten thousand five hundred dollars; one assistant, nine thousand five hundred dollars; and three assistants, eight thousand five hundred dollars.

For the southern district, one assistant, ten thousand five hundred dollars; one assistant, nine thousand five hundred dollars; and four assistants, eight thousand five hundred dollars.

For the western district, one assistant, ten thousand five hundred dollars; two assistants, nine thousand five hundred dollars; and two assistants, eight thousand five hundred dollars.

For the northwestern district, two assistants, seven thousand dollars.

SECTION 3. Section 20A of said chapter 12 is hereby amended by striking out the last sentence, as amended by section 3 of chapter 743 of the acts of 1963, and inserting in place thereof the following sentence: — Such special assistants shall have all the powers of an assistant district attorney, and shall receive from the commonwealth such salary not exceeding nine thousand eight hundred dollars as the district attorney may determine.

SECTION 4. This act shall take effect as of January one, nineteen hundred and sixty-nine. *Approved August 23, 1969.*

Chap. 770. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION LITTLE LEAGUE BALL FIELD BEING CONSTRUCTED IN THE CITY OF QUINCY AS THE SERGEANT ROBERT ALLEN CURRY BALL FIELD.

Be it enacted, etc., as follows:

SECTION 1. The little league ball field being constructed adjacent to the Mayor William T. Shea Memorial Rink in the city of Quincy by the metropolitan district commission shall, upon completion, be known and designated as the Sergeant Robert Allen Curry Little League Ball Field, in memory of Sergeant Robert Allen Curry who was killed in action May twenty-first, nineteen hundred and forty-three, while a member of the armed forces of the United States during World War II. A suitable marker bearing said designation shall be erected and maintained at said ball field by said commission.

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

Approved August 23, 1969.

Chap. 771. AN ACT PROVIDING FOR THE APPOINTMENT OF PROBATION OFFICERS IN THE PROBATE COURTS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 83 of chapter 276 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 13 of chapter 731 of the acts of 1956, and inserting in place thereof the following sentence: — The superior court, the justices of the probate court for each county, other than for Barnstable, Nantucket, Hampshire and Franklin counties and the county of Dukes County, the chief justice of the municipal court of the city of Boston, subject to the approval of the associate justices thereof, and the justice of each other district court and of the Boston juvenile court may appoint such male and female probation officers as they may respectively from time to time deem necessary for their respective courts; provided, that the justice of the probate court for Barnstable county shall appoint only one probation officer to serve the probate court of the counties of Barnstable and Nantucket and the county of Dukes County, and the justice of the probate court for Hampshire county shall appoint only one

probation officer to serve the probate court of the counties of Hampshire and Franklin; provided, further, that no person shall be appointed until his or her qualifications have been examined by the commissioner of probation and approved by him as meeting the standards established by the committee on probation, as provided in section ninety-nine A.

SECTION 2. The second paragraph of said section 83 of said chapter 276, as most recently amended by section 13A of said chapter 731, is hereby further amended by striking out the first two sentences and inserting in place thereof the following two sentences: — The compensation of probation officers in all of the courts of the commonwealth shall be fixed according to schedules established from time to time by the committee on probation, who shall direct the commissioner of probation to consult the probation committee of the superior court, the administrative committee of the probate courts, the justices of the municipal court of the city of Boston, the administrative committee of the district courts and the county commissioners in the several counties relative thereto. The compensation of each probation officer appointed by the superior court and by the justices of the probate courts shall be paid by the commonwealth.

SECTION 3. Said chapter 276 is hereby further amended by inserting after section 85 the following two sections: —

Section 85A. In addition to other duties imposed upon him by the justices of the probate court, a probation officer of the probate court may, when ordered to do so by the court, examine all records and files in divorce, legal separation, annulment, custody and paternity cases in which orders or decrees have been entered to ascertain whether the persons to whom payments of money should have been made regularly received the various and definite amounts provided for in the orders or decrees of the court and, where there are dependent minor children, that the same are applied for the support, maintenance, education and betterment of said dependent minor children, and that said dependent minor children are properly cared for by their custodian. Said officers shall bring into court when necessary, by citation or otherwise, all persons who are delinquent in making payments ordered or decreed by the court and shall ascertain in the case of dependent minor children whether they are receiving proper maintenance and education and whether they are liable to become public charges.

Section 85B. Said probation officer shall have full power, by citation or other order duly issued by the probate court, to compel the attendance of witnesses to take testimony and do each and everything necessary, including initiating contempt proceedings, to collect any and all delinquent payments due to any person entitled under order or decree of said court to receive payments, to make recommendations to the probate court, where there are dependent minor children, for the betterment of the conditions of said dependent minor children and to ascertain when requested to do so by the court the moral and general conditions surrounding said dependent minor children and shall report the result of such findings to said court.

SECTION 4. Section 89 of said chapter 276 is hereby amended by inserting after the first paragraph the following paragraph: —

The justices of a probate court for any county, except the county of Dukes County and the counties of Nantucket and Franklin, may, in the absence of a probation officer, appoint a temporary probation

officer in the same manner and upon the same conditions, with the same powers and duties and the same rate of compensation as is provided in the first paragraph.

SECTION 5. The first sentence of section 94 of said chapter 276, as appearing in section 2 of chapter 296 of the acts of 1939, is hereby amended by inserting after the word "court", in line 2, the words: — and the probate court.

SECTION 6. The second paragraph of section 98 of said chapter 276, as most recently amended by chapter 843 of the acts of 1965, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — The commissioner, with the approval of the committee on probation, shall appoint four deputy commissioners, and may, with like approval, remove them.

Approved August 23, 1969.

Chap. 772. AN ACT DESIGNATING THE SWIMMING POOL IN THE TOWN OF MILFORD AS THE SENATOR P. EUGENE CASEY MEMORIAL POOL.

Be it enacted, etc., as follows:

The swimming pool in the town of Milford, under the control of the department of natural resources, shall be known and designated as the Senator P. Eugene Casey Memorial Pool, in memory of P. Eugene Casey, a former member of the senate. A suitable marker bearing said designation shall be attached thereto by said department.

Approved August 23, 1969.

Chap. 773. AN ACT FURTHER REGULATING THE HOLDING OF SESSIONS OF THE PROBATE COURT FOR THE COUNTY OF BRISTOL.

Be it enacted, etc., as follows:

Section 62 of chapter 215 of the General Laws is hereby amended by striking out the third paragraph, as amended by section 1 of chapter 108 of the acts of 1950, and inserting in place thereof the following paragraph: —

Bristol, at Fall River, the first Wednesday of each month except August; at New Bedford the second Wednesday of each month except July, and except also that in August it shall be held on the first and fourth Wednesdays; at Taunton on the third Wednesday of each month except August, also at Taunton on the fourth Wednesdays of February, April, October and December; at Attleboro the fourth Wednesdays of January, March, May, June, September and November.

Approved August 23, 1969.

Chap. 774. AN ACT PROVIDING FOR THE CONSTRUCTION OF LOW OR MODERATE INCOME HOUSING IN CITIES AND TOWNS IN WHICH LOCAL RESTRICTIONS HAMPER SUCH CONSTRUCTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 40B of the General Laws is hereby amended by adding the following four sections under the following caption: — LOW AND MODERATE INCOME HOUSING.

Section 20. The following words, wherever used in this section and in sections twenty-one to twenty-three, inclusive, shall, unless a different meaning clearly appears from the context, have the following meanings:—

"Low or moderate income housing", any housing subsidized by the federal or state government under any program to assist the construction of low or moderate income housing as defined in the applicable federal or state statute, whether built or operated by any public agency or any nonprofit or limited dividend organization.

"Uneconomic", any condition brought about by any single factor or combination of factors to the extent that it makes it impossible for a public agency or nonprofit organization to proceed in building or operating low or moderate income housing without financial loss, or for a limited dividend organization to proceed and still realize a reasonable return in building or operating such housing within the limitations set by the subsidizing agency of government on the size or character of the development or on the amount or nature of the subsidy or on the tenants, rentals and income permissible, and without substantially changing the rent levels and units sizes proposed by the public, nonprofit or limited dividend organizations.

"Consistent with local needs", requirements and regulations shall be considered consistent with local needs if they are reasonable in view of the regional need for low and moderate income housing considered with the number of low income persons in the city or town affected and the need to protect the health or safety of the occupants of the proposed housing or of the residents of the city or town, to promote better site and building design in relation to the surroundings, or to preserve open spaces, and if such requirements and regulations are applied as equally as possible to both subsidized and unsubsidized housing. Requirements or regulations shall be consistent with local needs when imposed by a board of zoning appeals after comprehensive hearing in a city or town where (1) low or moderate income housing exists which is in excess of ten per cent of the housing units reported in the latest decennial census of the city or town or on sites comprising one and one half per cent or more of the total land area zoned for residential, commercial or industrial use or (2) the application before the board would result in the commencement of construction of such housing on sites comprising more than three tenths of one per cent of such land area or ten acres, whichever is larger, in any one calendar year; provided, however, that land area owned by the United States, the commonwealth or any political subdivision thereof, the metropolitan district commission or any public authority shall be excluded from the total land area referred to above when making such determination of consistency with local needs.

"Local Board", any town or city board of survey, board of health, board of subdivision control appeals, planning board, building inspector or the officer or board having supervision of the construction of buildings or the power of enforcing municipal building laws, or city council or board of selectmen.

Section 21. Any public agency or limited dividend or nonprofit organization proposing to build low or moderate income housing may submit to the board of appeals, established under section fourteen of chapter forty A, a single application to build such housing in lieu of separate applications to the applicable local boards. The board of appeals shall forthwith notify each such local board, as applicable, of the filing of

such application by sending a copy thereof to such local boards for their recommendations and shall, within thirty days of the receipt of such application, hold a public hearing on the same. The board of appeals shall request the appearance at said hearing of such representatives of said local boards as are deemed necessary or helpful in making its decision upon such application and shall have the same power to issue permits or approvals as any local board or official who would otherwise act with respect to such application, including but not limited to the power to attach to said permit or approval conditions and requirements with respect to height, site plan, size or shape, or building materials as are consistent with the terms of this section. The board of appeals, in making its decision on said application, shall take into consideration the recommendations of the local boards and shall have the authority to use the testimony of consultants. The provisions of section seventeen of chapter forty A shall apply to all such hearings. The board of appeals shall render a decision, based upon a majority vote of said board, within forty days after the termination of the public hearing and, if favorable to the applicant, shall forthwith issue a comprehensive permit or approval. If said hearing is not convened or a decision is not rendered within the time allowed, unless the time has been extended by mutual agreement between the board and the applicant, the application shall be deemed to have been allowed and the comprehensive permit or approval shall forthwith issue. Any person aggrieved by the issuance of a comprehensive permit or approval may appeal to the court as provided in section twenty-one of chapter forty A.

Section 22. Whenever an application filed under the provisions of section twenty-one is denied, or is granted with such conditions and requirements as to make the building or operation of such housing uneconomic, the applicant shall have the right to appeal to the housing appeals committee in the department of community affairs for a review of the same. Such appeal shall be taken within twenty days after the date of the notice of the decision by the board of appeals by filing with said committee a statement of the prior proceedings and the reasons upon which the appeal is based. The committee shall forthwith notify the board of appeals of the filing of such petition for review and the latter shall, within ten days of the receipt of such notice, transmit a copy of its decision and the reasons therefor to the committee. Such appeal shall be heard by the committee within twenty days after receipt of the applicant's statement. A stenographic record of the proceedings shall be kept and the committee shall render a written decision, based upon a majority vote, stating its findings of fact, its conclusions and the reasons therefor within thirty days after the termination of the hearing, unless such time shall have been extended by mutual agreement between the committee and the applicant. Such decision may be reviewed in the superior court in accordance with the provisions of chapter thirty A.

Section 23. The hearing by the housing appeals committee in the department of community affairs shall be limited to the issue of whether, in the case of the denial of an application, the decision of the board of appeals was reasonable and consistent with local needs and, in the case of an approval of an application with conditions and requirements imposed, whether such conditions and requirements make the construction or operation of such housing uneconomic and whether they are consistent with local needs. If the committee finds, in the case of a

denial, that the decision of the board of appeals was unreasonable and not consistent with local needs, it shall vacate such decision and shall direct the board to issue a comprehensive permit or approval to the applicant. If the committee finds, in the case of an approval with conditions and requirements imposed, that the decision of the board makes the building or operation of such housing uneconomic and is not consistent with local needs, it shall order such board to modify or remove any such condition or requirement so as to make the proposal no longer uneconomic and to issue any necessary permit or approval; provided, however, that the committee shall not issue any order that would permit the building or operation of such housing in accordance with standards less safe than the applicable building and site plan requirements of the federal Housing Administration or the Massachusetts Housing Finance Agency, whichever agency is financially assisting such housing. Decisions or conditions and requirements imposed by a board of appeals that are consistent with local needs shall not be vacated, modified or removed by the committee notwithstanding that such decisions or conditions and requirements have the effect of making the applicant's proposal uneconomic.

The housing appeals committee or the petitioner shall have the power to enforce the orders of the committee at law or in equity in the superior court. The board of appeals shall carry out the order of the hearing appeals committee within thirty days of its entry and, upon failure to do so, the order of said committee shall, for all purposes, be deemed to be the action of said board, unless the petitioner consents to a different decision or order by such board.

SECTION 2. Chapter 23B of the General Laws is hereby amended by inserting after section 5 the following section: —

Section 5A. There shall be within the department a housing appeals committee, consisting of three members to be appointed by the commissioner, of whom one shall be an officer or employee of the department, and two members to be appointed by the governor for terms of one year each, of whom one shall be a member of a board of selectmen and one a member of a city council or similar governing body of a city. The members shall serve for terms of one year each, and the commissioner shall designate the chairman. A member of the committee shall receive no compensation for his services, but shall be reimbursed by the commonwealth for all reasonable expenses actually and necessarily incurred in the performance of his official duties. Said committee shall hear all petitions for review filed under section twenty-two of chapter forty B, and shall conduct said hearings in accordance with rules and regulations established by the commissioner.

The department shall provide such space and clerical and other assistance as the committee may require.

SECTION 3. The provisions of this act are severable and, if any provision shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions. *Approved August 23, 1969.*

Chap. 775. AN ACT AUTHORIZING THE COUNTY OF SUFFOLK TO INDEMNIFY THE CHIEF PROBATION OFFICER OF THE MUNICIPAL COURT OF THE SOUTH BOSTON DISTRICT FOR A CERTAIN LOSS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the county of Suffolk may pay a sum not exceeding six hundred and fifty-six dollars and eight cents to the chief probation officer of the municipal court of the South Boston district to indemnify him for a loss sustained by burglary on April twelfth, nineteen hundred and sixty-four. If after such payment such officer receives any sum in reduction of such loss, he shall pay over the same to said county of Suffolk.

SECTION 2. Chapter six hundred and forty-eight of the acts of nineteen hundred and sixty-four is hereby repealed.

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

Approved August 24, 1969.

Chap. 776. AN ACT RELATIVE TO THE TOWN OF FRAMINGHAM CONSTRUCTING A NEW SEWERAGE FACILITY AND CERTAIN OTHER MATTERS RELATIVE THERETO.

Be it enacted, etc., as follows:

SECTION 1. The town of Framingham shall have no further authority to make expenditures for the purpose of constructing sanitary sewers for sewage disposal as follows: new force main at Watson Place, relief force mains at Old Connecticut Path and Speen street and Speen street Station as authorized under the vote of the town meeting taken on March fourteen, nineteen hundred and sixty-eight, under Article No. 23 of the Warrant.

SECTION 2. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, or any other general or special law to the contrary, or the provisions of said town meeting vote on March fourteen, nineteen hundred and sixty-eight, the town of Framingham may expend not in excess of eight hundred and five thousand dollars for the following purposes: (*a*) constructing a new Saxonville Sewage Pumping Station and force main from said station to the metropolitan district commission connection, including equipment and other appurtenances, and for acquiring land or any interest therein necessary in connection therewith and (*b*) constructing a trunk sewer from the metropolitan district commission connection to the vicinity of the intersection of Irving street and Blandin avenue, including equipment and other appurtenances and for acquiring land or any interest therein necessary in connection therewith, from the proceeds of the sale by the town of Framingham of eight hundred and thirty thousand dollars of sewer bonds dated July one, nineteen hundred and sixty-eight.

SECTION 3. The funds authorized to be expended by said town from the proceeds of said bond issue may be expended in conjunction with other funds available or to become available from any agency of the commonwealth or of the federal government.

SECTION 4. The proceedings taken by the town of Framingham under Article No. 2 at the special town meeting of June eighteen, nineteen

hundred and sixty-nine, authorizing (*a*) the construction of a new Saxonville Sewage Pumping Station and force main from said station to the metropolitan district commission connection, including equipment and other appurtenances, and for acquiring land or any interest therein necessary in connection therewith and (*b*) the construction of a trunk sewer from the metropolitan district commission connection to the vicinity of the intersection of Irving street and Blandin avenue, including equipment and other appurtenances and for acquiring land or any interest therein necessary in connection therewith and for the use of eight hundred and five thousand dollars for those purposes from the unexpended proceeds of an eight hundred and thirty thousand dollars sewer bond issue dated July one, nineteen hundred and sixty-eight, are hereby validated and confirmed in all respects as though this act had been in effect at the time of said special town meeting.

SECTION 5. This act shall take effect upon its passage.

Approved August 24, 1969.

Chap. 777. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SEVENTY.

Be it enacted, etc., as follows:

SECTION 1. To provide an appropriation to pay compensation to certain state employees for the period ending June twenty-eighth, nineteen hundred and sixty-nine and to provide supplementing items of appropriation in the fiscal year ending June thirtieth, nineteen hundred and seventy, the sums specified in section two are hereby appropriated subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter four hundred and fifty-two of the acts of the current year and for such period as may be specified, the sums appropriated to be in addition to any amount at present available for such purposes.

SECTION 2.

Item		
9990–0050	For the cost of certain salary adjustments for the period beginning December twenty-nine, nineteen hundred and sixty-eight and ending June twenty-eight, nineteen hundred and sixty-nine as authorized by chapter five hundred and forty-seven of the acts of the current year and for certain other salary adjustments during said period, provided, that notwithstanding the provisions of section two of said chapter five hundred and forty-seven, the amount to be paid from this item to an employee, not specifically receiving an increase in salary authorized by section one of said chapter five hundred and forty-seven, shall be an amount determined by the appointing authority and shall not exceed an increase of twenty dollars per week or twelve per cent of the regular compensation otherwise paid or payable to such employee for the period beginning December twenty-ninth, nineteen hundred and sixty-eight and ending June twenty-eighth, nineteen hundred and sixty-nine, whichever is greater; provided that the governor upon recommendation of the commissioner of administration, shall allocate to the state or other funds the amounts necessary to meet the cost of such salary adjustment properly chargeable to said funds and provided further, that the unexpended balance in this item as of December thirty-first, nineteen hundred and sixty-nine shall be transferred to and made available for the purpose of item 9990–0051 of section two of this act	**$30,700,000**

Item
9990-0051 For a reserve to meet the cost of certain salary adjustments authorized by chapter five hundred and forty-seven of the acts of the current year and for certain other salary adjustments, provided the governor, upon recommendation of the commissioner of administration, is hereby authorized to transfer from the sum appropriated to other items of appropriation for the fiscal year nineteen hundred and seventy, which are available in whole or in part for personal services, such amounts as are necessary to meet the costs of said adjustments, to be in addition to amounts otherwise appropriated for said services for said fiscal year; and, provided further, that the amount to be so transferred to an appropriation item on account of salary adjustments for employees not specifically increased by section one of chapter five hundred and forty-seven shall be an amount to be determined by the budget director and the director of personnel and standardization, equal to twenty dollars per week or twelve per cent of the regular compensation applicable to all such positions authorized by section two of chapter four hundred and fifty-two of the acts of nineteen hundred and sixty-nine based on rates effective December twenty-eighth, nineteen hundred and sixty-eight and provided further that the governor, upon recommendation of the commissioner of administration, is further authorized to allocate the amount of such transfers to the several state or other funds to which such item of appropriation are charged $55,000,000

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

Approved August 24, 1969.

Chap. 778. AN ACT ESTABLISHING CREDITABLE SERVICE IN THE RETIREMENT SYSTEM FOR CERTAIN PERSONS.

Be it enacted, etc., as follows:

Subdivision (1) of section 4 of chapter 32 of the General Laws is amended by adding the following paragraph:—

(*n*) Any member of a retirement system who previously served in a position with the Veterans Employment Service of the United States Employment Service and who, during such service, was attached to and served at offices of the Division of Employment Security, but who was paid directly by the Federal Government from federal funds, may establish such services as creditable service by depositing in the annuity savings fund of the system of which he is a member an amount equal to five per cent of the compensation received by him during such period of service, plus regular interest to the date of such deposit.

Approved August 24, 1969.

Chap. 779. AN ACT AUTHORIZING THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY TO ISSUE NOTES TO AN AMOUNT NOT EXCEEDING FIVE HUNDRED THOUSAND DOLLARS OUTSTANDING.

Be it enacted, etc., as follows:

Section 4 of chapter 701 of the acts of 1960 is hereby amended by adding the following clause: —

(*j*) To provide by resolution at one time or from time to time for the issue of interest bearing or discounted notes in an amount not to exceed five hundred thousand dollars outstanding for the purposes and in the

amounts that bonds may be issued. The notes shall be payable within two years from their dates, but the principal of and interest on notes issued for a shorter period may be renewed or paid from time to time by the issue of other notes hereunder maturing within the required time from the date of the original loan being refunded. When bonds are issued for the purposes for which the notes were issued, the proceeds of the bonds shall be used to repay the notes and interest on the notes will be charged to current expense. The notes may be secured by the provisions of a resolution, as in the case of bonds. Bond anticipation notes may be issued either before or after the authorization of the bonds being anticipated. *Approved August 24, 1969.*

Chap. 780. AN ACT AUTHORIZING THE FIRST DEPUTY COMMISSIONER OF ADMINISTRATION TO EMPLOY A CONFIDENTIAL SECRETARY.

Be it enacted, etc., as follows:

The first sentence of section 7 of chapter 30 of the General Laws, as amended by section 37 of chapter 704 of the acts of 1969, is hereby amended by inserting, in line 2, after the word "administration" the words:—, the first deputy commissioner of administration.

Approved August 24, 1969.

Chap. 781. AN ACT AUTHORIZING THE TOWN OF MARSHFIELD TO PAY A CERTAIN ANNUITY TO ROBERT N. MCGOWAN UPON HIS RETIREMENT AS A MEMBER OF THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

For the purpose of promoting the public good and notwithstanding any provision of chapter thirty-two of the General Laws to the contrary, the town of Marshfield is hereby authorized to pay to Robert N. McGowan, a member of the police department of said town, who is totally and permanently incapacitated as a result of an injury sustained by him on August seventh, nineteen hundred and sixty-six in the performance of his duties, upon his retirement under section seven of said chapter thirty-two, an annuity equal to the difference between the amount of allowance payable to him under said section seven and the annual rate of regular compensation payable to him at the time of his retirement. *Approved August 24, 1969.*

Chap. 782. AN ACT FURTHER DEFINING THE LAW RELATIVE TO VAGRANTS.

Be it enacted, etc., as follows:

Chapter 272 of the General Laws is hereby amended by striking out section 66, as most recently amended by section 2 of chapter 119 of the acts of 1951, and inserting in place thereof the following section: —

Section 66. Persons wandering abroad and begging, or who go about from door to door or in public or private ways, areas to which the general public is invited, or in other public places for the purpose of beg-

ging or to receive alms, and who are not licensed or who do not come within the description of tramps as contained in section sixty-three, shall be deemed vagrants and may be punished by imprisonment for not more than six months in the house of correction.

Approved August 24, 1969.

Chap. 783. AN ACT AUTHORIZING THE REGISTRAR OF MOTOR VEHICLES TO LEASE PREMISES IN THE CITY OF QUINCY FOR A TERM NOT EXCEEDING TEN YEARS.

Be it enacted, etc. as follows:

Notwithstanding the provisions of section ten A of chapter eight of the General Laws, the commonwealth, acting by and through the registrar of motor vehicles, with the approval of the superintendent of buildings, the governor and the commissioner of administration, may lease in the city of Quincy premises for the use of the division of motor vehicles, known as the registry of motor vehicles, for a term not exceeding ten years.

Approved August 24, 1969.

Chap. 784. AN ACT DESIGNATING THE BRIDGE TO BE CONSTRUCTED ON INTERSTATE HIGHWAY ROUTE I–93 OVER THE MERRIMAC RIVER AS THE GENERAL EDWARD D. SIROIS MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge to be constructed on interstate highway route I–93 over the Merrimac river between the towns of Methuen and Andover shall, upon its completion, be known and designated as the General Edward D. Sirois Memorial bridge in memory of Edward D. Sirois, a former member of the general court and a veteran of three wars. Suitable markers 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 August 24, 1969.

Chap. 785. AN ACT AUTHORIZING DEDUCTIONS FROM THE SALARIES OF PUBLIC EMPLOYEES FOR MAKING CERTAIN PAYMENTS TO ANY CREDIT UNION OPERATED BY MEMBERS OF A STATE ASSOCIATION OF TEACHERS.

Be it enacted, etc., as follows:

Section 178B of chapter 149 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 558 of the acts of 1968, and inserting in place thereof the following sentence: — The state treasurer, the treasurer of any county, the treasurer of any state institution and the treasurer of any city or town having a by-law or ordinance so requiring shall, and unless contrary to a by-law or ordinance the treasurer of any other city or town or of any district may, deduct from each payment of salary to any employee of the commonwealth or of any such county, city, town or district such amount or amounts as such employee in a written authorization to such treasurer may specify for purchasing shares of, or making deposits in, or repaying

any loan from any credit union operated by employees of the commonwealth or of any such county, city, town or district or by members of a state association of teachers. *Approved August 24, 1969.*

Chap. 786. AN ACT INCREASING THE SALARIES OF THE MEMBERS OF THE MASSACHUSETTS TURNPIKE AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The last paragraph of section 3 of chapter 354 of the acts of 1952 is hereby amended by striking out the second sentence, inserted by section 84 of chapter 801 of the acts of 1963, and inserting in place thereof the following sentence: — In addition to the salary provided in the last paragraph of section four of chapter five hundred and ninety-eight of the acts of nineteen hundred and fifty-eight, the chairman of the authority shall receive an annual salary of thirty-two thousand dollars and the other members shall receive an annual salary of eighteen thousand dollars.

SECTION 2. This act shall take effect as of January one, nineteen hundred and sixty-nine. *Approved August 24, 1969.*

Chap. 787. AN ACT AUTHORIZING THE AMENDMENT, REVISION OR REPEAL OF CERTAIN SPECIAL LAWS BY THE ADOPTION, REVISION OR AMENDMENT OF A CHARTER BY A CITY OR TOWN.

Be it enacted, etc., as follows:

Chapter 43B of the General Laws is hereby amended by striking out section 19, inserted by section 1 of chapter 734 of the acts of 1966, and inserting in place thereof the following section: —

Section 19. Clause fifth of section seven of chapter four shall not apply to this chapter. A special law relating to an individual city or town enacted subsequent to November eighth, nineteen hundred and sixty-six in compliance with clause (1) or clause (2) of section eight of Article LXXXIX of the Amendments to the Constitution shall be subject to amendment or repeal through the adoption, revision or amendment of a charter by such city or town in accordance with the provisions of sections three and four of said Article LXXXIX unless such special law specifically provides otherwise, and shall be subject to amendment or repeal by laws enacted by the general court in conformity with powers reserved to the general court by section eight of said Article LXXXIX of said Amendments. *Approved August 24, 1969.*

Chap. 788. AN ACT PROVIDING THAT NO FINANCE CHARGE MAY BE ASSESSED OR COLLECTED FROM BUYERS ON REVOLVING CREDIT AGREEMENTS UNTIL NINE DAYS AFTER A STATEMENT OF ACCOUNT HAS BEEN MAILED OR DELIVERED TO THE BUYER.

Be it enacted, etc., as follows:

Section 27 of chapter 255D of the General Laws is hereby amended by inserting after subsection E, as amended by section 53 of chapter 517 of the acts of 1969, the following subsection:—

F. The seller or holder shall mail or deliver to the buyer the statement required by subsection D for each billing cycle, at least nine days before the end of the next succeeding billing cycle. If the seller or holder fails to mail or deliver such statement within the specified period, he shall not be entitled to any finance charge with respect to the next succeeding billing cycle based upon the previous balance of such next succeeding billing cycle. If any such finance charge is assessed or collected, the buyer shall receive a credit or refund for any such finance charge assessed or collected other than in accordance with the provisions of this subsection within the two billing cycles following such assessment or collection. The failure to provide such credit or refund within the period specified shall subject the seller or holder to the penalties provided in section thirty.

Approved August 24, 1969.

Chap. 789. AN ACT RELATIVE TO REIMBURSEMENT TO THE COMMONWEALTH OF THE COST OF THE SUPERVISION OF COLLECTION AGENCIES BY THE COMMISSIONER OF BANKS AND INCREASING LICENSE FEES.

Be it enacted, etc., as follows:

SECTION 1. Section 24A of chapter 93 of the General Laws, as appearing in section 2 of chapter 670 of the acts of 1962, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:—The fee for all such licenses shall be one hundred dollars.

SECTION 2. Section 24C of said chapter 93, as appearing in section 3 of said chapter 670 of the acts of 1962, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—The commissioner may assess the licensee forty dollars per day for each man participating in said investigation.

Approved August 24, 1969.

Chap. 790. AN ACT RELATIVE TO REIMBURSEMENT TO THE COMMONWEALTH OF THE COST OF THE SUPERVISION OF SMALL LOAN COMPANIES BY THE COMMISSIONER OF BANKS AND INCREASING LICENSE FEES.

Be it enacted, etc., as follows:

SECTION 1. Section 97 of chapter 140 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the second sentence thereof the following sentence:—The commissioner shall assess the licensee forty dollars per day for each man participating therein.

SECTION 2. Said chapter 140 is hereby further amended by striking out section 102, as so appearing, and inserting in place thereof the following section:—

Section 102. Each application for a license shall be accompanied by an investigation fee of fifty dollars, said amount to be credited to the license fee if a license is granted. The fee for all licenses granted under

section ninety-six shall be two hundred and fifty dollars, and if an applicant desires to carry on business at more than one place he shall procure a license for each place where the business is to be conducted.

Approved August 24, 1969.

Chap. 791. AN ACT INCREASING THE AMOUNT OF REIMBURSEMENT TO THE COMMONWEALTH FOR THE COST OF EXAMINING OR AUDITING BANKS BY THE COMMISSIONER OF BANKS.

Be it enacted, etc., as follows:

The second paragraph of section 2 of chapter 167 of the General Laws, as appearing in section 1 of chapter 654 of the acts of 1958, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—The total charge for such examination or audit shall be forty dollars per day for each man participating therein plus an amount not in excess of ten cents per one thousand dollars of assets of such bank which together will in the discretion of the commissioner be sufficient to reimburse the commonwealth for the cost of such examination or audit.

Approved August 24, 1969.

Chap. 792. AN ACT RELATIVE TO REIMBURSEMENT TO THE COMMONWEALTH OF THE COST OF THE SUPERVISION OF MOTOR VEHICLE SALES FINANCE COMPANIES BY THE COMMISSIONER OF BANKS AND INCREASING LICENSE FEES.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 255B of the General Laws, as appearing in section 1 of chapter 674 of the acts of 1958, is hereby amended by striking out the sixth sentence and inserting in place thereof the following sentence:—The fee for such license shall be two hundred and fifty dollars.

SECTION 2. The first sentence of section 3 of said chapter 255B, as appearing in section 8 of chapter 517 of the acts of 1969, is hereby amended by striking out, in line 3, the words "and the fees to be charged therefor".

SECTION 3. Said section 3 of said chapter 255B is hereby further amended by inserting after the second sentence, as appearing in section 1 of chapter 674 of the acts of 1958, the following sentence:—The total charge for such an investigation shall be forty dollars per day for each man participating therein. *Approved August 24, 1969.*

Chap. 793. AN ACT RELATIVE TO REIMBURSEMENT TO THE COMMONWEALTH OF THE COST OF THE SUPERVISION OF INSURANCE PREMIUM FINANCE AGENCIES BY THE COMMISSIONER OF BANKS AND ESTABLISHING LICENSE FEES.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 255C of the General Laws, as appearing in section 1 of chapter 727 of the acts of 1964, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

Each application for a license to engage in the business of a premium finance agency shall be in writing and in the form prescribed by the commissioner, and shall be accompanied by an investigation fee of fifty dollars, said amount to be credited to the license fee if a license is granted.

SECTION 2. Said section 3 of said chapter 255C, as so appearing, is hereby further amended by striking out the fifth paragraph and inserting in place thereof the following paragraph:—

The fee for each license shall be two hundred dollars except as provided in section eleven. Each license shall be issued for the calendar year and shall remain in full force and effect until the thirty-first day of December unless suspended, revoked or surrendered as provided in section five.

SECTION 3. The first paragraph of section 6 of said chapter 255C, as so appearing, is hereby amended by adding the following sentence:— The commissioner shall assess the licensee forty dollars per day for each man participating in any such investigation or twenty dollars per one thousand accounts or fraction thereof written by said agency, whichever is less.

SECTION 4. Section 11 of said chapter 255C, as most recently amended by chapter 612 of the acts of 1967, is hereby amended by striking out said section and inserting in place thereof the following section:—

Section 11. If an insurance agent or an insurance broker in his application for a license under section three states that the aggregate unpaid balance of all premium finance agreements executed or purchased by him during the forthcoming license year will not exceed fifty thousand dollars, the fee for such license shall be seventy-five dollars. If said balances will not exceed one hundred thousand dollars, the fee for such license shall be one hundred dollars; and if said balances will be in excess of one hundred thousand dollars, the fee for such license shall be two hundred dollars.

Each application for a license hereunder shall be in writing and in the form prescribed by the commissioner, and shall be accompanied by an investigation fee of fifty dollars, said amount to be credited to the license fee if a license is granted.

If an insurance agent or an insurance broker conducts an insurance premium finance agency business under a subsidiary or different company name, it shall be considered that said business is subject to the license fee provisions of section three.

Approved August 24, 1969.

Chap. 794. AN ACT RELATIVE TO REIMBURSEMENT TO THE COMMONWEALTH OF THE COST OF THE SUPERVISION OF RETAIL INSTALMENT SALES AND SERVICES FINANCE COMPANIES BY THE COMMISSIONER OF BANKS AND INCREASING LICENSE FEES.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 255D of the General Laws, as appearing in section 1 of chapter 284 of the acts of 1966, is hereby

amended by striking out the sixth sentence and inserting in place thereof the following two sentences:—Each application for a license shall be accompanied by an investigation fee of fifty dollars, said amount to be credited to the license fee if the license is granted. The fee for such license shall be two hundred dollars.

SECTION 2. The first sentence of section 3 of said chapter 255D, as appearing in section 28 of chapter 517 of the acts of 1969, is hereby amended by striking out, in line 3, the words "and the fees to be charged therefor".

SECTION 3. Said section 3 of said chapter 255D is hereby further amended by inserting after the second sentence, as appearing in section 1 of chapter 284 of the acts of 1966, the following sentence:— The total charge for such an investigation shall be forty dollars per day for each man participating therein. *Approved August 24, 1969.*

Chap. 795. AN ACT REQUIRING CITIES, TOWNS AND SEWERAGE DISTRICTS TO PROVIDE FACILITIES FOR THE DISPOSAL OF PRIVY, CESSPOOL AND SEPTIC TANK CONTENTS COLLECTED FOR HIRE BY PRIVATE PERSONS.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by striking out section 31D, inserted by chapter 455 of the acts of 1967, and inserting in place thereof the following section: —

Section 31D. Cities, towns and sewerage districts may, subject to the approval of the department, provide facilities for the receipt and disposal of privy, cesspool and septic tank contents collected for hire by private persons and shall establish such charges for the use by such persons of such facilities as may be necessary for defraying the cost of construction, operating and maintaining the same.

The commissioner may investigate facilities for the receipt and disposal of privy, cesspool and septic tank contents in cities, towns and sewerage districts. If in his opinion he determines such facilities are inadequate for proper disposal of such contents, he may recommend necessary action for the protection of the public. If after a reasonable time, the city, town or sewerage district fails to act upon his recommendation in a manner satisfactory to him, upon an order issued by the department, a city, town or sewerage district shall provide facilities for the receipt and disposal of privy, cesspool and septic tank contents collected for hire by private persons. The city, town or sewerage district shall establish such charges for the use by such persons of such facilities as may be necessary for defraying the cost of constructing, operating and maintaining the same.

Nothing in this section shall prevent a city, town or sewerage district, or a combination of cities and towns or cities, towns and a sewerage district from acting jointly in carrying out the provisions of this section.

Approved August 24, 1969.

Chap. 796. AN ACT INCREASING THE CHARGE FOR TOWING AND STORAGE BY THE CAPITOL POLICE OF CERTAIN ILLEGALLY PARKED VEHICLES.

Be it enacted, etc., as follows:

Section 12 of chapter 8 of the General Laws is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

The capitol police may, through an independent contractor, remove from any area or way subject to their jurisdiction or control and store in any convenient place any vehicle parked or standing thereon in violation of any law, ordinance, by-law, rule, regulation or order; provided, however, that such removal and storage shall be at no expense to and without liability on the part of the commonwealth. The owner or person in charge of such vehicle, in addition to any penalty for such violation, shall be liable for the charges for such removal and storage, not exceeding fifteen dollars for removal nor two dollars and a half per day for storage. *Approved August 24, 1969.*

Chap. 797. AN ACT CONFIRMING THE AUTHORITY OF THE CITY COUNCIL OF THE CITY OF BOSTON TO IMPOSE A RENT CONTROL LAW IN THE CITY OF BOSTON.

Whereas, The general court finds and declares that a serious public emergency exists with respect to the housing of a substantial number of the citizens in the city of Boston, which emergency has resulted in a substantial shortage of rental housing accommodations; that, unless residential rents and eviction of tenants are regulated and controlled, such emergency and the inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of said city; that such emergency should be met by the commonwealth immediately and with due regard for the rights and responsibilities of the city of Boston.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, when public exigency, emergency or distress exists in the city of Boston, the city council of said city, with the approval of the mayor, may by ordinance control the rent for the use or occupancy of housing accommodations in structures having four or more dwelling units, excluding motels, hotels or inns, and may create a rent board and empower it to establish as the maximum rent for housing accommodations in the city of Boston the rent in effect therefor on the first day of December, nineteen hundred and sixty-eight, or such higher amount as may be necessary to remove hardships or correct inequities. Upon a decision by the official city of Boston agency concerned with the regulation of the rents in a housing accommodation after proper hearing, either party concerned may appeal to the district court within the jurisdiction of the location of that housing accommodation.

Approved August 24, 1969.

Chap. 798. AN ACT RELATIVE TO THE COMPENSATION OF CERTAIN MEMBERS OF THE ATLANTIC STATES MARINE FISHERIES COMMISSION.

Be it enacted, etc., as follows:

Chapter 489 of the acts of 1941 is hereby amended by striking out section 4 and inserting in place thereof the following section: —

Section 4. Each member of the commission designated or appointed by the governor of the commonwealth who, while such member, neither holds a salaried state office nor is a member of the general court shall, while a member of the commission, be paid by the commonwealth as compensation for his services the sum of ten dollars per day for each day's service performed in connection with his duties as such member, but not to exceed two hundred dollars in any year. Such compensation shall be paid by the state treasurer to each such member, not more often than every two weeks, out of the Marine Fisheries Fund, upon bills approved by the department of natural resources.

Approved August 24, 1969.

Chap. 799. AN ACT MAKING CORRECTIVE CHANGES IN THE LAW REGULATING THE PURCHASE, SALE AND POSSESSION OF FIREARMS, RIFLES AND SHOTGUNS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 140 of the General Laws is hereby amended by striking out section 121, as most recently amended by section 1 of chapter 737 of the acts of 1968, and inserting in place thereof the following section:—

Section 121. In sections one hundred and twenty-two to one hundred and thirty-one F, inclusive, "firearm" shall mean a pistol, revolver or other weapon of any description loaded or unloaded, from which a shot or bullet can be discharged and of which the length of barrel, not including any revolving, detachable or magazine breech, is less than sixteen inches or eighteen inches in the case of a shotgun. A "machine gun" is a weapon of any description, by whatever name known, loaded or unloaded, from which a number of shots or bullets may be rapidly or automatically discharged by one continuous pull of the trigger, and includes a submachine gun. The words "purchase" and "sale" include exchange; the word "purchaser" shall include exchanger; and the verbs "sell" and "purchase", in their different forms and tenses, shall include the verb exchange in its appropriate form and tense, and the term "gunsmith" as used in this chapter shall mean and include any person who engages in the business of repairing, altering, cleaning, polishing, engraving, blueing or performing any mechanical operation on any firearm, rifle, shotgun or machine gun. The word "conviction" shall mean a finding or verdict of guilty, or a plea of guilty, whether or not final sentence is imposed. "Licensing authority" shall mean the chief of police or the board or officer having control of the police in a city or town, or persons authorized by them.

Where the local licensing authority has the power to issue licenses or cards under this chapter, but no such authority exists, any resident

or applicant may apply for such license or firearm identification card directly to the commissioner of the department of public safety and the commissioner shall for this purpose be the licensing authority.

Sections one hundred and twenty-two to one hundred and twenty-nine D, inclusive, and sections one hundred and thirty-one A, one hundred and thirty-one B and one hundred and thirty-one E shall not apply to

(A) any firearm, rifle or shotgun including any firearm, rifle or shotgun with matchlock, flintlock, percussion cap, or similar type of ignition system manufactured in or before eighteen hundred and ninety-eight;

(B) any replica, or any firearm, rifle or shotgun described in clause (A) if such replica (*i*) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or (*ii*) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade; and

(C) manufacturers or wholesalers of firearms, rifles, shotguns or machine guns.

SECTION 2. Said chapter 140 is hereby further amended by striking out section 122B, inserted by section 2 of said chapter 737, and inserting in place thereof the following section:—

Section 122B. No person shall sell ammunition in the commonwealth unless duly licensed. The chief of police or the board or officer having control of the police in a city or town, or persons authorized by them, may grant a license to any person, except an alien, a minor or a person who has been convicted of a felony in any state or federal jurisdiction, or of the unlawful use, possession or sale of narcotic or harmful drugs, to sell ammunition. Every license shall specify the street and number, if any, of the building where the business is to be carried on. The licensing authority to whom such application is made shall cause one copy of the application to be forwarded to the commissioner of public safety, who shall within a reasonable time thereafter advise such authority in writing of any criminal record disqualifying the applicant. The fee for such license shall be one dollar. Each license so issued shall be valid for a period not exceeding one year and shall expire on the thirtieth day of April next following. Licenses may be renewed during the month of April for the following year upon payment of a fee of one dollar. In this section, the term "ammunition" shall mean cartridges or cartridge cases, primers (igniter), bullets or propellent powder designed for use in any firearm, rifle or shotgun.

Any lawfully incorporated sporting or shooting club shall, upon application, be licensed to sell or supply ammunition for regulated shooting on their premises, as for skeet, target or trap shooting; provided, however, that such club license shall, in behalf of said club, be issued to and exercised by an officer or duly authorized member of the club who himself possesses a firearm identification card or a license to carry a firearm and who would not be disqualified to receive a license to sell ammunition in his own right. The licensing authority may revoke or suspend a license to sell ammunition for violation of any provision of this chapter.

The commissioner of public safety may establish such rules and regulations as he may deem necessary to carry out the provisions of this section.

Any person refused a license under this section or once issued a license under this section has had said license suspended or revoked may obtain a judicial review of such refusal, suspension or revocation by filing within thirty days of such refusal, suspension or revocation a petition for review thereof in the district court having jurisdiction in the city or town in which the applicant filed for such license, and a justice of said court, after a hearing, may direct that a license be issued the applicant if satisfied there was no reasonable ground for refusing such license and that the applicant was not prohibited by law from holding the same.

Whoever not being licensed, as hereinbefore provided, sells ammunition within the commonwealth, shall be punished by a fine of not less than one hundred dollars or by imprisonment for not less than six months nor more than two years.

SECTION 3. Said chapter 140 is hereby further amended by striking out section 123, as most recently amended by section 3 of said chapter 737, and inserting in place thereof the following section:—

Section 123. A license granted under section one hundred and twenty-two shall be expressed to be and shall be subject to the following conditions:—First, That the provisions in regard to the nature of the license and the building in which the business may be carried on under it shall be strictly adhered to. Second, That every licensee shall, before delivery of a firearm, rifle or shotgun, make or cause to be made a true, legible entry in a sales record book to be furnished by the commissioner of public safety and to be kept for that purpose, specifying the complete description of the firearm, rifle or shotgun, including the make, serial number, if any, type of firearm, rifle or shotgun, whether sold, rented or leased, the date of each sale, rental or lease, the license to carry firearms number or permit to purchase number and the identification card number in the case of a firearm or the identification card number or the license to carry firearms number in the case of a rifle or shotgun, the sex, residence and occupation of the purchaser, renter or lessee, and shall before delivery, as aforesaid, require the purchaser, renter or lessee personally to write in said sales record book his full name. Said book shall be open at all times to the inspection of the police. Third, That the license or a copy thereof, certified by the official issuing the same, shall be displayed on the premises in a position where it can easily be read. Fourth, That no firearm, rifle or shotgun, or machine gun shall be displayed in any outer window of said premises or in any other place where it can readily be seen from the outside. Fifth, That the licensee shall, once a week, send a copy of the record of sales, rentals and leases made by him for the preceding seven days to the commissioner of public safety. Sixth, That every firearm, rifle or shotgun shall be unloaded when delivered. Seventh, That no delivery of a firearm or of ammunition therefor shall be made to any minor nor to any person not having a license to carry firearms issued under the provisions of section one hundred and thirty-one nor shall any delivery of a rifle or shotgun or ammunition therefor be made to any

person not having a license to carry firearms issued under the provisions of section one hundred and thirty-one or a firearm identification card issued under the provisions of section one hundred and twenty-nine B; provided, however, that delivery of a firearm by a licensee to a person possessing a valid permit to purchase said firearm issued under the provisions of section one hundred and thirty-one A and a valid firearm identification card issued under section one hundred and twenty-nine B may be made by the licensee to the purchaser's residence or place of business. Eighth, That no firearm shall be sold, rented or leased to a minor or a person who has not a permit then in force to purchase, rent or lease the same issued under section one hundred and thirty-one A, and a firearm identification card issued under the provisions of section one hundred and twenty-nine B, or unless such person has a license to carry firearms issued under the provisions of section one hundred and thirty-one; nor shall any rifle or shotgun be sold, rented or leased to a person who has not a valid firearm identification card as provided for in section one hundred and twenty-nine B, or has a license to carry firearms as provided in section one hundred and thirty-one; and that no machine gun shall be sold, rented or leased to any person who has not a license to possess the same issued under section one hundred and thirty-one. Ninth, That upon the sale, rental or lease of a firearm, subject to a permit to purchase issued under the provisions of section one hundred and thirty-one A, the licensee under section one hundred and twenty-two shall take up such permit to purchase and shall endorse upon it the date and place of said sale, rental or lease, and shall transmit the same to the commissioner of public safety: and that upon the sale, rental or lease of a machine gun shall endorse upon the license to possess the same the date and place of said sale, rental or lease, and shall within seven days transmit a notice thereof to said commissioner. In case of a sale under the provisions of section one hundred and thirty-one E the licensee under section one hundred and twenty-two shall write in the sales record book the number of the license to carry firearms issued the purchaser under the provisions of section one hundred and thirty-one, or the number of the firearm identification card issued the purchaser under the provisions of section one hundred and twenty-nine B, whichever is applicable under the provisions of condition Eighth of this section. Tenth, That this license shall be subject to forfeiture as provided in section one hundred and twenty-five for breach of any of its conditions, and that, if the licensee hereunder is convicted of a violation of any such conditions, this license shall thereupon become void. Eleventh, That the second, fifth, eighth and ninth conditions shall not apply to a gunsmith with regard to repair or remodeling or servicing of firearms, rifles or shotguns unless said gunsmith has manufactured a firearm, rifle or shotgun for the purchaser, but said gunsmith shall keep records of the work done by him together with the names and addresses of his customers. Such records shall be kept open for inspection by the police at all times. Twelfth, That any licensee shall keep records of each sale, rental or lease of a rifle or shotgun, specifying the description of said rifle or shotgun, together with the name and address of the purchaser, renter

or lessee, and the date of such transaction. No licensee shall sell any rifle or shotgun, contrary to the provisions of section one hundred and thirty.

SECTION 4. Section 125 of said chapter 140 is hereby amended by striking out the first sentence, as amended by section 8 of chapter 688 of the acts of 1957, and inserting in place thereof the following sentence:—The officials authorized to issue a license under section one hundred and twenty-two, after due notice to the licensee and reasonable opportunity for him to be heard, may declare his license forfeited, or may suspend his license for such period of time as they may deem proper, upon satisfactory proof that he has violated or permitted a violation of any condition thereof or has violated any provision of this chapter, or has been convicted of a felony.

SECTION 5. Section 128 of said chapter 140 is hereby amended by striking out the second sentence, added by section 11 of said chapter 688 and inserting in place thereof the following sentence:—Evidence that a person sold or attempted to sell a machine gun without being licensed under section one hundred and twenty-three shall, in a prosecution under this section, constitute prima facie evidence that such person is engaged in the business of selling machine guns.

SECTION 6. Said chapter 140 is hereby further amended by striking out section 128A, inserted by section 5 of chapter 737 of the acts of 1968, and inserting in place thereof the following section:—

Section 128A. The provisions of section one hundred and twenty-eight shall not apply to any resident of the commonwealth who, without being licensed, as provided in section one hundred and twenty-two, sells, exposes for sale, or has in his possession with intent to sell not more than four firearms including rifles and shotguns, in any one calendar year; provided, however, the seller has a firearm indentification card or a license to carry firearms, is an exempt person under the conditions of clauses (n), (o), (r) and (s) of the fourth paragraph of section one hundred and twenty-nine C, or is permitted to transfer ownership under the conditions of section one hundred and twenty-nine D and the purchaser has, in the case of sale or transfer of a firearm, a permit to purchase issued under the provisions of section one hundred and thirty-one A and a firearm identification card issued under section one hundred and twenty-nine B, or has such permit to purchase and is an exempt person under the provisions of section one hundred and twenty-nine C, or has been issued a license to carry firearms under the provisions of section one hundred and thirty of this chapter, or in the case of sale or transfer of a rifle or shotgun, the purchaser has a firearm identification card or a license to carry firearms or is an exempt person as hereinbefore stated; and provided, further, that such resident reports within seven days, in writing to the commissioner of public safety on forms furnished by said commissioner, the names and addresses of the seller and the purchaser of any such firearm, rifle or shotgun, together with a complete description of the firearm, rifle or shotgun, including the calibre, make and serial number and the purchaser's license to carry firearms number, permit to purchase number and firearm identification card number, permit to purchase

number and identifying number of such documentation as is used to establish exempt person status in the case of a firearm or the purchaser's license to carry number or firearm identification card number or said document identity number, in the case of a rifle or shotgun.

SECTION 7. Said chapter 140 is hereby further amended by striking out section 129B, inserted by section 7 of said chapter 737, and inserting in place thereof the following section:—

Section 129B. Any person residing or having a place of business within the jurisdiction of the licensing authority may submit to the licensing authority application for a firearm identification card, which such person shall be entitled to, unless the applicant (*a*) has within the last five years been convicted of a felony in any state or federal jurisdiction, or within that period has been released from a state prison or penitentiary where such person was serving a sentence for a felony conviction, or (*b*) has been confined to any hospital or institution for mental illness, except where the applicant shall submit with the application an affidavit of a registered physician that he is familiar with the applicant's history of mental illness and that in his opinion the applicant is not disabled by such illness in a manner which should prevent his possessing a firearm, rifle or shotgun, or (*c*) has within the last five years been convicted of a violation of any state or federal narcotic or harmful drug law, or within that period has been released from confinement for such a conviction; or is or has been under treatment for or confinement for drug addiction or habitual drunkenness, except when he is deemed to be cured of such condition by a registered physician, he may make application for said card after the expiration of five years from the date of such confinement or treatment and upon presentation of an affidavit issued by said physician to the effect that the physician knows the applicant's history of treatment and that in his opinion the applicant is deemed cured, or (*d*) is at the time of the application under the age of fifteen, or (*e*) is at the time of the application fifteen years of age or over but under the age of eighteen, except where the applicant submits with his application a certificate of his parent or guardian granting the applicant permission to apply for a card.

The licensing authority may not prescribe any other condition for the issuance of a card and it shall within thirty days from the date of application either approve the application and issue the card or deny the application and notify the applicant of the reason for such denial in writing. Pending issuance of the card, a receipt for the fee paid shall, after five days from issuance, serve as a valid substitute, unless the applicant is disqualified. Written notice of denial of the application shall void the receipt and require its immediate surrender. A card may be revoked by the licensing authority or his delegate or suspended for such period as he may set, only upon the occurrence of any event which would have disqualified the holder from being issued the card. Any suspension or revocation of a card shall be in writing and shall state the reason therefor. Upon revocation or suspension, the licensing authority shall take possession of said card and receipt for fee paid for such card.

Any applicant or holder aggrieved by a denial, revocation or suspension of a card may within ninety days after receipt of notice appeal to the district court for a review of such action.

Said card shall be in a form prescribed by the commissioner and shall contain an identification number, the name and address of the holder, his place and date of birth, his height, weight, and hair and eye color, and his signature and shall be captioned "Firearm Identification Card". The application for a card shall be made in multiple on a form prescribed by the commissioner which shall require the applicant affirmatively to state that he is not disqualified for any of the foregoing reasons from possession of a card.

Said card shall be valid for five years; provided, that the licensing authority may renew such card on the anniversary of the applicant's date of birth occurring not less than four years but not more than five years from the date of original issue, and shall be subject to automatic renewal upon application and affirmative statement, without investigation, unless the licensing authority has reason to believe that the status of the applicant has changed since the previous application. The fee for an application and card, or for renewal of a card, shall be two dollars, which shall be payable to the licensing authority and shall not be prorated or refunded in case of revocation or denial.

Upon receipt of an application for a card, the licensing authority shall forward a copy of such application to the commissioner of public safety, who shall within twenty-one days advise in writing of any disqualifying criminal record, if any, of the applicant and whether there is reason to believe that the applicant is disqualified for any of the foregoing reasons from possessing a card. The licensing authority may make inquiries concerning the applicant to the department of mental health for the purpose of determining eligibility for the firearm identification card and shall receive prompt and full cooperation from such department for that purpose in any investigation of an applicant.

SECTION 8. Said chapter 140 is hereby further amended by striking out section 129C, as so inserted, and inserting in place thereof the following section:—

Section 129C. No person, other than a licensed dealer or one who has been issued a license to carry a pistol or revolver or an exempt person as hereinafter described, shall own or possess any firearm, rifle or shotgun unless he has been issued a firearm identification card by the licensing authority pursuant to the provisions of section one hundred and twenty-nine B.

No person shall sell, give away, loan or otherwise transfer a rifle or shotgun or ammunition therefor other than (*a*) by operation of law, or (*b*) to an exempt person as hereinafter described, or (*c*) to a licensed dealer, or (*d*) to a person who displays his firearm identification card, or license to carry a pistol or revolver.

A seller shall, within seven days, report all such transfers to the commissioner of public safety according to the provisions set forth in section one hundred and twenty-eight A, and in the case of loss or theft of any firearm, rifle or shotgun similar report shall be made to both the commissioner and the licensing authority in the city or town

where the owner resides within fourteen days of the discovery by the owner of the loss or theft.

The provisions of this section shall not apply to the following exempted persons and uses:

(*a*) Any device used exclusively for signalling or distress use and required or recommended by the United States Coast Guard or the Interstate Commerce Commission, or for the firing of stud cartridges, explosive rivets of similar industrial ammunition;

(*b*) Federally licensed firearms manufacturers or wholesale dealers, or persons employed by them or by licensed dealers, or on their behalf, when possession of firearms, rifles or shotguns is necessary for manufacture, display, storage, transport, installation, inspection or testing;

(*c*) To a person voluntarily surrendering a firearm, rifle or shotgun to a licensing authority, the commissioner or his designee if prior written notice has been given by said person to the licensing authority or the commissioner, stating the place and approximate time of said surrender;

(*d*) The regular and ordinary transport of firearms, rifles or shotguns as merchandise by any common carrier;

(*e*) Possession by retail customers for the purpose of firing at duly licensed target concessions at amusement parks, piers and similar locations, provided that the firearms, rifles or shotguns to be so used are firmly chained or affixed to the counter and that the proprietor is in possession of a firearm indentification card or license to carry firearms;

(*f*) Possession of rifles and shotguns by nonresident hunters with valid nonresident hunting licenses during hunting season;

(*g*) Possession of rifles and shotguns by nonresidents while on a firing or shooting range;

(*h*) Possession of rifles and shotguns by nonresidents traveling in or through the commonwealth, providing that any rifles or shotguns are unloaded and enclosed in a case;

(*i*) Possession of rifles and shotguns by nonresidents while at a firearm showing or display organized by a regularly existing gun collectors' club or association;

(*j*) Any new resident moving into the commonwealth, or any resident of the commonwealth upon being released from active service with any of the armed services of the United States with respect to any firearm, rifle or shotgun then in his possession, for sixty days after such release or after the time he moves into the commonwealth;

(*k*) Any person under the age of fifteen with respect to the use of a rifle or shotgun by such person in hunting or target shooting, provided that such use is otherwise permitted by law and is under the immediate supervision of a person holding a firearm identification card or a license to carry firearms, or a duly commissioned officer, noncommissioned officer or enlisted member of the United States Army, Navy, Marine Corps, Air Force or Coast Guard, or the National Guard or military service of the commonwealth or reserve components thereof, while in the performance of his duty;

(*l*) The possession or utilization of any rifle or shotgun during the course of any television, movie, stage or other similar theatrical production, or by a professional photographer or writer for examina-

tion purposes in the pursuit of his profession, providing such possession or utilization is under the immediate supervision of a holder of a firearm identification card or a license to carry firearms;

(*m*) The temporary holding, handling or firing of a firearm for examination, trial or instruction in the presence of a holder of a license to carry firearms, or the temporary holding, handling or firing of a rifle or shotgun for examination, trial or instruction in the presence of a holder of a firearm identification card, or where such holding, handling or firing is for a lawful purpose;

(*n*) The transfer of a firearm, rifle or shotgun upon the death of an owner to his heir or legatee shall be subject to the provision of this section, provided that said heir or legatee shall within one hundred and eighty days of such transfer, obtain a firearm identification card or a license to carry firearms if not otherwise an exempt person who is qualified to receive such or apply to the licensing authority for such further limited period as may be necessary for the disposition of such firearm, rifle or shotgun;

(*o*) Persons in the military or other service of any state or of the United States, and police officers and other peace officers of any jurisdiction, in the performance of their official duty or when duly authorized to possess them, provided, however, that private or sporting use of such firearms, rifles or shotguns shall be subject to the provisions applicable to nonexempt persons and uses;

(*p*) Possession of rifles and shotguns by nonresidents bearing a current license, permit or identification card to possess any firearm, rifle or shotgun in the state in which they reside;

(*q*) Any nonresident from a contiguous state, provided he is eighteen years of age or over when acquiring a rifle or shotgun, or ammunition, provided it is removed from the commonwealth within fourteen days of such acquisition, and provided that he is in compliance with his own state law and has the proper firearms license if required, and provided, further, that in the case of a rifle or shotgun the seller notifies the chief of police where the purchaser resides of the transfer, description and serial number of the rifle or shotgun and the name, address and license number of the purchaser and seller;

(*r*) Possession by a veteran's organization chartered by the Congress of the United States or included in clause (12) of section five of chapter forty and possession by the members of any such organizations when on official parade duty or ceremonial occasions;

(*s*) Possession by federal, state and local historical societies, museums, and institutional collections open to the public, provided such firearms, rifles or shotguns are unloaded, properly housed and secured from unauthorized handling.

Any person, exempted by clauses (*o*), (*p*) and (*q*), purchasing a rifle or shotgun shall submit to the seller such full and clear proof of identification, including shield number, serial number, military or governmental order or authorization, military or other official identification, other state firearms license, or proof of nonresidence, as may be applicable.

An air rifle, spring gun and BB gun or rifle which has a barrel length of sixteen inches or over shall not be considered a rifle or

shotgun under the provisions of this section; provisions providing for the possession or usage of such are set forth in sections twelve A and twelve B of chapter two hundred and sixty-nine.

Nothing in this section shall permit the sale of rifles or shotguns or ammunition therefor to a minor under the age of eighteen in violation of section one hundred and thirty nor may any firearm be sold to a minor nor to any person who is not licensed to carry firearms under section one hundred and thirty-one unless he presents a valid firearm identification card and a permit to purchase issued under section one hundred and thirty-one A, or presents such permit to purchase and is a properly documented exempt person as hereinbefore described.

Neither the provisions of section one hundred and twenty-nine C nor the possession of a firearm identification card issued under section one hundred and twenty-nine B shall entitle any person to carry a firearm in violation of section ten of chapter two hundred and sixty-nine.

Any person who, while not being within the limits of his own property or residence, or such person whose property or residence is under lawful search, and who is not exempt under this section, shall on demand of a police officer or other law enforcement officer exhibit his license to carry firearms, or his firearm identification card or receipt for fee paid for such card, or, after January first, nineteen hundred and seventy, exhibit a valid hunting license issued to him which shall bear the number officially inscribed of such license to carry or card if any. Upon failure to do so such person may be required to surrender to such officer said firearm, rifle or shotgun which shall be taken into custody as under the provisions of section one hundred and twenty-nine D, except that such firearm, rifle or shotgun shall be returned forthwith upon presentation within thirty days of said license to carry firearms, firearm identification card or receipt for fee paid for such card or hunting license as hereinbefore described. Any person subject to the conditions of this paragraph may, even though no firearm, rifle or shotgun was surrendered, be required to produce within thirty days said license to carry firearms, firearm identification card or receipt for fee paid for such card, or said hunting license, failing which the conditions of section one hundred and twenty-nine D will apply. Nothing in this section shall prevent any person from being prosecuted for any violation of this chapter.

SECTION 9. Said chapter 140 is hereby further amended by striking out section 129D, as so inserted, and inserting in place thereof the following section:—

Section 129D. Upon revocation, suspension or denial of an application for a firearm identification card pursuant to the conditions of section one hundred and twenty-nine B, or of any firearms license if said firearms identification card is not then in force, the person whose application was so revoked, suspended or denied shall without delay deliver or surrender, to the licensing authority where he resides, all firearms, rifles and shotguns which he then possesses unless an appeal is pending. Such person, or his legal representative, shall have the right, at any time up to one year after said delivery or surrender, to transfer such firearms, rifles and shotguns to any licensed dealer or

any other person legally permitted to purchase or take possession of such firearms, rifles and shotguns and upon notification in writing by the purchaser or transferee and the former owner, the licensing authority shall within ten days deliver such firearms, rifles and shotguns to the transferee or purchaser and due care shall be observed by the licensing authority in the receipt and holding of any such firearm, rifle or shotgun.

Firearms, rifles or shotguns not disposed of after delivery or surrendered according to the provisions of this section shall be sold at public auction by the commissioner to the highest bidding person legally permitted to purchase and possess said firearms, rifles or shotguns and the proceeds shall be remitted to the state treasurer.

The commissioner may make and promulgate such rules and regulations as are necessary to carry out the provisions of this section.

SECTION 10. Said chapter 140 is hereby further amended by striking out section 130, as most recently amended by section 8 of said chapter 737, and inserting in place thereof the following section:—

Section 130. Whoever sells or furnishes a firearm or machine gun or ammunition therefor to any alien or to a minor or whoever sells or furnishes a rifle or shotgun or ammunition therefor to an alien who does not hold a permit card issued to him under section one hundred and thirty-one H, or to a minor eighteen years of age or older, except to such minor who being eighteen years of age or older displays either a license to carry firearms or a firearms identification card, and a sporting or hunting license issued to him in the case of ammunition, or displays such license to carry, or firearm identification card together with said sporting or hunting license, and the written consent of his parent or guardian that a rifle or shotgun be sold to him or furnished to him in the case of a rifle or shotgun, or to a minor under eighteen years of age, shall be punished by a fine of not less than one hundred or more than five hundred dollars. Nothing in this section or section one hundred and thirty-one E shall be construed to prohibit a parent or guardian from allowing his child or ward, who has not attained age fifteen, the supervised use of a rifle or shotgun or ammunition therefor, according to the provisions of section one hundred and twenty-nine C nor from furnishing his child or ward, who has attained age fifteen, with a rifle or shotgun or ammunition therefor, provided said child or ward, being fifteen years of age or older, has a valid firearm identification card, issued to him, nor shall it be construed as prohibiting an instructor from furnishing rifles or shotguns or ammunition therefor to pupils, provided said instructor has the consent of the parent or guardian of the minor.

SECTION 11. Section 131 of said chapter 140 is hereby amended by striking out the first sentence, as appearing in section 6 of chapter 296 of the acts of 1959, and inserting in place thereof the following sentence:—The chief of police or the board or officer having control of the police in a city or town, or the commissioner of public safety, or persons authorized by them, respectively, after an investigation, may, upon the application of any person, including a minor eighteen years of age or older who has the written consent of his parent or guardian,

residing or having a place of business within their respective jurisdiction, except an alien, a person who has been convicted of a felony or of the unlawful use, possession or sale of narcotic or harmful drugs or a minor under the age of eighteen, issue a license to such applicant to carry firearms in the commonwealth or to possess and carry therein a machine gun, if it appears that he is a suitable person to be so licensed, and that he has good reason to fear injury to his person or property, or for any other proper purpose, including the carrying of firearms for use in target practice only; provided, however, that no minor shall be issued a license to possess and carry a machine gun.

SECTION 12. Section 131E of said chapter 140, as amended by section 9 of chapter 737 of the acts of 1968, is hereby further amended by striking out the first two sentences and inserting in place thereof the following two sentences:—Any resident of the commonwealth except a minor may purchase firearms, rifles and shotguns from any dealer licensed under section one hundred and twenty-two, or from such person as shall be qualified under section one hundred and twenty-eight A, or ammunition therefor from a licensee under section one hundred and twenty-two B, upon presentation of a valid license to carry firearms issued to him under the provisions of section one hundred and thirty-one, or a permit to purchase issued to him under section one hundred and thirty-one A together with a firearm identification card issued to him under the provisions of section one hundred and twenty-nine B, or said permit to purchase together with proof of exempt status under the provisions of section one hundred and twenty-nine C, in the case of a firearm, or in the case of a rifle or shotgun, said license to carry or said firearm identification card or said proof of exempt status, except that no rifle, shotgun or ammunition therefor shall be sold to any minor under eighteen years of age nor to any minor eighteen years of age or older unless such minor displays a license to carry firearms or a firearm identification card issued to him, a hunting or sporting license issued to him, and the written consent of his parent or guardian to purchase a particular rifle or shotgun, except, however, that said written consent shall not be required for purchase of ammunition only. Any person who uses said license to carry firearms or firearm identification card for the purpose of purchasing a firearm, rifle or shotgun for the unlawful use of another, or for resale to or giving to an unlicensed person, shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment for not less than six months nor more than two years in a jail or house of correction, or by both such fine and imprisonment.

SECTION 12A. Section 131F of said chapter 140 is hereby amended by adding the following paragraph:—

A license, otherwise in accordance with provisions of this section, may be issued to a nonresident employee, whose application is endorsed by his employer, of a federally licensed Massachusetts manufacturer of machine guns to possess within the commonwealth a machine gun for the purpose of transporting or testing relative to the manufacture of machine guns, and the license shall be marked "temporary license to possess a machine gun" and may be issued for any term not to exceed two years and shall expire in accordance with the provisions of section one hundred and thirty-one.

SECTION 13. Section 131H of said chapter 140, inserted by section 3 of chapter 802 of the acts of 1967, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

No alien shall own or have in his possession or under his control a firearm, rifle or shotgun, except as provided in this section. The commissioner of public safety may, after an investigation, issue a permit to an alien to own or have in his possession or under his control a rifle or shotgun; subject to such terms and conditions as said commissioner may deem proper. The fee for such permit shall be two dollars and twenty-five cents. Upon issuing such permit said commissioner shall so notify, in writing, the chief of police or the board or officer having control of the police in the city or town in which such alien resides. Each such permit card shall expire at twelve midnight on December thirty-first next succeeding the effective date of said permit, and shall be revocable for cause by said commissioner. In case of revocation, the fee for such permit shall not be prorated or refunded. Whenever any such permit is revoked, said commissioner shall give notification as hereinbefore provided. The permit issued to an alien under this section shall be subject to sections one hundred and twenty-nine B and one hundred and twenty-nine C except as otherwise provided by this section.

SECTION 14. The first sentence of section 10 of chapter 269 of the General Laws is hereby amended by striking out the words ", except that whoever is convicted of a second or subsequent offense of carrying a firearm in violation of the provisions of this section shall be punished by imprisonment for not less than two and one half nor more than ten years in the state prison", inserted by section 11 of chapter 737 of the acts of 1968.

SECTION 15. Said section 10 of said chapter 269 is hereby further amended by striking out the first paragraph, added by section 14 of said chapter 737.

SECTION 16. Said section 10 of said chapter 269 is hereby further amended by striking out the third paragraph, added by said section 14 of said chapter 737, and inserting in place thereof the following paragraph:—

Whoever knowingly fails to deliver or surrender a revoked or suspended firearm indentification card, or receipt for the fee for such card, or a firearm, rifle or shotgun, as provided in section one hundred and twenty-nine D of chapter one hundred and forty, unless an appeal is pending, shall be punished by imprisonment in a jail or house of correction for not more than two and one half years or by a fine of not more than one thousand dollars.

SECTION 17. Said chapter 269 is hereby further amended by striking out section 11E, inserted by section 15 of said chapter 737, and inserting in place thereof the following section:—

Section 11E. All firearms, rifles and shotguns of new manufacture, manufactured or delivered to any licensed dealer within the commonwealth shall bear serial numbers permanently inscribed on a visible metal area of said firearm, rifle or shotgun, and the manufacturer of said firearm, rifle or shotgun shall keep records of said serial numbers and the dealer, distributor or person to whom the firearm, rifle or shotgun was sold or delivered.

No licensed dealer shall order for delivery, cause to be delivered, offer for sale or sell within the commonwealth any newly manufactured firearm, rifle or shotgun received directly from a manufacturer, wholesaler or distributor not so inscribed with a serial number nor shall any licensed manufacturer or distributor of firearms, rifles or shotguns deliver or cause to be delivered within the commonwealth any firearm, rifle or shotgun not complying with this section.

No licensed manufacturer within the commonwealth shall produce for sale within the United States, its territories or possessions any firearm, rifle or shotgun not complying with paragraph one of this section. Whoever violates this section shall be punished by a fine of five hundred dollars. Each such violation shall constitute a separate offense.

SECTION 17A. The provisions of section eleven E of chapter two hundred and sixty-nine of the General Laws, as amended by section seventeen of this act, prohibiting a licensed dealer from ordering for delivery, causing to be delivered, offering for sale or selling within the commonwealth any newly manufactured firearm, rifle or shotgun not permanently inscribed with a serial number, as required by said section, shall not be applicable to such licensed dealer in the case of any such firearm, rifle or shotgun which was delivered to such dealer prior to the first day of January, nineteen hundred and seventy.

SECTION 18. Section seventeen of this act shall take effect on January first, nineteen hundred and seventy.

Approved August 24, 1969.

Chap. 800. AN ACT TO ESTABLISH A PROGRAM OF MEDICAL CARE AND ASSISTANCE FOR CERTAIN RESIDENTS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 118D the following new chapter: –

CHAPTER 118E.

MEDICAL CARE AND ASSISTANCE.

Section 1. There is hereby established, pursuant to and in conformity with the provisions of Title XIX of the Social Security Act (P.L. 89–97), a program of medical care and assistance for certain residents of the commonwealth.

The benefits of the program shall be available to all persons eligible for financial assistance under the provisions of chapters one hundred and eighteen, one hundred and eighteen A and one hundred and eighteen D; to all others who would be eligible for financial assistance under the same chapters, provided they meet the requirements of financial eligibility under the program hereinafter set forth, to all persons under twenty-one years of age whose income and resources are insufficient to meet the costs of their medical care as determined by the financial eligibility requirements of said program, and to the spouse of a recipient of assistance under chapter one hundred and eighteen A or one hundred and eighteen D who is living with and essential to the well-being of said

recipient and whose needs are taken into account in determining the amount of assistance provided said recipients; provided, however, that said benefits shall also be available to the blind and shall continue to be administered by the commission on the blind in accordance with the provisions of section one hundred and twenty-nine of chapter six.

Section 2. As used in this chapter the following terms and phrases shall, unless the context clearly requires otherwise, have the following meanings: —

(*a*) "Person", any individual who resides in the commonwealth, or any individual residing outside the commonwealth who is deemed to be a resident of the commonwealth under the regulations of the Secretary promulgated under the Social Security Act of 1966 with respect to medical services.

(*b*) "Department", the department of public welfare.

(*c*) "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, but in no event shall the word "reside" be construed more restrictively or less restrictively than as defined by the Secretary under said Title XIX. Confinement of a person in any nursing home, hospital, or other medical institution in the commonwealth shall not, in and of itself, be sufficient evidence to qualify such person as a resident under this chapter.

(*d*) "Institution", any licensed hospital, any licensed nursing home, or any public medical institution which meets the requirements of the Secretary.

(*e*) "Public medical institution", any medical institution supported in whole or in part by public funds, either federal, state or municipal staffed by professional, medical and nursing personnel and providing medical care, in accordance with standards established through licensing or approval by the department of public health.

(*f*) "Medical assistance", payment by the department of all or part of the cost of the medical care and services enumerated in section six.

(*g*) "Provider", any institution, agency, person or group qualified under the laws of the commonwealth to perform or provide the medical care or services enumerated in section six.

(*h*) "Secretary", the Secretary of the United States Department of Health, Education and Welfare.

Section 3. The department shall, within the limits of the funds which have been appropriated for the purposes of this chapter, cooperate with the appropriate federal authorities in the administration of said Title XIX, under which funds are available to the commonwealth for a medical assistance program, and accept for the commonwealth the benefits thereof. The state treasurer shall be the custodian of such funds allocated to the commonwealth.

Section 4. In administering the program the department shall formulate such methods, policies, procedures, standards and criteria, except medical standards and criteria, as may be necessary for the proper and efficient operation of the plan in a manner consistent with simplicity of administration and the best interests of the recipients.

The department may take such further action, consistent with law and within the limits of available funds appropriated for the purposes of this chapter, as may be necessary for carrying out the purposes of this program in conformity with all requirements governing the allowance

of federal grants-in-aid to the commonwealth under said Title XIX, including said provisions relative to notice and reimbursement, a uniform system of records and accounts to be kept by the welfare service offices and the manner and form of making reports to the department.

The department may adopt, promulgate, amend and rescind rules and regulations suitable or necessary to carry out the provisions of this chapter and said Title XIX and any amendments thereto, and as interpreted from time to time by the Secretary.

The department shall make such reports as may be required by the Secretary.

Section 5. The department shall furnish medical assistance to each eligible person residing in the commonwealth whose income and resources are insufficient to meet the costs of necessary medical services. Payment shall be made to the person or institution supplying medical services. Upon receipt of any application for medical assistance related to chapter one hundred and eighteen D, each medical report form and social history shall be reviewed by the department's medical review team which shall be responsible for the department's decision that the applicant does or does not meet the department's definition of permanent and total disability.

Section 6. The department shall provide financial assistance for the following care and services: —

(1) inpatient hospital services, other than services in an institution for tuberculosis or mental diseases;

(2) outpatient hospital services;

(3) other laboratory and x-ray services;

(4) skilled nursing home services for individuals twenty-one years of age or over, other than services in an institution for tuberculosis or mental diseases; and periodic screening and diagnosis of individuals who are eligible under the plan and are under the age of twenty-one to ascertain their physical or mental defects, and such health care, treatment and other measures to correct or ameliorate defects and chronic conditions discovered thereby, as may be provided in regulations of the Department of Health, Education and Welfare;

(5) physicians' services;

(6) medical care or any other type of remedial care recognized under the laws of the commonwealth furnished by licensed practitioners within the scope of their practice as defined by the laws of the commonwealth;

(7) home health care services;

(8) private duty nursing services;

(9) clinical services;

(10) dental services;

(11) physical therapy and related services;

(12) prescribed drugs, dentures and prosthetic devices, and eyeglasses prescribed by a physician skilled in the diseases of the eye or by an optometrist, whichever the individual may select;

(13) other diagnostic, screening, preventive and rehabilitative services;

(14) inpatient hospital services and skilled nursing home services for individuals sixty-five years of age or over in an institution for tuberculosis or mental diseases;

(15) any other care recognized under the laws of the commonwealth, including ambulance services, oxygen, podiatry, and whole blood;

(16) transportation to obtain medical care.

The amount, duration and scope of the aforesaid care and services shall be determined by the rules and regulations of the department, provided said rules and regulations are consistent with the provisions of this chapter and with said Title XIX, and any regulations adopted thereunder by the secretary.

Section 7. The department shall establish methods of approving services to be performed as a prerequisite to extending medical assistance. Said methods of prior approval shall include, but need not be limited to: (1) in the case of restorative dentistry, or dentures, examination of proposed recipients or of diagnostic information regarding proposed recipients by dental consultants of the department; (2) in the case of orthodontic services, procedures which assure that medical assistance will be provided only for severe, handicapping malocclusions; (3) in the case of transportation to obtain medical care, a statement from the attending physician certifying that such transportation is necessary due to a physical disability; and (4) procedures for any services for which prior approval was required under the regulations of the department as of July first, nineteen hundred and sixty-nine.

The department shall establish methods of random posttreatment examination of recipients of medical care or services under this chapter in order to assure that the care or services for which the department is billed were actually performed as described.

Section 8. An application or reapplication by an individual for medical assistance shall be made to the department on forms prepared by the department. Such forms shall include but not be limited to the following: — the name, address and social security number of the applicant and the name, address and social security number of any member of the family sixteen years of age and older, the total income from wages, salaries, pensions, fees, tips, bonuses and all other sources of income of all such persons, the ownership and description of any motor vehicle or boat, or trailer, or similar assets readily convertible into cash owned by any member of the family. Such form shall require that the applicant provide information to determine his eligibility for medical assistance under penalty of perjury.

An institution furnishing medical assistance under this chapter shall have the right to make such application on behalf of an individual, or to intervene if such application is made, and in either event shall be entitled to notice, hearing and appeal in the same manner as an applicant. Nothing herein contained, however, shall be construed to grant to such institution any rights which supersede the rights of an applicant.

Section 9. Upon receipt of such application the department shall make full inquiry concerning the eligibility of the applicant, his need for medical assistance and his resources and income, if any, and, promptly and within thirty days after receipt of such application, shall make its decision, which shall be entered into its records. At the time of such initial decision and in the event of any subsequent decision, the applicant or recipient shall be notified in writing of such decision and shall be informed of the reason therefor and of his right to appeal and of the method by which he may appeal under this chapter.

Section 10. The following income and resources shall be exempt and shall neither be taken into consideration nor required to be applied

toward the payment or part payment of the cost of medical assistance available under this chapter: —

(1) monthly income in an amount of one hundred and eighty dollars for an individual applicant or recipient, plus an additional monthly income of fifty-six dollars for each additional family member in the home of the applicant or recipient, except that in no event shall such income exemption exceed that required or permitted under said Title XIX;

(2) ownership of one's residence, including furniture, which is essential and appropriate to the needs of the household;

(3) personal property up to a sum of two thousand dollars for one person, three thousand dollars for two persons and one hundred dollars for each additional dependent member of the family. For the purposes of this chapter, personal property is defined as cash on hand, bank deposits, securities, cash surrender value of insurance policies, automobiles, boats or other similar assets readily convertible into cash;

(4) health insurance premiums;

(5) taxes, social security payments or, in the absence thereof, mandatory payments to a retirement system, union dues, and other reasonable and usual costs of earning wages as approved by the department; provided, however, that the latter shall be no greater than two dollars and fifty cents per week or eleven dollars per month;

(6) payments made pursuant to a court order for support of dependents.

Notwithstanding a wage earner's failure to claim all allowable dependents for withholding tax purposes the department shall compute his net income for the purposes of determining eligibility, by determining the amount that actually would have been withheld if said wage earner had claimed all such allowable dependents.

Voluntary deductions shall be included in determining net income.

In any case where the monthly income of a recipient or beneficiary is in excess of the exemptions allowed, the recipient or beneficiary shall be liable to pay to the provider of medical care or service an amount which shall be equal to the excess income for a period of six consecutive months, which includes the period when such service was provided.

In determining responsibility of any individual for any applicant or recipient of assistance under this chapter, such responsibility shall be limited to husband for wife and parents for children under the age of twenty-one.

Section 11. The department shall issue a numbered identification card to persons receiving benefits under this chapter. Such card shall bear the date of issue and shall be presented to providers as verification of eligibility for services. The department shall establish by rules and regulations such procedures as may be necessary for the purpose of recalling identification on termination of eligibility.

Section 12. If an individual has become eligible under this chapter, eligibility shall be reconsidered or redetermined: —

(*a*) When required on the basis of information the department has obtained previously about anticipated changes in the individual's situation.

(*b*) Promptly within thirty days, after a report is obtained from any source which indicates that changes in the individual's circumstances

may affect the amount of assistance to which he is entitled or may make him ineligible.

(*c*) Periodically, but at least once in every six months.

(*d*) If any recipient shall by gift, inheritance or other manner acquire additional assets during any twelve month interval following determination of his eligibility, he shall immediately report such acquisition to the department which shall immediately make a reevaluation of such recipient's eligibility.

Section 13. Medical assistance shall not be granted to an applicant who, at any time within one year, immediately prior to the filing of an application for medical assistance, has made an assignment or transfer of personal property for the purpose of rendering himself eligible for such assistance.

Section 14. When an application is approved such medical assistance shall be furnished or paid for from the date of the application or, subject to the rules and regulations of the department, for a ninety day period prior to the date of such application. In no event, however, shall such payment be made with respect to any period, prior to the date of application which would be disallowed by rules or regulations of the Secretary. To the extent allowed by such rules or regulations of the Secretary, payment for such medical assistance rendered shall be made, to the extent otherwise permitted, where an applicant dies before approval of his application.

Section 15. In the cases of those children for whom the department has responsibility under and in accordance with chapter one hundred and nineteen and who are otherwise eligible therefor as determined by the department, medical assistance under this program shall be provided and paid for by the department.

Section 16. There shall be no adjustment or recovery of medical assistance correctly paid, except from the estate of an individual who was sixty-five years of age or older when he received such assistance, and then only after the death of his surviving spouse, if any, and only at a time when he has no surviving child who is under age twenty-one or is blind or permanently and totally disabled.

In no event shall any action to recover be brought except with the written approval of the department. Proceeds realized through any such action shall be apportioned between the federal government and the commonwealth in proportion to the amount of their respective contributions thereto, but in no case for more than the amount contributed, without interest.

Section 17. No lien or encumbrance of any kind except as may be permitted by the Secretary, shall be required from or imposed against the property of any individual prior to his death because of medical assistance paid or to be paid on his behalf except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of a recipient.

If medical care and services are provided under this chapter and arises out of injury, disease or disability for which a third party may be liable, the department shall require the person receiving such medical care and services to provide for the assignment to the commonwealth of the amounts so expended from the proceeds of any such claim against the third party.

Section 18. Participation in the program shall be limited to providers of services who:

(1) indicate their intention to the department to so participate;

(2) present evidence, satisfactory to the department, of their qualifications to provide such services;

(3) agree to accept, as payment in full, the amounts paid in accordance with the fee schedules provided for under this chapter; and

(4) agree to comply with all laws, rules and regulations governing the operation of the program.

Section 19. The department shall distribute to all providers a copy of the rules, regulations, standards and laws governing the medical assistance program established by this chapter and shall establish administrative sanctions against providers, including suspension from the program for a period not exceeding three years, for any violations of said rules, regulations, standards or laws. The department shall notify the proper professional society and licensing agency of any such violations.

Section 20. Providers shall submit a bill for goods sold or services rendered to the department not later than ninety days after the performance of such services on a form approved by said department. Said bills shall be signed under the pains and penalties of perjury and a copy of the same shall be sent to the recipient of such goods or services.

Section 21. Any provider who makes false representations to the department or its agents for the purpose of procuring a payment under the provisions of this chapter or who obtains such a payment by fraudulent means shall be punished by a fine of not less than two hundred nor more than five hundred dollars or by imprisonment for not more than one year.

Section 22. Any person aggrieved by the failure of the department to grant medical assistance or by the failure of the department to approve or reject an application for such assistance within thirty days after receiving such application or by the withdrawal of such assistance shall have a right to a hearing, after due notice, upon appeal to the department in the manner and form prescribed by the department; provided, such appeal is received by the department within sixty days after official notice of the action taken by the department has been received by the applicant or recipient. Such hearing shall be conducted by the commissioner of public welfare or a referee designated by the commissioner. The commissioner or any referee designated by him is hereby empowered to subpoena witnesses, administer oaths, take testimony and secure the production of such books, papers, records and documents as may be relevant to such hearings. The decision of the commissioner, or of such referees when approved by the commissioner, shall be the decision of the department.

The department may make such additional investigation as it may deem necessary and shall make such decision as to the granting of medical assistance and the amount of such assistance to be granted as in its opinion is justified and in conformity with the provisions of this chapter. Applicants or recipients affected by such decisions of the department shall, upon request, be given reasonable notice and opportunity for a hearing by the department. The provisions relating to the conduct of hearings and decisions thereon made, as provided in this section, shall be equally applicable in all cases wherein the department acts upon its own motion.

Every decision of the department shall be rendered not later than sixty days after the claim of appeal is filed.

Section 23. The use or disclosure of information concerning applicants and recipients shall be limited to purposes directly connected with the administration of the medical assistance program and the names of applicants and recipients shall not be published.

Section 24. For the purpose of advising the commissioner of public welfare on matters of general policy in the administration of this chapter making recommendations for improvement in such administration, and for the purpose of seeking possible reductions in costs of medical assistance, there is hereby established a medical assistance advisory council. Said council shall consist of the commissioner of public health, of mental health, and of the blind, the chairman of the consumers' council and the commissioner of the Massachusetts rehabilitation commission, and fourteen persons to be appointed by the governor. Said appointees of the governor shall include one representative of each of the following professions and groups: nursing homes, hospitals, social work, industry and organized labor. Terms of the persons appointed by the governor shall be coterminous with that of the governor although they may continue to serve until their successors are appointed. Members of said council shall serve without compensation, but each member shall be reimbursed by the commonwealth for travelling expenses incurred within the commonwealth in the discharge of their official duties. Said council shall meet at least ten times a year and shall also meet upon request of five or more members of the board. The governor shall from time to time appoint a member to serve as chairman.

Section 25. To the extent feasible the department may contract with one or more corporations authorized to do business in the commonwealth, including nonprofit hospital and medical service corporations, to carry out the necessary administrative functions of the medical assistance program established under the provisions of this chapter. The department may contract for the underwriting of all or any part of the medical assistance program with such corporation.

Section 26. The department, in cooperation with the department of public health and the medical assistance advisory council and in accordance with the regulations of the secretary, shall establish processes of utilization review for each item of care or service enumerated in section six.

The department shall establish data processing and collection procedures which will (1) monitor eligibility of recipients, (2) assure that providers are neither paid twice for the same care or service nor paid in amounts in excess of fee schedules or other applicable limits, and (3) provide the statistical data necessary for effective utilization review.

Section 27. The department, in cooperation with the department of public health and the medical assistance advisory council, shall establish and maintain standards and conditions of participation for providers of all medical care and services enumerated in section six.

The department of public health, in cooperation with the department of public welfare and the medical assistance advisory council, shall (1) plan for and stimulate the development of new medical resources and the expansion of existing resources, (2) stimulate and assist providers of health care and services to develop new and improved methods of delivery of services and payment for services, and (3) expand and in-

crease the services of the department of public health to extend and improve, as far as is practicable, the availability and accessibility of the services enumerated in section six to all recipients of medical assistance, and the coordination of these services in such manner that the best interests of the recipients are served.

SECTION 2. Sections thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, twenty-three, twenty-four, twenty-seven, thirty and thirty-one of chapter one hundred and eighteen A of the General Laws are hereby repealed.

SECTION 3. Chapter 874 of the acts of 1965 is hereby amended by striking out sections 1 and 2 and inserting in place thereof the following sections: —

Section 1. The department of public health is hereby authorized to enter into agreements with the department of health, education and welfare of 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 Title V and Title XVIII of the federal social security act in order to qualify the commonwealth to receive federal funds available thereunder. The state treasurer shall be the custodian of any funds so received.

Section 2. Said department is hereby further authorized to adopt such rules and regulations and do all other things as may be necessary to implement the purposes of said Title V and Title XVIII and to continue the eligibility of the commonwealth for funds and assistance thereunder.

SECTION 4. The provisions of section seventeen of chapter eighteen of the General Laws, inserted by chapter five hundred and forty-one of the acts of nineteen hundred and sixty-eight, shall not be applicable to sums available for the payment of expenses incurred under the provisions of chapter one hundred and eighteen E of the General Laws.

This section shall take effect July first, nineteen hundred and seventy-one. In the interim the department of public welfare shall install a computerized preaudit system, subject to the approval of the comptroller providing for a method of payment of such expenses.

SECTION 5. All actions, rights of action, proceedings and claims commenced or arising under the provisions of law herein repealed and all rights to reimbursement or adjustment accruing under said provisions prior to September first, nineteen hundred and sixty-six shall be enforceable and effective in accordance with the provisions of law in effect at the time such rights or obligations were incurred.

SECTION 6. Notwithstanding the provisions of any general or special law to the contrary, the fee schedules in effect on January 1, 1969 for medical care and assistance provided under the state plan, adopted in accordance with the provisions of Executive Order 49, dated January 21, 1966, and pursuant to and in conformity with the provisions of Title XIX of the Social Security Act (P.L. 89–97), shall continue in effect until June 30, 1970, insofar as such action does not violate federal law.

SECTION 7. The medical assistance advisory board is hereby abolished and the terms of all members of said board are hereby terminated.

SECTION 8. Rules and regulations of the department of public welfare for medical assistance, including the provisions of the plan which

are in effect on the effective date of this act, shall, insofar as they are consistent with Title XIX of the federal social security act, continue to be in effect; provided, however, that the scope of the medical assistance program, both in terms of persons eligible and medical care and services offered, shall not be enlarged by the department beyond the provisions of chapter one hundred and eighteen E of the General Laws, inserted by section one of this act.

SECTION 9. The department of public health shall continue to be responsible on and after the effective date of this act for the duties assigned to it under the terms of Executive Order 49, dated January twenty-first, nineteen hundred and sixty-six.

SECTION 10. The provisions of this act are severable and if any provision shall be in violation of any federal rule or regulation established by the Department of Health, Education and Welfare as a condition for receiving federal funds in connection with any program administered by said department, such provision shall be null and void and such violation shall not affect or impair any of the remaining provisions.

SECTION 11. The provisions of this act are severable and if any provision 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. *Approved August 24, 1969.*

Chap. 801. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO RECONSTRUCT A RAILROAD BRIDGE IN THE CITY OF GARDNER AND PROVIDING FOR THE CONTRIBUTION OF A CERTAIN PERCENTAGE OF THE COST THEREOF BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to reconstruct the existing railroad bridge connecting the Gardner state hospital area with Chapel street in the city of Gardner; provided, however, the county commissioners of Worcester county shall contribute, in addition to the right-of-way costs and the cost of relocation or alteration of public utilities, a sum equal to twenty-five per cent of cost of such construction by paying said sum to the state treasurer.

Approved August 24, 1969.

Chap. 802. AN ACT IMPOSING AN ADDITIONAL SURTAX ON DOMESTIC LIFE INSURANCE COMPANIES AND EXEMPTING FOREIGN LIFE INSURANCE COMPANIES FROM PAYMENT OF ANY SURTAX.

Be it enacted, etc., as follows:

SECTION 1. In addition to the taxes levied under the provisions of sections twenty and twenty-two of chapter sixty-three of the General Laws and taxes levied under the provisions of chapter five hundred and thirty-one of the acts of nineteen hundred and forty-three and the surtax levied under the provisions of section eighteen of chapter five hundred and forty-six of the acts of nineteen hundred and sixty-nine, every domestic life insurance company, as defined by section one hundred and

eighteen of chapter one hundred and seventy-five of the General Laws, authorized to transact business in the commonwealth shall pay annually an additional tax equal to forty-one per cent of the taxes levied under the provisions of said sections twenty and twenty-two of chapter sixty-three of the General Laws upon premiums, other than considerations for annuity contracts, and taxes levied under the provisions of said chapter five hundred and thirty-one of the acts of nineteen hundred and forty-three. All provisions of said chapters, acts and sections relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, shall, so far as pertinent, be applicable to the taxes imposed by this section.

The additional taxes imposed by this section shall not apply in the case of any domestic life insurance company if forty per cent or more of its premiums, other than annuity considerations, are allocable to this commonwealth, as shown on Schedule T of the National Association of Insurance Commissioners' Annual Statement for said company for the applicable calendar year.

SECTION 2. Notwithstanding the provisions of section eighteen of chapter five hundred and forty-six of the acts of nineteen hundred and sixty-nine, the surtax imposed by said section shall not apply to taxes imposed upon foreign life insurance companies by sections twenty and twenty-three of chapter sixty-three of the General Laws so long as section one of this act is in effect.

SECTION 3. This act shall apply with respect to taxable years commencing after December thirty-first, nineteen hundred and sixty-eight and before January first, nineteen hundred and seventy-one.

Approved August 24, 1969.

Chap. 803. AN ACT AUTHORIZING RAYTHEON COMPANY TO TIE IN WITH THE SEWER SYSTEM OF THE CITY OF LOWELL.

Be it enacted, etc., as follows:

The city of Lowell is hereby authorized to allow the Raytheon company to tie into the existing sewer system of said city.

Approved August 24, 1969.

Chap. 804. AN ACT TO PROVIDE FOR THE FILLING OF VACANCIES IN THE FULL NUMBER OF TOWN MEETING MEMBERS IN THE TOWN OF FRAMINGHAM.

Be it enacted, etc., as follows:

Section 5 of chapter 143 of the acts of 1949, as most recently amended by chapter 56 of the acts of 1953, is hereby further amended by striking out the fifth sentence and inserting in place thereof the following sentence: — In the event of a tie vote or in the event there are no available defeated candidates, the town clerk shall call together the town meeting members of the precinct where the vacancy occurs, and they shall, by majority vote of those members present, elect any registered voter of that precinct to fill such vacancy. *Approved August 24, 1969.*

Chap. 805. AN ACT RELATIVE TO THE MEMBERSHIP OF THE REPRESENTATIVE TOWN GOVERNMENT IN THE TOWN OF FRAMINGHAM.

Be it enacted, etc., as follows:

Chapter 143 of the acts of 1949 is hereby amended by striking out section 3, as most recently amended by section 2 of chapter 76 of the acts of 1952, and inserting in place thereof the following section: —

Section 3. The membership of the representative town meeting elected in each precinct shall consist of twenty-one registered voters other than persons elected or appointed to some other town office, which will result in a total elected membership in the town of two hundred and ten.

The registered voters in every precinct shall, at the first annual town election held after the establishment of such precinct, and the registered voters of any precinct affected by any revision of precincts at the first annual town election following such revision, conformably to the laws relative to elections not inconsistent with this charter, elect by ballot the number of registered voters in the precinct, other than persons elected or appointed to some other town office, provided for in the first sentence of this section, to be town meeting members of the town. The first third, in the order of votes received, of members so elected shall serve three years, the second third serve two years, and the remaining third serve one year from the day of the annual town meeting; in case of a tie vote affecting the division into thirds, as aforesaid, the members elected from the precinct shall by ballot determine the same; and thereafter, except as is otherwise provided herein, at each annual town election the registered voters of each precinct shall, in like manner, elect for the term of three years one third of the number of elected town meeting members to which such precinct is entitled, and shall at such election fill for the unexpired term or terms any vacancy or vacancies then existing in the number of elected town meeting members in such precinct. The terms of office of all elected town meeting members from every precinct revised, as aforesaid, shall cease upon the election as hereinbefore provided of their successors. The town clerk shall, after every election of town meeting members forthwith notify each such member by mail of his election. *Approved August 24, 1969.*

Chap. 806. AN ACT AUTHORIZING A CITY OR TOWN TO RENT OR LEASE CERTAIN ITEMS OF CLOTHING FOR ITS EMPLOYEES.

Be it enacted, etc., as follows:

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

Section 6L. A city or town which accepts this section may appropriate money for the lease or rental of stormy weather work clothes, including rubber boots, and other work clothes for its employees, which lease or rental agreement may provide for periodical laundering and repairs.

Approved August 24, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 29, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 806 of the Acts of 1969, entitled "AN ACT AUTHORIZING A CITY OR TOWN TO RENT OR LEASE CERTAIN ITEMS OF CLOTHING FOR ITS EMPLOYEES." and the enactment of which received my approval on August 24, 1969, should take effect forthwith.

Many collective bargaining agreements have been or are in the process of being approved and these agreements include provisions for the rental of such clothing. I, therefore, declare said law is an emergency law and the above facts constitute the emergency.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, September 2, 1969.

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

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 807. AN ACT TO PROMOTE THE BREEDING OF THOROUGHBRED HORSES AND STANDARDBRED HORSES IN THE COMMONWEALTH AND ESTABLISHING THE MASSACHUSETTS STANDARDBRED AGRICULTURAL FAIR AND BREEDING FUND COMMITTEE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 20 of the General Laws is hereby amended by adding after section 9 the following three sections:—

Section 10. There shall be in the department a committee to be known as the Massachusetts standardbred agricultural fair and breeding fund committee which shall consist of five members to be appointed annually by the governor before the first of April, of whom two shall be familiar with standardbred breeding, one of whom shall be a member of the Massachusetts Fair Association, and one shall be a member of the Massachusetts Farm Bureau Federation. The committee shall elect its own chairman and clerk, and shall keep accurate records of its meetings. The members of the committee shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their official duties.

Section 11. The Massachusetts standardbred agricultural fair and breeding fund committee shall aid the commissioner and the board of agriculture in the promotion, development and encouragement of the breeding of standardbred horses in the commonwealth, and shall, subject to appropriation, distribute, under the supervision of the commissioner and the board of agriculture the following funds; provided, however, that the total amount expended for the purposes of this section and section twelve shall not exceed twenty-five thousand dollars in any one year:—

(*a*) An annual fee of two hundred dollars as reimbursement for breeding and boarding fees shall be paid to any member of a 4H Club, the Future Farmers of America, or the Junior Hunt Club who resides in the commonwealth and owns a standardbred mare which is registered with the United States Trotting Association, provided, that said mare stays the full year in the commonwealth, and provided further, that said aforementioned club or organization is supervised by a council or committee of adults, whose officers shall establish operating policies under direction of the commissioner of agriculture, whereby each such club or organization will be required to report on its activities to said commissioner in order to determine the eligibility of a member to qualify for the reimbursement provided by this paragraph.

(*b*) An amount not exceeding two thousand dollars annually for reimbursement to each county agricultural society and each independent agricultural society conducting Massachusetts standardbred agricultural fair and breeding colt races, for track and stable maintenance, starting gate rental and the cost of all required harness horse racing officials.

(*c*) An amount not exceeding fifty-six hundred dollars annually for reimbursement to each county agricultural society and each independent agricultural society conducting races for two and three year old colts and fillies, for payment equal to the premium for each such race but not exceeding seven hundred dollars for each such race. No colt or filly shall be eligible to race in this program unless sired by a stallion standing full season in Massachusetts, or unless it is the product of a wholly owned Massachusetts resident mare bred to a stallion standing within the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, providing the mare returns to Massachusetts for six months. If any owner violates such provision relative to eligibility, the purse shall be forfeited and the owner shall be criminally liable for obtaining money under false pretenses.

Section 12. The Massachusetts standardbred agricultural fair and breeding fund committee shall establish a colt futurity program and shall establish rules and regulations to conduct the same.

SECTION 2. Section 2 of chapter 128 of the General Laws is hereby amended by inserting after paragraph (*f*) the following paragraph:—

(*g*) To aid in the promotion, development and encouragement of the breeding of thoroughbred horses, by offering as a prize to the breeder of a Massachusetts bred thoroughbred horse, a cash prize equal to twenty per cent of the first, second, or third prize according to the position in which said horse officially finished in a horse race conducted in the commonwealth, and a further prize of five per cent

of the prize awarded said horse to the owner of the stallion which sired said horse, provided said stallion stands in the commonwealth. No person shall be eligible for the prizes provided herein unless the following standards are met:

(1) The mare of said Massachusetts bred thoroughbred horse shall have dropped said foal in the commonwealth.

(2) In determining the foaling place of said Massachusetts bred horse the foaling certificate issued by the Jockey Club shall be evidence thereof.

(3) The stallion shall have been based in the commonwealth at the time of the conception of said foal to the aforementioned mare.

(4) Each person standing a stallion in the commonwealth shall register the stallion with the department of agriculture stating said stallion is standing the entire stud season in the commonwealth.

(5) Prior to December first of each year each person standing a stallion in the commonwealth at either public or private service shall file with the department of agriculture a list of all mares bred to such stallion.

SECTION 3. The third paragraph of section 5 of chapter 128A of the General Laws, as appearing in section 1 of chapter 97 of the acts of 1968, is hereby amended by striking out, in lines 17-23, the words "in a race or races not conducted in connection with a state or county fair, and seventeen per cent of the total amount so deposited by the patrons wagering on the speed or ability of running horses in a race or races conducted in connection with a state or county fair and on the speed or ability of harness horses or of dogs in a race or races, whether or not conducted in connection with a state or county fair" and inserting in place thereof the following words:—and seventeen per cent of the total amount so deposited by the patrons wagering on the speed or ability of harness horses or of dogs.

SECTION 4. Said chapter 128A is hereby further amended by striking out section 15, as most recently amended by section 2 of chapter 628 of the acts of 1968, 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; provided, however, that of the payments made under section five by licensees conducting racing meetings in connection with a state or county fair, there shall be credited to the General Fund an amount equal to two per cent of the total amount wagered on each day of each meeting and the balance shall be paid to the Agricultural Purposes Fund, fifty thousand dollars of which shall be used in carrying out the provisions of paragraph (*g*) of section two of chapter one hundred and twenty-eight and the remainder shall be used in carrying out the provisions of paragraphs (*b*) and (*f*) of said section two and of sections ten and eleven of chapter twenty. *Approved August 24, 1969.*

Chap. 808. AN ACT RELATIVE TO THE PUBLICATION AND DISTRIBUTION OF RULES AND REGULATIONS PROMULGATED BY STATE AGENCIES AND REGULATION-MAKING PRACTICES.

Be it enacted, etc., as follows:

SECTION 1. Section 37 of chapter 30 of the General Laws, as most recently amended by chapter 561 of the acts of 1967, is hereby further

amended by striking out the first sentence and inserting in place thereof the following sentence: — Notwithstanding any special or general law, every department, commission, board or official vested by law, with the power to make and issue rules and regulations general in scope, shall file an attested copy thereof, together with a citation of the law by authority of which the same purport to have been issued and together with the dates of approval by other boards or agencies if required and any other information required to show compliance with statutory requirements relative to issuance of such regulations, with the state secretary, and such rules or regulations, except emergency regulations as provided for in sections two and three of chapter thirty A, whether or not they require the approval of the governor, the governor and council, or other authority, before taking effect, shall not take effect until so filed and printed by the state secretary in accordance with the provisions of section six of chapter thirty A.

SECTION 2. Section 1 of chapter 30A of the General Laws is hereby amended by striking out paragraph (5), as appearing in section 1 of chapter 681 of the acts of 1954, and inserting in place thereof the following paragraph: —

(5) "Regulation" includes the whole or any part of every rule, regulation, standard or other requirement, or interpretation thereof of general application and future effect, including the amendment or repeal thereof, adopted by an agency to implement or interpret the law enforced or administered by it, but does not include (*a*) advisory rulings issued under section eight; or (*b*) regulations concerning only the internal management or discipline of the adopting agency or any other agency, and not substantially affecting the rights of or the procedures available to the public or that portion of the public affected by the agency's activities; or (*c*) except as provided for in sections six and six A, relative to the publication of regulations, regulations concerning the operation and management of state penal, correctional, welfare, educational, public health and mental health institutions and soldiers' homes, or the development and management of property of the commonwealth or of the agency; or (*d*) regulations relating to the use of public works, including streets and highways, when the substance of such regulations is indicated to the public by means of signs or signals; or (*e*) decisions issued in adjudicatory proceedings.

SECTION 3. Paragraph (1) of section 2 of said chapter 30A, as so appearing, is hereby amended by adding the following sentence: — A copy of such notice shall be sent to the state secretary at least thirty days prior to the public hearing.

SECTION 4. Paragraph (1) of section 3 of said chapter 30A, as so appearing, is hereby amended by adding the following sentence: — A copy of such notice shall be sent to the state secretary at least thirty days prior to the public hearing.

SECTION 5. Said chapter 30A is hereby further amended by striking out section 5, as so appearing, and inserting in place thereof the following section: —

Section 5. The regulations of each agency shall be filed with the state secretary under the requirements of section thirty-seven of chapter thirty. Upon receipt of a regulation prepared in accordance with any general or special law, the state secretary shall accept it for filing and endorse thereon the time and date of the filing. Such endorsement by the

secretary shall be prima facie evidence of compliance with any regulation-making filing requirement imposed by law. Regulations filed hereunder shall become effective only when filed with and thereafter printed by the state secretary unless a later date is required by any law or is specified by the agency in the regulation; provided, however, that no emergency regulation adopted under section two or three shall remain effective for longer than three months unless printed by the state secretary.

SECTION 6. Said chapter 30A is hereby further amended by striking out section 6, as amended by chapter 545 of the acts of 1962, and inserting in place thereof the following section: —

Section 6. The state secretary shall, upon receipt of regulations, from any agency, cause the same to be printed, mimeographed or otherwise reduced to writing and thereafter compiled, indexed and published in pamphlet, looseleaf or other appropriate form for inexpensive and efficient distribution; provided, however, that the regulations of each agency shall be separately and uniformly compiled and indexed; and provided, further, that monthly, uniform, indexed supplements to each set of regulations be published and annually compiled. The secretary shall make readily available upon request of any person or group at no more than the cost of printing and distribution any or all of the separate agency compilations or portions thereof including supplements. He shall transmit a free copy of the same to the clerks of the house of representatives and senate and to the counsel thereof, respectively, and to the clerk of each city and town.

The secretary may publish in each set of regulations and supplements thereto any agency notices or materials that he deems appropriate. He shall compile, index and publish in a manner appropriate for inexpensive and efficient distribution a weekly pamphlet containing the text of notices of public hearings to be held pursuant to the requirements of sections two and three no later than two weeks prior to the date of the hearing or time for presenting information under said sections, and such pamphlet shall be made readily available upon request of any person or group at no more than the cost of printing and distribution; failure to comply with the requirements herein shall be deemed to be a non-compliance with the provisions of said sections and the hearings conducted thereunder shall be invalid. He shall make and publish rules, not inconsistent with the General Laws, regarding the form and time for receipt from the agencies of their regulations, hearing schedules and other materials, and agency actions or decisions that do not comply with such rules shall be of no effect. Regulations as used in this and the following section shall include the text of adjudicatory decisions prescribing rates.

SECTION 7. Said chapter 30A is hereby further amended by inserting after section 6 the following two sections: —

Section 6A. Each agency shall purchase a copy or copies of its regulations and supplements thereto and the weekly pamphlet of public notices when pertinent, and make at least one copy readily available in a prominent place at each of the agencies' offices servicing the public for inspection and copying by any person or group. To assist interested persons dealing with it, it shall publish and make available for inspection and distribution in a prominent place at each of the agencies' offices servicing the public, free of cost to any person or group, descriptive statements of its regulations and of its central and field organization,

including the locations of persons and places wherein the public can secure information, make submittals or requests, or obtain decisions. All such descriptive statements shall be kept current.

Section 6B. If the state secretary finds that any agency fails to fully comply with any provision of section six A, he shall report the matter to the governor and council and to the house and senate committees on ways and means.

SECTION 8. Said chapter 30A is hereby amended by inserting after section 7 the following section: —

Section 7A. If any agency fails to file or adopt any regulation as required by law or adopts an unlawful regulation, the attorney general shall, upon having the matter brought to his attention, bring a petition for declaratory relief against such agency to compel compliance with the law.

SECTION 9. The state secretary shall, within six months of the effective date of this act, compile, index and publish all agency regulations and adjudicatory decisions prescribing rates which were in full force and effect on said date or as amended by the agency within such period in accordance with section six of chapter thirty A of the General Laws, as amended by section six of this chapter.

SECTION 10. Notwithstanding any other provision of this act, regulations of agencies and adjudicatory decisions prescribing rates which were valid on the effective date of this act shall remain in full force and effect; provided, however, that if the state secretary fails to comply with the provisions of the preceding section, said regulations become null and void and of no further effect.

SECTION 11. All descriptive statements referred to in section six A of chapter thirty A of the General Laws, inserted by section seven of this act, shall be published and made available for distribution within two months of the effective date of this act.

SECTION 12. This act shall take effect on January first, nineteen hundred and seventy. *Approved August 24, 1969.*

Chap. 809. AN ACT DIRECTING THE STATE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A BY-PASS FOR VEHICULAR TRAFFIC AT MALDEN SQUARE IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

The state department of public works is hereby authorized and directed to construct a by-pass for vehicular traffic at Malden Square in the city of Malden. Said department may for the purposes of this act expend such sums as may be appropriated.

Approved August 25, 1969.

Chap. 810. AN ACT AUTHORIZING CERTAIN ORGANIZATIONS TO CONDUCT RAFFLES AND BAZAARS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to authorize forthwith that certain organizations may conduct raffles and bazaars and provide a further source of tax revenue to 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:

Chapter 271 of the General Laws is amended by inserting after section 7 the following section:—

Section 7A. In this section the following words shall have the following meanings:

"Raffle", an arrangement for raising money by the sale of tickets, certain among which, as determined by chance after the sale, entitle the holders to prizes.

"Bazaar", a place maintained by the sponsoring organization for disposal of merchandise awards by means of chance.

Notwithstanding any other provisions of law, raffles and bazaars may be promoted, operated and conducted under permits issued in accordance with the provisions of this section.

No organization, society, church or club which conducts a raffle or bazaar under the provisions of this section shall be deemed to have set up and promoted a lottery and nothing in this chapter shall authorize the prosecution, arrest or conviction of any person connected with the operation of any such raffle or bazaar; provided, however, that nothing contained in this section shall be construed as permitting the game commonly known as "beano" or any similar game regardless of name.

No raffle or bazaar shall be promoted, operated or conducted by any person or organization, unless the same is sponsored and conducted exclusively by (*a*) a veterans' organization chartered by the Congress of the United States or included in clause (12) of section five of chapter forty of the General Laws; (*b*) a church or religious organization; (*c*) a fraternal or fraternal benefit society; (*d*) an educational or charitable organization; (*e*) a civic or service club or organization; and (*f*) clubs or organizations organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any member or shareholder Such organization shall have been organized and actively functioning as a nonprofit organization in the commonwealth for a period of not less than two years before it may apply for a permit. The promotion and operation of the raffle or bazaar shall be confined solely to the qualified members of the sponsoring organization and no such member shall receive remuneration in any form for time or effort devoted to the promotion or operation of such raffle or bazaar. All funds derived from any raffle or bazaar shall be used exclusively for the purposes stated in the application of the sponsoring organization which purposes shall be limited to educational, charitable, religious, fraternal or civic purposes or for veterans' benefits. An organization which meets the qualifications required by this section and which desires to conduct or operate a raffle or bazaar within the commonwealth shall apply for a permit to conduct raffles and bazaars from the clerk of the city or town in which the raffle will be drawn or the bazaar held. The application form shall be approved by the commissioner of public safety and shall include the name and address of the applicant, the evidence on which the applicant relies in order to qualify under this section, the names of three officers or members of

the organization who shall be responsible for the operation of the raffle or bazaar, and the uses to which the net proceeds will be applied. A fee of ten dollars shall accompany each such application and shall be retained by the city or town. Upon receipt of such application, the clerk shall determine whether it is in conformity with this section. If the clerk so determines, he shall forward the application to the chief of police of the city or town, who shall determine whether the applicant is qualified to operate raffles and bazaars under this section. If the chief of police so determines, he shall endorse the application and return it to the clerk, who shall forthwith issue a permit, which shall be valid for one year from the date of its issuance. The clerk shall retain a copy of the application and shall send a copy to the commissioner of public safety. If there is any change in the facts set forth in the application for a permit subsequent to the making of such application, the applicant shall forthwith notify the authority granting such permit of such change, and such authority shall issue such permit if the applicant is qualified or if a permit has already been issued and the change in the facts set forth in the application disqualify the applicant revoke such permit.

If an application is not acted upon within thirty days after it is submitted, or if the organization is refused a permit, or if a permit is revoked, any person named on the application may obtain judicial review of such refusal or revocation by filing within ten days of such refusal or revocation or within ten days of the expiration of such thirty day period a petition for review in the district court having jurisdiction in the city or town in which such application was filed. A justice of said court, after a hearing, may direct that such permit be issued, if he is satisfied that there was no reasonable ground for refusing such permit, and that the applicant was not prohibited by law from holding raffles or bazaars.

An organization issued a permit under this section shall within thirty days of the expiration of its permit submit a report on a form to be approved by the commissioner of public safety. Such form shall require information concerning the number of raffles and bazaars held, the amount of money received, the expenses connected with the raffle or bazaar, the names of the winners of prizes exceeding twenty-five dollars in value, the net proceeds of the raffles and bazaars, and the uses to which the net proceeds were applied. The organization shall maintain and keep such books and records as may be necessary to substantiate the particulars of such report, which books and records shall be preserved for at least one year from the date of such report and shall be available for inspection. Such report shall be certified to by the three persons designated in the permit application as being responsible for such raffle or bazaar and by an accountant. Two copies of said report shall be filed with the city or town clerk. The clerk shall send one copy to the commissioner of public safety. Failure to file said report shall constitute sufficient grounds for refusal to renew a permit to conduct raffles or bazaars. The fee for renewal of such permit shall be ten dollars.

The authority granting any permit under this section shall immediately revoke the same for a violation of any provision of this section and shall not issue any permit to such permittee within three years from the date of such violation. Any person aggrieved by the action of

such authority revoking such permit may appeal to the district court having jurisdiction in the city or town where the permit was issued; provided that such appeal shall be filed in such court within twenty days following receipt of notification by said authority. The court shall hear all pertinent evidence and determine the facts and upon the facts so determined annul such action or make such decision as equity may require. The foregoing remedy shall be exclusive.

Any organization conducting or operating a raffle or bazaar under this section shall file a return with the commissioner of corporations and taxation, on a form prepared by him, and approved by the state tax commission within ten days after the raffle or bazaar is held and shall pay therewith a tax of five per cent of the gross proceeds derived from such raffle or bazaar.

The provisions of chapter sixty-two relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, shall, so far as applicable apply to the tax imposed by this section. All sums received by said commissioner from the tax imposed by this section as taxes, interest thereon, fees, penalties, forfeitures, costs of suits or fines, less all amounts refunded thereon, together with any interest or costs paid on account of such refunds, shall be paid into the treasury of the commonwealth.

Whoever violates any provision of this section or submits false information on an application or report required under this section shall be punished by a fine of not more than one thousand dollars or by imprisonment in the house of correction for not more than one year, or both.

No person who prints or produces tickets, cards or any similar article used in the conduct of a bazaar or raffle pursuant to a permit issued under the provisions of this section shall be subject to any penalty therefor, provided that a certified copy of such permit was presented to him prior to his undertaking to print or produce such tickets or cards. *Approved August 26, 1969.*

Chap. 811. AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act and for certain new activities and projects, the sums set forth in section two for the several purposes and subject to the conditions specified therein are hereby appropriated from the General Fund unless specifically designated otherwise in the item, subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter four hundred and fifty-two of the acts of the current year, for the fiscal year ending June thirtieth, nineteen hundred and seventy, or for such period as may be specified, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

Legislature.

Senate.

Item		
0112-0000	For the office of the senate clerk, prior appropriation continued, including not more than seven permanent positions	$5,500
0115-0000	For the office of the senate committee on rules, prior appropriation continued, including not more than eight permanent positions	300,000

Sergeant-at-Arms.

0137-0000	For certain electrical improvements and renovations pertaining to the electrical system in the house of representatives	$10,000

Other Expenses.

0161-3000	For the compilation, indexing, annotating, printing and distribution of veterans laws, as provided by a joint order, and 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, and for printing a descriptive pamphlet of the murals, house of representatives, including not more than two permanent positions	$13,000
0164-0000	For traveling and such other expenses of joint committees of the general court, as may be authorized by joint order of the general court	53,100
0165-0000	Item 0165-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by adding the following: — and the national society of state legislators	1,000

Special Investigations.

0180-2000	For an investigation and study by a special commission, relative to the administration of the department of mental health and of the laws of the commonwealth, relative to the admittance, treatment and release of patients in institutions under the control of said department, as authorized by chapter eighty-nine of the resolves of nineteen hundred and sixty-one	$4,500
0181-5000	For the expenses of the revolutionary bicentennial commission, including the preparation of a documentary history of the revolutionary government in Massachusetts, appropriation expires June thirtieth, nineteen hundred and seventy-three (Res. 1965, 49)	10,000
0181-8000	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, as authorized by chapter one hundred and thirty-one of the resolves of nineteen hundred and sixty-five	4,391
0183-0000	For an investigation and study by a special commission to develop a master tax plan, as authorized by chapter one hundred and sixty-two of the resolves of nineteen hundred and sixty-seven	100,000
0184-5000	For an investigation and study by a special commission, relative to the extent of the use of harmful, injurious or illegal drugs within the commonwealth, as authorized by chapter one hundred and sixty-four of the resolves of nineteen hundred and sixty-seven	30,000
0185-0001	For an investigation and study by a special commission relative to the modernization of county government, as authorized by chapter fifty-seven of the resolves of the current year	25,000
0185-1000	For an investigation and study by a special commission, relative to marine boundaries and resources of the commonwealth, as authorized by chapter seventy-seven of the resolves of the current year	50,000
0185-2000	For an investigation and study by a special commission, relative to public financial aid to nonpublic primary and secondary schools and certain related matters, as authorized by chapter sixty-one of the resolves of the current year	50,000

Item

0185-3000 For an investigation and study relative to air pollution, as authorized by an order of the general court passed in the house on February first, nineteen hundred and sixty-seven, and in the senate on February twenty-first, nineteen hundred and sixty-seven, and most recently extended by an order (S. 1181) passed in the house on February eleventh, nineteen hundred and sixty-nine, and in the senate on January twenty-seventh, nineteen hundred and sixty-nine **$10,000**

0185-4000 For an investigation and study by a special commission of hunger and malnutrition in the commonwealth and certain related matters, as authorized by chapter sixty-four of the resolves of nineteen hundred and sixty-nine **25,000**

0185-5000 For an investigation and study by a special bipartisan commission, relative to all of the state laws on the conduct and operation of political parties, the nomination of candidates for state office, and the selection of delegates to national party conventions, as authorized by chapter sixty-two of the resolves of nineteen hundred and sixty-nine **10,000**

Judiciary.

Supreme Judicial Court.

0301-0200 For the salaries of the officers and messengers . . **$1,522**

0301-0601 For expenses of the Massachusetts defenders committee, including not more than thirty-nine permanent positions . . **56,430**

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:

0305-6121 Plymouth, including not more than fourteen permanent positions **$3,900**

District Attorneys.

0308-0008 Item 0308-0008 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "seven" and inserting in place thereof the word: — ten **$18,000**

Committee on Probation.

0309-0001 Item 0309-0001 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by adding the following: — ; provided, that notwithstanding any provision of law to the contrary, the amount of one hundred and twenty-six dollars and ninety cents shall be paid from this item for a prior-year salary for a certain employee, earned but not paid, for the period September first, nineteen hundred and sixty-eight through January fourth, nineteen hundred and sixty-nine **$127**

Executive.

Governor.

0411-1901 For postage, printing, office and other contingent expenses, including travel of the governor **$20,000**

0411-4000 For the administration of the public safety committee . **64,000**

Civil Defense Agency.

0414-3000 Item 0414-3000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —
For training and training supplies.

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.

State Quartermaster.

Item		
0431–1000	For the office of the state quartermaster	$500
0431–1500	For certain national guard aviation facilities, including not more than ten permanent positions	4,680

Massachusetts Commission for the Blind.

Bureau of Industrial Aid and Workshops.

0441–4020	Item 0441–4020 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by adding after the word "positions" the following: — ; provided, that any funds made available by this item for space rental may be for a five-year lease	$4,800
0441–4030	Item 0441–4030 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by adding after the word "positions" the following: — ; provided, that any funds made available by this item for space rental may be for a five-year lease	26,687
0441–4050	For certain payments to blind persons	28,000

Executive Office for Administration and Finance.

0451–1502	For the comprehensive health planning project	$30,925
0451–1601	For personal services and expenses in connection with the administration and operation of highway safety programs with the approval of the commissioner of administration; provided, that the expenditures from this item shall be contingent upon prior approval of the programs by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of said programs shall not be less than fifty per cent; and, further provided, that any federal funds available for this purpose, when received, shall be credited to the Highway Fund	700,000
	Highway Fund 100.0%	

Fiscal Affairs Division.

0451–2100	Item 0451–2100 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "thirty-six" and inserting in place thereof the word: — forty-three	$40,000
	Highway Fund 30.0%	
	General Fund 70.0%	

Central Services Division.

0451–3200	For the administration of the bureau of building construction, including not more than seventy-two permanent positions	$4,064
0451–3300	For the bureau of state buildings, and for the maintenance of the state house and Ford building, including not more than one hundred and seventy-six permanent positions	18,300
0451–3400	Item 0451–3400 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the words "new state office" and inserting in place thereof the words: — Leverett Saltonstall	17,500

Item

0451-9000 For the commonwealth's share of the cost of a contract to be entered into between the commissioner of administration on behalf of the commonwealth, and the Penn Central Company, to provide for the continuation at suitable levels of through passenger service between Boston, on the one hand, and the cities of Providence, Kingston and Westerly, Rhode Island; New London, Old Saybrook, New Haven, Bridgeport, South Norwalk, and Stamford, Connecticut; New York, New York (with connections to points south of New York) on the other; as well as between Springfield, on the one hand, and the cities of Hartford, New Britain-Berlin, Meriden, New Haven, Connecticut, and New York, New York, on the other, through the last day of December, nineteen hundred and sixty-nine; provided, that books and records of said Penn Central Company shall be subject to audit by the state auditor **$265,000**

Comptroller's Division.

0452-1000 Item 0452-1000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "eighty-one" and inserting in place thereof the word: — eighty-nine **$63,449**

Highway Fund	30.0%
General Fund	70.0%

Group Insurance Commission.

0454-1000 For administration of the group insurance program, including not more than forty permanent positions **$84,000**

George Fingold Library.

0461-2000 Item 0461-2000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "thirty-one" and inserting in place thereof the word: — thirty-two **$5,000**

Other Boards and Commissions serving under the Governor and Council.

Alcoholic Beverages Control Commission.

0462-3000 For the office of the commission, including not more than sixty-four permanent positions. **$2,000**

Consumers' Council.

0462-8000 For the administration of the council, including not more than seven permanent positions. **$21,000**

New England Board of Higher Education.

0463-0000 For expenses of the board, and for compensation and expenses of the members (1954, 589) **$72,950**

Commissioner of Veterans' Services.

0463-6401 For reimbursing the towns of Rockland and Hadley for certain expenses, as authorized by chapter five hundred and eighty-five and chapter five hundred and sixty-eight of the acts of the current year **$21,723**

Massachusetts Aeronautics Commission.

0463-8210 For the expenses of a one-year civil air patrol aviation education program, as authorized by chapter five hundred and eighty-two of the acts of the current year **$15,000**

Health and Welfare Commission.

Item

0464–1000 For the office of the commission, including not more than three permanent positions $11,000

American and Canadian French Cultural Exchange Commission.

0464–5500 For the expenses of the American and Canadian French cultural exchange commission, established by chapter six hundred and eighty-one of the acts of nineteen hundred and sixty-eight $12,500

Soldiers' Home in Massachusetts.

0471–0000 For the maintenance of the home, including not more than six hundred and twenty permanent positions $22,512

Secretary of the Commonwealth.

0514–0000 For the administration of the bureau of corporate organization and registration, including not more than thirteen permanent positions $5,200

0521–0000 For preparing, printing and distributing ballots and other miscellaneous expenses for primary and other elections, prior appropriation continued, and including not more than nine permanent positions 200,000

Commission on Interstate Co-operation.

0525–0000 Item 0525–0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —

For the office of the commission, including not more than three permanent positions; provided, that the position of director, commission on interstate co-operation, assistant director, commission on interstate co-operation, and executive secretary, commission on interstate co-operation, shall not be subject to the provisions of chapter thirty of the General Laws $4,500

Treasurer and Receiver-General.

0610–0000 For the office of the treasurer and receiver-general, including not more than ninety-two permanent positions $58,000

Highway Fund 30.0%
General Fund 70.0%

0611–4000 For the administration of the Vietnam bonus payments . 10,000

Department of Agriculture.

0911–1000 For the office of the commissioner, including the expenses of the board of agriculture, and including not more than twenty-nine permament positions $500

0912–1000 For apiary inspection and for reimbursement of owners of diseased bees, including not more than one permanent position . 500

Division of Dairying and Animal Husbandry.

0914–1000 For the office of the division, including not more than twenty permanent positions $2,000

Division of Animal Health.

0915–1000 For the office of the division, including not more than twenty-eight permanent positions $2,700

Division of Plant Pest Control.

Item

0917-1000 For the office of the division, including not more than four permanent positions $300

For the expenses of the following mosquito control project.

0919-0300 Cape Cod (1935, 250) $36,168
Mosquito and Greenhead Fly Control Fund 100.0%

Division of Milk Control.

0920-1000 For the office of the division, including not more than thirty-four permanent positions $2,154

Department of Natural Resources.

1000-0000 For the office of the commissioner, including the expenses of the natural resources board, and including not more than thirty-eight permanent positions; provided, that the position of deputy commissioner shall not be subject to the provisions of chapter thirty-one of the General Laws $10,000
Public Access Fund 2.8%
Inland Fisheries and Game Fund . 25.0%
General Fund 72.2%

Division of Forests and Parks.

1010-0000 For the office of the division, including not more than fourteen permanent positions $2,200

1011-0000 Item 1011-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "thirty-three" and inserting in place thereof the word: — thirty-four 155,800
State Recreation Areas Fund . 100.0%

1011-1000 For the administration of public beaches, including not more than four permanent positions (1968, 501) 2,000
State Recreation Areas Fund . 100.0%

1011-1100 For the maintenance of Fort Phoenix Beach 13,000
State Recreation Areas Fund . 100.0%

1011-1200 For the maintenance of Horseneck Beach, including not more than one permanent position 11,000
State Recreation Areas Fund . 100.0%

1011-1300 For the maintenance of Salisbury Beach, including not more than three permanent positions. 5,000
State Recreation Areas Fund . 100.0%

1011-2000 For the administration and maintenance of swimming pools and skating rinks; provided, that the provisions of chapter thirty-one of the General Laws shall not apply to this item . . . 3,000
State Recreation Areas Fund . 100.0%

1013-0000 For the office of the state fire warden and for expenses of the northeastern interstate forest fire protection commission and for compensation of commissioners, including not more than nineteen permanent positions 25,000

Division of Conservation Services.

1030-1241 For the administration of a land and water conservation program, including not more than one permanent position . . $2,600
State Recreation Areas Fund . 100.0%

Division of Marine Fisheries.

1040-0000 For the office of the division, and for the administration of the activities provided for under item 1040-1361, including not more than twenty permanent positions $500
Marine Fisheries Fund . . . 100.0%

Item

1040–1311 For a program of estuarine research **$1,500**
Marine Fisheries Fund . . . 100.0%

Expenditures from the following items shall be contingent upon the prior approval of the proper federal authorities for reimbursement of at least fifty per cent of the amounts expended:

1040–1374 Coordination of commercial fisheries research and development work **$8,300**
Marine Fisheries Fund . . . 100.0%

Division of Mineral Resources.

1050–0000 For the office of the division **$31,000**

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.

1070–2310 For the preparation of design plans for fish screens at Quabbin and Wachusett reservoirs, total project cost not to exceed two hundred and fifty thousand dollars **$25,000**
Inland Fisheries and Game Fund . 100.0%

1070–2342 For fish restoration projects, including not more than four permanent positions **2,000**
Inland Fisheries and Game Fund . 100.0%

1070–2300 } From the unexpended balance remaining in item 1070–2300 of section
1070–2400 } two of chapter four hundred and fifty-two of the acts of the current year, the sum of seven thousand twenty-six dollars is hereby transferred and made available for the purposes of the following item: —

1070–2400 For the administration of game farms and for wildlife research and management, including not more than forty-nine permanent positions
Inland Fisheries and Game Fund . 100.0%

1070–2461 For the administration of a program for wildlife restoration projects, including not more than twenty-one permanent positions **5,000**
Inland Fisheries and Game Fund . 100.0%

Division of Water Resources.

1080–0000 For the office of the division, including not more than sixteen permanent positions **$8,400**

Division of Water Pollution Control.

1085–0000 For the office of the division; provided, that any federal funds available for this purpose, when received, shall be credited to the General Fund, including not more than thirty-seven permanent positions **$3,500**

Department of Banking and Insurance.

Division of Insurance.

1121–0000 For the office of the division, including expenses of the board of appeals, and certain other costs of supervising motor vehicle liability insurance and the expenses of the fraudulent claims board, and including not more than three hundred and nine permanent positions; provided, that the position 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 **$127,511**
Highway Fund 30.0%
General Fund 70.0%

Department of Corporations and Taxation.

Item

1201–0000 Item 1201–0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by adding the following: — ; provided, that notwithstanding any other provision of law to the contrary, the sum of forty-nine dollars and eight cents for a prior-year salary, earned but not paid, may be charged to this item.

Highway Fund	6.0%
General Fund	94.0%

1201–1000 For the expenses of the department except as provided in other items contained in this section; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and twenty-nine thousand dollars from the receipts of the cigarette tax in accordance with the provisions of paragraph (B) of section twenty-eight of chapter sixty-four C of the General Laws **$1,100**

Highway Fund	2.5%
General Fund	97.5%

Department of Civil Service and Registration.

Division of Civil Service.

1411–0000 Item 1411–0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by adding at the end thereof the following: — provided, that notwithstanding the provisions of any law to the contrary, the total annual compensation received by certain former employees may be increased to four thousand dollars.

Division of Registration.

1421–0000 For the administration of the division, including not more than seventy-two permanent positions; provided, that the position of investigator of radio-television technicians shall not be subject to chapter thirty-one of the General Laws **$6,612**

Department of Labor and Industries.

For the personal services and expenses of the following agencies of the department:

1610–2000 Division of industrial safety, including not more than seventy-nine permanent positions **$300**

1610–6000 Commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions **360**

1610–7000 Division of standards, including not more than thirty-eight permanent positions. **7,481**

Health, Welfare and Retirement Trust Funds Board.

1630–1000 Item 1630–1000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "twenty-eight" and inserting in place thereof the word: — twenty-nine **$11,200**

Division of Industrial Accidents.

1650–1000 For the office of the division and for clerical and other assistance for the industrial accident rehabilitation board, including not more than one hundred and eighty-six permanent positions . . **$7,336**

Department of Correction.

Item

1801–0000 For administration, including not more than sixty-six permanent positions; provided, that the persons employed under the division of classification of prisoners shall not be subject to the civil service law and rules; and, provided further, that notwithstanding any provision of 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 **$2,500**

For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:

1812–0000 Correctional institution at Walpole, including not more than three hundred and nine permanent positions **$16,000**

1812–2000 Correctional institution at Walpole, industries, including not more than thirty-one 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 **200,000**

1814–0000 Correctional institution at Concord, including not more than two hundred and fifty-one permanent positions **88,026**

1816–0000 Correctional institution at Framingham, including not more than one hundred and thirty-two permanent positions . . . **8,500**

1818–0000 Correctional institution at Norfolk, including not more than two hundred and sixty-three permanent positions **15,400**

1831–0000 Correctional institution camps, including not more than thirty-six permanent positions. **2,500**

Parole Board.

1880–0000 For the office of the board, including not more than ninety-five permanent positions; provided, that the position of employment officer, parole board, shall not be subject to the provisions of chapter thirty-one of the General Laws **$5,000**

Department of Public Welfare.

1900–1000 Item 1900–1000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —

For the office of the commissioner; provided, that expenditures made from funds provided for the food commodity distribution program in this act shall not be available for the payment of certain rentals of space; and, provided further, that notwithstanding the provisions of section twenty-four B of chapter thirty of the General Laws and section thirty-one B of chapter thirty-one of the General Laws, appointments, promotions and assignments of employees in the state department of public welfare may be approved until March first, nineteen hundred and seventy, upon approval of the bureau of personnel and the division of civil service, retroactive to July first, nineteen hundred and sixty-eight; including not more than four thousand seven hundred and two permanent positions; provided, that persons employed in the position of case aide shall not be subject to chapter thirty-one of the General Laws; and provided, further, that any provisional or temporary employee shall be appointed from a civil service list **$1,122,000**

1901–1000 For care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued **1,000,000**

1906–1000 For reimbursement to cities and towns for general relief and for purposes of items 3019–02, 3019–03, 3019–04 and 3019–05 prior to their inclusion herein, prior appropriation continued . . . **1,400,000**

Local Aid Fund 100.0%

Department of Public Health.

Bureau of Administration.

Item
2010-0100 For the office of the bureau, including not more than fifty-nine permanent positions $11,400
2010-0700 For the administration of the medical assistance unit 219,553

Bureau of Environmental Sanitation.

2011-0500 Item 2011-0500 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "two" and inserting in place thereof the word: — three $8,000
2011-9008 For a program to assist cities and towns in the establishment of a rat control program, prior appropriation continued (1967,754). 50,000
2011-9015 For a program of weed control and removal on lakes, rivers and ponds within the commonwealth 100,000
State Recreation Boating Fund . 100.0%

Bureau of Hospital Facilities.

2012-0500 } Item 2012-0500 of section two of chapter four hundred and fifty-two
2014-0100 } of the acts of the current year is hereby amended by striking out the word "twelve" and inserting in place thereof the word: — ten; and from the amount appropriated in said item the sum of seventeen thousand five hundred and ten dollars is hereby transferred and made available for the purpose of item 2014-0100, as amended, of said chapter.

Item 2014-0100 of section two of said chapter four hundred and fifty-two is hereby amended by striking out the word "eighteen" and inserting in place thereof the word: — twenty.

Bureau of Chronic Disease Control.

2012-0100 Item 2012-0100 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by adding the following: — , and including the payment of certain prior year expenses of certain clinics $304,450
2012-0200 For the office of the division of alcoholism, including not more than eleven permanent positions 20,000
2012-0700 For the office of the division of epilepsy control program 50,000
2012-0800 For a chronic renal disease program, including not more than two permanent positions 12,700

Bureau of Tuberculosis and Institutions.

2015-0100 For the office 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, and including not more than thirty-eight permanent positions $8,000

For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:

2031-0000 Item 2031-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "twenty-nine" and inserting in place thereof the word: — thirty $123,661
2035-0000 Rutland Heights hospital, including not more than three hundred and forty-six permanent positions 163,730

Department of Public Safety.

Division of State Police.

Item

2112-0000 Item 2112-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "seven" and inserting in place thereof the word: — fifty-seven **$472,849**

General Fund 15.0%
Highway Fund 85.0%

Department of Public Utilities.

2311-9001 For hearings and special investigations; provided, that no salaries or expenses of permanent employees shall be chargeable to this item **$80,000**

Commercial Motor Vehicle Division.

2321-0000 For the office of the division, including not more than thirty-three permanent positions **$13,177**

Metropolitan District Commission.

Metropolitan Water System.

2420-0000 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 fourteen permanent positions **$13,200**

MDC Water District Fund . . 100.0%

2425-9012 For a study of the feasibility of providing an additional water supply to the towns of Avon, Braintree, Canton, Holbrook, Randolph, Stoughton and any other contiguous town that may be reasonably supplied in this area **25,000**

MDC Water District Fund . . 100.0%

Metropolitan Sewerage District.

2430-0000 For the maintenance and operation of a system of sewage disposal for the metropolitan sewerage district, including payments to the state retirement system under the provisions of the General Laws, and including not more than five hundred and fifty-nine permanent positions **$595,000**

MDC Sewerage District Fund . 100.0%

Metropolitan Parks District.

2440-0000 Item 2440-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by adding the following: — ; and, provided further, that payments for court time for police officers not to exceed fifty thousand dollars may be paid from this item in accordance with section fifty-three C of chapter two hundred and sixty-two of the General Laws, as amended **$77,000**

Highway Fund 60.0%
MDC Parks District Fund . . 39.0%
General Fund 1.0%

2442-9029 For certain highway work adjoining the site of the museum of science, appropriation expires June thirtieth, nineteen hundred and seventy-one **110,000**

Highway Fund 100.0%

Item

2442-9030 For the construction of a marginal conduit in Somerville, including a pretreatment facility, to be in addition to the amount appropriated in section two of chapter six hundred and thirty-one of the acts of nineteen hundred and sixty-six, appropriation expires June thirtieth, nineteen hundred and seventy-one; provided, that expenditures from this item shall be contingent upon assurance by the proper federal authorities that the federal allocation for the cost of this project will be not less than three hundred and ninety thousand dollars, and that the reimbursement of the metropolitan district commission by the department of public works shall be not less than one hundred and ninety thousand dollars **$700,000**

MDC Parks District Fund . . 100.0%

2442-9031 For certain renovations to, and construction of, a sea wall, Nantasket beach, appropriation expires June thirtieth, nineteen hundred and seventy-one **125,000**

MDC Parks District Fund . . 100.0%

2444-9013 For the preparation of plans and the construction of a recreational facility, including the cost of equipment, as authorized by chapter five hundred and fifty-eight of the acts of nineteen hundred and fifty-five **250,000**

Department of Community Affairs.

Division of Community Development.

2522-9102 For reimbursement of cities and towns for the commonwealth's share of certain nonfederally-aided urban renewal projects . **$128,000**

Division of Community Services.

2532-2011 Item 2532-2011 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —

For the expenses of urban information and technical assistance programs, relative to community development problems; provided, that state funds shall be expended with at least an equivalent amount of federal funds available for the purpose, as authorized by the National Housing Act, as amended.

Department of Mental Health.

5011-0000 For administration, except as otherwise provided, for 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, and for the transportation and medical examination of patients and certain mentally retarded persons, including not more than three hundred and thirty-two permanent positions . . . **$171,279**

Region One.

5111-0000 For administration, including not more than seven permanent positions **$3,100**

5121-0000 For mental health and retardation services, including not more than fifty-seven permanent positions **125,000**

Region Two.

5293-0000 For the maintenance of the Worcester state hospital, including not more than one thousand and fifty permanent positions . **$20,000**

5293-9003 For the replacement of a certain water line **25,000**

5294-0000 For the maintenance of the Monson state hospital, including not more than seven hundred and twenty-six permanent positions **40,000**

Region Three.

Item

5362-0000 Item 5362-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —
For staffing a program of mental health and retardation services and a children's development clinic in the Cambridge-Somerville area; provided, that expenditures from this item shall be contingent upon assurance by the proper federal authorities that the federal allocation for the cost of this program for the first fiscal year of operation will not be less than seven hundred and twenty-one thousand two hundred and fifty-two dollars, said allocation to be in addition to the amount hereby appropriated **$12,744**

5381-0000 Item 5381-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the words "and eighty-one" and inserting in place thereof the words: — one hundred **121,400**

5381-9004 Item 5381-9004 of section two of chapter three hundred and eighty of the acts of nineteen hundred and sixty-eight is hereby amended by inserting after the word "ceilings" the words: — and for certain roof repairs.

5381-9007 Item 5381-9007 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —
For the renovation and replacement of travel tray ovens **22,000**

5391-0000 For the maintenance of the Metropolitan state hospital, including not more than seven hundred and ninety-seven permanent positions **45,000**

Region Four.

5421-0000 For mental health and retardation services, including not more than seventy-one permanent positions **$16,706**

5471-0000 For the maintenance of the John T. Berry rehabilitation center, including not more than seventy-eight permanent positions . **5,000**

5481-0000 For the maintenance of the Hathorne state school, including not more than two hundred and eighty-two permanent positions **9,000**

5491-0000 For the maintenance of the Danvers state hospital, including not more than eight hundred and eighty-six permanent positions **30,000**

Region Five.

5511-0000 For administration, including not more than seven permanent positions **$1,855**

Region Six.

5661-0000 For the maintenance of the Massachusetts mental health center, including not more than three hundred and eighteen permanent positions **$8,400**

5662-0000 Item 5662-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —
For certain expenses of the mental health training, treatment and research center; provided, that expenditures from this item shall be contingent upon assurance by the proper federal authorities that the federal allocation for certain staffing programs for the center for the first fiscal year of operation will not be less than six hundred and fifty-five thousand six hundred and twenty-eight dollars, said allocation to be in addition to the amount hereby appropriated **240,000**

5663-0000 For the maintenance of the government center mental health center, including not more than three permanent positions . **31,211**

Region Seven.

5721-0000 Item 5721-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by adding at the end thereof the following: —; provided, that expenditures from this item for

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a certain day care program shall be contingent upon assurance by the proper federal authorities that the federal allocation for said program for the first fiscal year of operation will not be less than thirteen thousand three hundred and thirty-eight dollars . . $77,784

5781-0000 For the maintenance of the Paul A. Dever school, including not more than six hundred and fifty-four permanent positions . 79,278

Department of Public Works.

Highway Activities.

Personal Services.

6010-0000 Item 6010-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "three" and inserting in place thereof the word: — eight.

Highway Fund 100.0%

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:

6030-7292 For the relocation of a certain monument in the town of Swansea, as authorized by chapter six hundred and fifteen of the acts of nineteen hundred and sixty-eight $1,000

6031-4900 For certain roof repairs to administration building, District #4 17,250

Highway Fund 100.0%

Waterways Activities.

The salaries of all officers and employees of the department engaged in waterways projects or activities authorized by bond issue or otherwise shall be charged in full to appropriations authorized under this heading in this act.

Division of Waterways.

6032-2014 For the purchase and erection of a marker, or markers, bearing the name of Joseph A. Sylvia at the state beach in the towns of Oak Bluffs and Edgartown, as authorized by chapter one hundred and fifty of the acts of nineteen hundred and sixty-eight . . . $1,000

6032-3003 For the construction and installation of a weighing scale at State Pier in the city of New Bedford, as authorized by chapter seven hundred and forty-one of the acts of the current year . . 30,000

6032-3004 For the erection of an iron fence around Plymouth rock . 7,500

Construction, Reconstruction and Betterments.

The following appropriations are for the costs of projects which come within the purposes of appropriations for the accelerated highway program and are to be in addition to sums appropriated therefor:

6033-1007 For improvements to, and reconstruction of, state highway and other bridges; provided, that sums herein appropriated may be used upon agreement with city or town officials in conjunction with city or town funds without acceptance by the commonwealth of responsibility for maintenance $750,000

Highway Fund 100.0%

6033-1021 For certain renovations and repairs to the heating-cooling system in the Northampton administration building, District #2 . 70,000

Highway Fund 100.0%

6033-1022 For the payment of two superior court judgments:
docket number 21249, Bristol County; and
docket number 138551, Essex County . . . 17,883

Highway Fund 100.0%

Registry of Motor Vehicles.

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6111-0000 Item 6111-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the words "one thousand two hundred and twenty-one" and inserting in place thereof the words: — one thousand two hundred and forty-two **$289,328**

General Fund 1.2%
Highway Fund 98.8%

6111-0023 For the payment of a superior court judgment, Middlesex county, docket number 292861 . . . . **27,300**

Highway Fund 100.0%

6111-0024 For the acquisition of land in the city of Worcester for a branch office for the registry, or land with a building thereon; provided that no payment shall be made for the purchase of such property until an independent appraisal of the value of the property has been made by a qualified disinterested appraiser; and either for the construction of a building or the alteration and renovation of existing building thereon, including the cost of necessary furnishings and equipment **320,000**

Highway Fund 100.0%

6111-0025 For the construction of a certain parking area at the Woburn registry branch office **25,000**

Highway Fund 100.0%

Division of Motorboats.

6120-0000 For the office of the division, including not more than fifty-one permanent positions **$15,658**

Recreational Boating Fund . . 100.0%

Outdoor Advertising Division.

6210-0000 For the office of the division, including not more than eleven permanent positions. **$4,240**

Department of Education.

Board of Education.

Board of Education and Commissioner's Office.

7010-0000 Item 7010-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by adding the following: — ; provided, that notwithstanding the provision of any law to the contrary, the amount of five hundred and ninety-two dollars shall be allowed and paid from this item for a prior-year salary, earned but not paid, for the period January first, nineteen hundred and sixty-nine to January thirty-first, nineteen hundred and sixty-nine.

7025-0000 For the administration of the bureau of teachers' retirement, including not more than thirty-four permanent positions . . **$3,453**

Division of Curriculum and Instruction.

7033-5010 For the administration of a fire fighting academy and training program, including not more than two permanent positions . . . **$14,158**

Division of State and Federal Assistance.

7065-0001 For the commonwealth's share of a certain assistance program, to be expended with the approval of the commissioner of administration and with at least an equivalent amount of federal funds, as 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 and Public

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Law 89-10; 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 $4,000

Board of Higher Education.

7070-0001 Item 7070-0001 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "twelve" and inserting in place thereof the words: — fourteen $15,072

7070-0008 Item 7070-0008 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by adding the following: — ; provided, that notwithstanding the provision of any law to the contrary, the amount of one hundred and ninety-seven dollars and sixty cents shall be allowed and paid from this item for a prior-year salary earned but not paid for the period July first, nineteen hundred and sixty-seven to June thirtieth, nineteen hundred and sixty-eight.

7070-0016 For centralizing processing, classification and cataloguing of books in all institutions of higher education 250,000

7070-9001 For the purchase of books and periodicals to be allocated by the board to the various higher educational institutions; provided, that a schedule of said allocation is submitted to the house and senate committees on ways and means within thirty days of the allocation 2,000,000

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.

7101-0001 Item 7101-0001 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "nineteen" and inserting in place thereof the word: — twenty-one $40,865

7107-0001 Item 7107-0001 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out, in line eight, the words "two million" and inserting in place thereof the words: — two million five hundred thousand.

7109-0000 Item 7109-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out, the word "fifty-two" and inserting in place thereof the word: — fifty-five.

7113-0000 State college at North Adams, including not more than one hundred and twenty-six permanent positions 12,500

7114-0000 Item 7114-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "eighty-five" and inserting in place thereof the word: — eighty-eight 4,500

7115-1011 State college at Westfield, boarding hall, including not more than nine permanent positions 8,600

7116-0000 Item 7116-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "fifty-eight" and inserting in place thereof the word: — sixty 30,808

7117-0000 Item 7117-0000 of section two of chapter four hundred and fifty-two of the current year is hereby amended by striking out the word "seventy-three" and inserting in place thereof the word: — seventy-six 37,500

Lowell Technological Institute of Massachusetts.

7210-0000 Item 7210-0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "forty-four" and inserting in place thereof the word: — fifty-two $240,000

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7214–0006 For the development of the physics department; provided, that expenditures from this item shall be contingent upon prior approval of the proper federal authorities and shall be expended with at least two hundred and sixty-five thousand dollars of federal funds available for the purposes of this item **$100,000**

University of Massachusetts.

7410–0000 Item 7410–0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the words "three thousand and sixty-eight" and inserting in place thereof the words: — three thousand one hundred and four . **$300,000**

7411–1008 For the purchase of scientific, technological and other educational reference material for the medical school library . . **70,000**

7416–1001 Item 7416–1001 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "forty-one" and inserting in place thereof the word: — sixty-four **114,535**

Massachusetts Board of Regional Community Colleges.

For the administration, maintenance of and for certain improvements at community colleges with the approval of the board of regional community colleges:

7502–0000 Berkshire community college, including not more than seventy-eight permanent positions **$30,000**

7502–9012 For certain outdoor vocational educational equipment; provided, that expenditures for the equipment shall be expended with at least two hundred and seventy thousand dollars of federal funds available for the purpose of vocational education for outdoor occupations **72,040**

7503–0000 Item 7503–0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by adding the following: — ; provided, that notwithstanding the provisions of section eight A of chapter twenty-nine of the General Laws, the sum of seven thousand one hundred and seven dollars and thirty-seven cents shall be allowed and paid for certain floor covering.

7503–9704 For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361) **1,870**

7505–0000 Item 7505–0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "seventy-two" and inserting in place thereof the word: — seventy-three **15,000**

7508–9704 For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361) . **11,600**

7509–0000 Mount Wachusett Community College, including not more than seventy-five permanent positions **35,600**

7511–9704 For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361) . **5,000**

7512–9704 For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361) . **12,000**

7514–0000 Item 7514–0000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "sixty-six" and inserting in place thereof the word: — sixty-seven.

7516–0000 Middlesex community college, including not more than two permanent positions **16,200**

Division of Youth Service.

7610–0001 Item 7610–0001 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "ninety-five" and inserting in place thereof the word: — ninety-six **$9,490**

7654–0001 For the commonwealth's share of delinquency prevention programs in certain cities **293,734**

For the administration, maintenance of and for certain improvements at the institutions within the divisions: —

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7660–8000	Item 7660–8000 of section two of chapter four hundred and fifty-two of the acts of the current year is hereby amended by striking out the word "fifty-one" and inserting in place thereof the word: — sixty-one	$50,000

Unassigned Accounts.

Miscellaneous.

9990–0001	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves .	$500
9990–0014	World War II Memorial — U.S.S. Massachusetts . .	4,820
9990–0042	For a certain payment, as authorized by chapter seventy-six of the resolves of the current year	1,041

DEFICIENCIES.

For deficiencies in certain appropriations for previous years, based upon schedules approved by joint committee on ways and means:

General Fund	$56,419
Highway Fund	8,579

SECTION 2A. Section 1 of chapter 589 of the acts of 1968, as most recently amended by section 2A of chapter 452 of the acts of the current year, is hereby further amended by inserting after the first sentence the following sentence: — Said commission shall also construct a covered artificial ice skating rink and year-round swimming pool in the town of Weymouth from the proceeds of the bonds authorized by section three of said act.

SECTION 2B. Section one of chapter seven hundred and eighty-two of the acts of nineteen hundred and sixty-two, as amended by section seven of chapter 138 of the acts of 1969, is hereby further amended by inserting after the word "Quincy" the words: — and an enlarged culvert under Furnace Brook parkway near the armory of the commonwealth in Quincy, the cost of which project shall not exceed fifty thousand dollars.

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

Approved August 26, 1969.

Chap. 812. AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Newburyport is hereby authorized to appropriate and after such appropriation the treasurer of said city is authorized to pay to the Anna Jacques Hospital in said city the sum of thirteen thousand nine hundred and eighteen dollars and twenty-nine cents for services rendered during the years nineteen hundred and sixty-six, nineteen hundred and sixty-seven and nineteen hundred and sixty-eight and to the Beverly Hospital also of said city the sum of one thousand one hundred and sixty-five dollars and thirty cents for services rendered in the year nineteen hundred and sixty-seven, payment of which is legally unenforceable against said city.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered and actually received in accordance with such orders.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby receives payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

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

Approved August 26, 1969.

Chap. 813. AN ACT PROVIDING THAT NATIONAL GUARD TECHNICIANS IN THE FEDERAL SERVICE WHO ARE RETIRED WITH A PENSION FROM THE COMMONWEALTH SHALL BE ELIGIBLE FOR THE GROUP LIFE AND HEALTH INSURANCE COVERAGE FOR STATE EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (b) of section 2 of chapter 32A of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 637 of the acts of 1965, 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 who is not at the same time an employee of the United States, 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 requires 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 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. The second paragraph of section 10 of chapter 32A of the General Laws, as appearing in section 5 of chapter 840 of the acts of 1965, is hereby amended by adding the following sentence:—Any National Guard technician in the service of the United States who is eligible and makes application for a pension or annuity allowance and whose application is approved by the state retirement board in accordance with the provisions of chapter thirty-two shall be entitled to be insured under this chapter as a retired employee without regard to waiting periods for benefits or medical qualification as if said retiree had been in the service of the commonwealth.

SECTION 3. This act shall take effect as of January first, nineteen hundred and sixty-nine. *Approved August 26, 1969.*

Chap. 814. AN ACT AMENDING THE CONSUMER PROTECTION ACT AND PROVIDING RESTITUTION TO A CONSUMER WHO HAS SUFFERED LOSS DUE TO A DECEPTIVE ACT OR PRACTICE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 93A of the General Laws is hereby amended by adding the following definition: —

(d) "Examination of documentary material", the inspection, study, or copying of any such material, and the taking of testimony under oath or acknowledgment in respect of any such documentary material.

SECTION 2. Section 3 of said chapter 93A is hereby amended by striking out paragraph (2) and inserting in place thereof the following paragraph: —

(2) For the purpose of this section the burden of proving exemption from the provisions of this chapter shall be upon the person claiming the exemption.

SECTION 3. Said chapter 93A is hereby further amended by striking out sections 4, 5, 6 and 7 and inserting in place thereof the following four sections: —

Section 4. Whenever the attorney general has reason to believe that any person is using or is about to use any method, act or practice declared by section two to be unlawful, and that proceedings would be in the public interest, he may, upon notice given in accordance with this section, bring an action in the name of the commonwealth against such person to restrain by temporary or permanent injunction the use of such method, act or practice. The action may be brought in the superior court of the county in which such person resides or has his principal place of business, or the action may be brought in the superior court of Suffolk county with the consent of the parties or if the person has no place of business within the commonwealth. Said court may issue temporary or permanent injunctions and make such other orders or judgments as may be necessary to restore to any person who has suffered any ascertainable loss by reason of the use or employment of such unlawful method, act or practice any moneys or property, real or personal, which may have been acquired by means of such method, act or practice; provided, however, that no such temporary or permanent injunction or other order shall issue except upon notice and an opportunity to be heard.

At least ten days prior to the commencement of any action brought under this section, the attorney general shall notify the person of his intended action, and give the person an opportunity to confer with the attorney general in person or by counsel or other representative as to the proposed action. Such notice shall be given the person by mail, postage prepaid, to his usual place of business, or, if he has no usual place of business, to his last known address.

Any district attorney or law enforcement officer receiving notice of any alleged violation of this chapter or of any violation of an injunction or order issued in an action brought under this section shall immediately forward written notice of the same together with any information that he may have to the office of the attorney general.

Any person who violates the terms of an injunction or other order issued under this section shall forfeit and pay to the commonwealth a civil penalty of not more than ten thousand dollars for each violation.

For the purposes of this section, the court issuing such an injunction or order shall retain jurisdiction, and the cause shall be continued, and in such case the attorney general acting in the name of the commonwealth may petition for recovery of such civil penalty.

Section 5. In any case where the attorney general has authority to institute an action or proceeding under section four, in lieu thereof he may accept an assurance of discontinuance of any method, act or practice in violation of this chapter from any person alleged to be engaged or to have been engaged in such method, act or practice. Such assurance may, among other terms, include a stipulation for the voluntary payment by such person of the costs of investigation, or of an amount to be held in escrow pending the outcome of an action or as restitution to aggrieved buyers, or both. Any such assurance of discontinuance shall be in writing and be filed with the superior court of Suffolk county. Matters thus closed may at any time be reopened by the attorney general for further proceedings in the public interest. Evidence of a violation of such assurance shall be prima facie evidence of a violation of section two in any subsequent proceeding brought by the attorney general.

Section 6. (1) The attorney general, whenever he believes a person has engaged in or is engaging in any method, act or practice declared to be unlawful by this chapter, may conduct an investigation to ascertain whether in fact such person has engaged in or is engaging in such method, act or practice. In conducting such investigation he may (*a*) take testimony under oath concerning such alleged unlawful method, act or practice; (*b*) examine or cause to be examined any documentary material of whatever nature relevant to such alleged unlawful method, act or practice; and (*c*) require attendance during such examination of documentary material of any person having knowledge of the documentary material and take testimony under oath or acknowledgment in respect of any such documentary material. Such testimony and examination shall take place in the county where such person resides or has a place of business or, if the parties consent or such person is a nonresident or has no place of business within the commonwealth, in Suffolk county.

(2) Notice of the time, place and cause of such taking of testimony, examination or attendance shall be given by the attorney general at least ten days prior to the date of such taking of testimony or examination.

(3) Service of any such notice may be made by (*a*) delivering a duly executed copy thereof to the person to be served or to a partner or to any officer or agent authorized by appointment or by law to receive service of process on behalf of such person; (*b*) delivering a duly executed copy thereof to the principal place of business in the commonwealth of the person to be served; or (*c*) mailing by registered or certified mail a duly executed copy thereof addressed to the person to be served at the principal place of business in the commonwealth or, if said person has no place of business in the commonwealth, to his principal office or place of business.

(4) Each such notice shall (*a*) state the time and place for the taking of testimony or the examination and the name and address of each person to be examined, if known, and, if the name is not known, a general description sufficient to identify him or the particular class or group to which he belongs; (*b*) state the statute and section thereof, the alleged violation of which is under investigation and the general subject matter of the investigation; (*c*) describe the class or classes of documentary

material to be produced thereunder with reasonable specificity, so as fairly to indicate the material demanded; (*d*) prescribe a return date within which the documentary material is to be produced; and (*e*) identify the members of the attorney general's staff to whom such documentary material is to be made available for inspection and copying.

(5) No such notice shall contain any requirement which would be unreasonable or improper if contained in a subpoena duces tecum issued by a court of the commonwealth; or require the disclosure of any documentary material which would be privileged, or which contains trade secret information, or which for any other reason would not be required by a subpoena duces tecum issued by a court of the commonwealth.

(6) Any documentary material or other information produced by any person pursuant to this section shall not, unless otherwise ordered by a court of the commonwealth for good cause shown, be disclosed to any person other than the authorized agent or representative of the attorney general, unless with the consent of the person producing the same.

(7) At any time prior to the date specified in the notice, or within twenty-one days after the notice has been served, whichever period is shorter, the court may, upon motion for good cause shown, extend such reporting date or modify or set aside such demand. The motion may be filed in the superior court of the county in which the person served resides or has his usual place of business, or in Suffolk county. This section shall not be applicable to any criminal proceeding nor shall information obtained under the authority of this section be admissible in evidence in any criminal prosecution for substantially identical transactions.

Section 7. A person upon whom a notice is served pursuant to the provisions of section six shall comply with the terms thereof unless otherwise provided by the order of a court of the commonwealth. Any person who fails to appear, or with intent to avoid, evade, or prevent compliance, in whole or in part, with any civil investigation under this chapter, removes from any place, conceals, withholds, or destroys, mutilates, alters, or by any other means falsifies any documentary material in the possession, custody or control of any person subject to any such notice, or knowingly conceals any relevant information, shall be assessed a civil penalty of not more than five thousand dollars.

The attorney general may file in the superior court of the county in which such person resides or has his principal place of business, or of Suffolk county if such person is a nonresident or has no principal place of business in the commonwealth, and serve upon such person, in the same manner as provided in section six, a petition for an order of such court for the enforcement of this section and section six. Any disobedience of any final order entered under this section by any court shall be punished as a contempt thereof.

SECTION 4. Section 8 of said chapter 93A is hereby amended by striking out, in lines 5 and 6, the words "whenever said corporation violates the terms of an injunction issued under section four of this chapter".

Approved August 26, 1969.

Chap. 815. AN ACT AUTHORIZING CITIES AND TOWNS TO LEASE THE AIRSPACE ABOVE MUNICIPAL STRUCTURES AND FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Section 22E of chapter 40 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 796 of the acts of 1962, and inserting in place thereof the following sentence:—Whenever the board or officer having charge of a structure or facility owned by a city or town, and not within the limits of playgrounds or lands held for park, conservation or similar purposes whether acquired under general or special law and irrespective of the date of acquisition, determines that the whole or any part of the airspace above such structure or facility is not required for the purposes thereof, such board or officer shall publish once a week for at least three consecutive weeks in a newspaper of general circulation in such city or town an advertisement of such determination, identifying the structure or facility involved.

SECTION 2. The second paragraph of said section 22E, as amended by chapter 147 of the acts of 1963, is hereby further amended by striking out, in lines 10 and 11, the words "off-street parking purposes and such parts of the off-street parking area or facility" and inserting in place thereof the words:—the purposes of such structure or facility and such parts of such structure or facility or the site thereof.

Approved August 26, 1969.

Chap. 816. AN ACT PLACING CERTAIN EMPLOYEES OF THE DEPARTMENT OF CORRECTION IN GROUP 4 OF THE CONTRIBUTORY RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

The definition of *Group 4* in paragraph (g) of subdivision (2) of section 3 of chapter 32 of the General Laws, as most recently amended by section 2 of chapter 650 of the acts of 1968, is hereby further amended by inserting after the words "female correction officer", in line 11, the following:—, industrial instructor, recreation officer, assistant industrial shop manager, industrial shop manager, assistant to the supervisor of industries, supervisor of industries.

Approved August 26, 1969.

Chap. 817. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO PURCHASE LAND IN THE TOWN OF WESTMINSTER.

Be it enacted, etc., as follows:

SECTION 1. The city of Fitchburg is hereby authorized to purchase land located in the town of Westminster, for sanitary landfill refuse disposal purposes, said land being bounded and described as follows: —

Northwesterly and westerly by land now or late of one Benjamin Wyman, southerly by land now or late of Thomas Harris, southeasterly by land now or formerly of one Hale and land now or late of Daniel Mills and Edwin Upton, to the place of beginning.

SECTION 2. The inhabitants of the town of Westminster shall have the right, without cost to them, to dispose of their rubbish and waste in said landfill disposal area, after the same has been opened for operation, in accordance with the rules and regulations as to disposing established by the commissioner of public works of the city of Fitchburg, and approved by the boards of health of the city of Fitchburg and the town of Westminster.

SECTION 3. Title to the parcel described in section one of this act shall, without consideration being paid therefor, vest in the inhabitants of the town of Westminster, at such time as the city of Fitchburg ceases to use such land for sanitary landfill refuse disposal, and the city of Fitchburg shall not have to pay any sum in lieu of taxes to the town of Westminster during the time the city of Fitchburg uses such parcel of land for sanitary landfill refuse disposal.

SECTION 4. This act shall take effect upon its acceptance by vote of the majority of the members of the board of selectmen of the town of Westminster and of the majority of the members of the city council of the city of Fitchburg. *Approved August 26, 1969.*

Chap. 818. AN ACT DIRECTING THE ARMORY COMMISSION TO TRANSFER CERTAIN LAND AND BUILDINGS TO THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Notwithstanding any provision of general or special law to the contrary, the armory commission is hereby authorized and directed to transfer the organizational maintenance shop located at 728 Tarkiln road in the city of New Bedford, together with all land and appurtenances thereto, to the department of public works, and said department is authorized and directed to devote the land so transferred to the laying out or relocation of a highway or highways. The consideration for such transfer shall be payable from the Highway Fund and shall be determined in accordance with section one of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended by chapter six hundred and fifty-seven of the acts of nineteen hundred and fifty-seven.

Approved August 26, 1969.

Chap. 819. AN ACT AUTHORIZING THE STATE SECRETARY TO PLACE ON THE BALLOT AT PRESIDENTIAL PRIMARIES THE NAMES OF THOSE CANDIDATES OR POTENTIAL CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED STATES WHOM HE DETERMINES TO BE GENERALLY ADVOCATED OR RECOGNIZED AS SUCH.

Be it enacted, etc., as follows:

SECTION 1. Section 70E of chapter 53 of the General Laws, as most recently amended by section 1 of chapter 61 of the acts of 1969, is hereby further amended by striking out the first two paragraphs and inserting in place thereof the following: —

The state secretary shall cause to be placed on the official ballot for use at presidential primaries, under separate headings, and in the follow-

ing order, the names of those candidates or potential candidates for the office of president of the United States whom he shall have determined to be generally advocated or recognized in national news media throughout the United States, the names of any other candidates or potential candidates for nomination for president whose names are proposed therefor by nomination papers prepared and furnished by the state secretary, signed in the aggregate by at least twenty-five hundred voters, not more than five hundred to be from any one county, and the names of those candidates or potential candidates for nomination for president whose names appear on written lists signed by the chairmen of the state committees of the political parties, arranged in alphabetical order in accordance with their surnames, a blank space in which the voter may, if he does not vote for any of the candidates for president whose names are printed on the ballot, insert the name of any person of his choice as a candidate for president, the names of candidates for delegates at large and alternate delegates at large, district delegates and alternate district delegates to national conventions. The chairman of the state committee of a political party and the state secretary shall submit lists or prepare lists of candidates for president, as aforesaid, no later than the tenth Tuesday preceding the presidential primary, and shall notify each such candidate forthwith, by registered mail, of the presence of his name on said lists. No name shall be removed from said lists, nor from the ballot, unless such candidate shall file with the state secretary an affidavit stating that he does not desire his name printed upon said ballot at the forthcoming presidential primary. Such affidavit shall be filed with the state secretary no later than the final hour for the filing of withdrawal certificates prescribed by section twenty-six.

The names of candidates for delegates to national conventions or for ward or town committee appearing in nomination papers containing nominations for all the places to be filled, or upon lists submitted by the state committee, shall be placed first upon said ballot, arranged in groups and in the same order as in the nomination papers or in said lists. The order in which the groups shall appear shall be determined by lot in the manner provided in section thirty-four and each group of candidates for alternate delegates shall immediately follow the particular group of delegates with which it is affiliated. The names of candidates appearing in nomination papers containing nominations for less than all the places to be filled shall follow, alphabetically arranged. The ballot shall also contain a statement of the preference, if any, of each candidate for delegate as to a candidate for nomination for president, provided that such statement appears in his nomination papers or upon the lists filed by the state committee; but no such statement of preference by any candidate for delegate shall appear upon the ballot unless such candidate for nomination for president files his written assent thereto with the state secretary on or before five o'clock in the afternoon of the last day for filing nomination papers. Such assent may be communicated by telegraph. The name of any person shall not be printed on the official ballot or filed with the state secretary as a candidate for the office of delegate to a national convention and as a candidate for the office of alternate delegate thereto, nor more than once as a candidate for either of said offices. Said secretary shall also place upon said ballot the names of candidates for state, ward and town committee.

SECTION 2. Section 70F of said chapter 53, as appearing in section 5 of chapter 407 of the acts of 1966, is hereby amended by striking out, in line 10, the words "seeking nomination" and inserting in place thereof the words: — appearing on the ballots as candidates or potential candidates. *Approved August 26, 1969.*

Chap. 820. AN ACT PROVIDING FOR THE SUBMISSION OF A CERTAIN QUESTION TO THE VOTERS OF THE CITY OF LYNN RELATIVE TO THE UNDERTAKING OF ANY FUTURE URBAN RENEWAL PROJECTS IN SAID CITY.

Be it enacted, etc., as follows:

The following question shall be placed upon the official ballot to be used for the municipal election of officers in the city of Lynn in the current year: —

"Shall the city of Lynn undertake any future urban renewal projects?"

YES.	
NO.	

If a majority of the votes in answer to said question is in the affirmative it shall be taken that the voters of the city of Lynn favor the undertaking of future urban renewal projects in said city. If a majority of the votes in answer to said question is in the negative, it shall be taken that the voters of the city of Lynn do not favor any future urban renewal projects for said city. *Approved August 26, 1969.*

Chap. 821. AN ACT AUTHORIZING THE CITY OF LOWELL TO PAY A CERTAIN SUM OF MONEY TO EDWARD J. ROBERTS AND TO DONNA M. ROBERTS, RESPECTIVELY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation the city of Lowell is hereby authorized to pay Donna M. Roberts the sum of one hundred and thirty-two dollars and Edward J. Roberts the sum of two hundred and one dollars for services rendered to the city as lifeguards in the year nineteen hundred and sixty-eight at the John J. O'Donnell Playground swimming pool, payment of which is legally unenforceable against said city.

SECTION 2. This act shall take effect upon its acceptance by the city of Lowell. *Approved August 26, 1969.*

Chap. 822. AN ACT TO PERMIT THE DESIGNATION BY ORDINANCE OF A BOARD OR OFFICER TO GRANT LICENSES FOR THE RECEIVING OF ALMS IN PUBLIC PLACES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section 1 of chapter 538 of the acts of 1909 is hereby amended by striking out, in line 7, the words "the overseers of the poor" and inserting in place thereof the words: — such board or officer as may from time to time be designated by ordinance. *Approved August 26, 1969.*

Chap. 823. AN ACT REQUIRING OWNERS OR OPERATORS OF CERTAIN OIL TERMINALS OR WHARFS TO PROVIDE A BOOM ENCIRCLING SHIPS OR VESSELS DEPOSITING OIL INTO RECEPTACLES AT SUCH WHARF OR TERMINAL.

Be it enacted, etc., as follows:

Chapter 21 of the General Laws is hereby amended by inserting after section 50 the following section: —

Section 50A. Notwithstanding the provisions of section fifty, every owner or operator of an oil terminal or wharf shall employ a trained crew and have a plastic or wooden boom which is capable of encircling any ship or vessel depositing oil into tanks or other receptacles at such terminal or wharf, and which is designed to prevent seepage, overflow or excess oil from polluting or contaminating any lake, river, harbor, tidal water or flats. If the director finds that because of the negligence of such owner, operator or one of his agents or servants repeated seepage, overflow or excess oil has contaminated any lake, river, harbor, tidal waters or flats he shall require every such owner or operator to encircle every ship or vessel depositing oil at his wharf or terminal with such a boom. The authority granted to the director under the preceding sentence shall not be construed to diminish his powers to regulate and control oil spillage, including his power to require the use of booms, granted by section fifty. The owner or operator of any such wharf or terminal shall remove any oil held within such boom prior to a ship or vessel leaving the same. Whoever violates the provisions of this section shall be punished by a fine of not more than one thousand dollars. A license issued under section fifty to operate a terminal may be revoked for violation of any of the provisions of this section.

Approved August 26, 1969.

Chap. 824. AN ACT RELATIVE TO CERTAIN INVESTMENTS BY SAVINGS BANKS IN BANK HOLDING COMPANIES.

Be it enacted, etc., as follows:

Section 47 of chapter 168 of the General Laws is hereby amended by adding the following paragraph: —

5. *One-Bank Holding Company Stocks.* — In the common stock of a company, as defined in chapter one hundred and sixty-seven A or in the federal Bank Holding Company Act of 1956, which owns, controls, or holds with power to vote eighty per centum or more of the voting stock of a banking institution, as defined in said chapter, or a bank, as defined in said federal Bank Holding Company Act, provided such banking institution or bank is of the kind referred to in paragraph 1 or paragraph 2 and such stock of such banking institution or bank represents at least two thirds of such company's assets at book value at the end of its fiscal year immediately preceding the date of investment or at the date of investment in the case of a newly-formed company. If at any time after an investment in the common stock of any such company at least two thirds of the assets of such company at book value shall cease to consist of such stock of such banking institution or bank, such company's stock shall be disposed of within such reasonable time as the commissioner shall determine. Nothing in this paragraph shall be construed as limiting the authority of such corporation to invest in the common stock of a bank holding company pursuant to paragraph 4 of this section.

Approved August 26, 1969.

Chap. 825. AN ACT FURTHER REGULATING THE CALLING OF STATE POLITICAL CONVENTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 52 of the General Laws is hereby amended by striking out the last sentence, as appearing in section 1 of chapter 337 of the acts of 1941, and inserting in place thereof the following sentence:—Upon the choice of delegates to a state convention the chairman of the ward or town committee, as the case may be, shall notify in writing, not later than the first Wednesday in May, to the chairman of the state committee of the respective party, who shall thereupon issue proper certificates to the person so chosen.

SECTION 2. Chapter 53 of the General Laws is hereby amended by striking out section 54, as most recently amended by chapter 141 of the acts of 1966, and inserting in place thereof the following section:—

Section 54. The chairman of the state committee of a political party shall issue a call on or before the first Wednesday in April to hold a state convention, to be held not earlier than June fifth and not later than June twenty-seventh, in a year in which a biennial state election is held, for the purpose of adopting a platform and endorsing for nomination candidates for offices to be filled by all the voters of the commonwealth, to be voted for at the ensuing state primary, and for such other purposes consistent with law as the convention may determine. If said chairman fails to issue a call on or before the first Wednesday in April for the holding of such convention, ten voters enrolled in the party may petition the superior court to compel the chairman to issue said call. Such convention shall consist of delegates chosen by the ward and town committees, and the state committee members from each senatorial district. The number of delegates shall be one from each ward and town, one additional for every one thousand votes or major fraction thereof cast at the preceding biennial state election, in such ward or town, for the respective party's candidate for governor, and said state committee members. Each delegate chosen by the ward and town committees shall be chosen from the enrolled members of the party resident in the ward or town from which he is chosen. The chairman of each such ward or town committee desiring representation at such convention shall, within fourteen days after a meeting duly called in writing for the purpose of selecting a delegate or delegates, notify the respective city committee, in the case of a city, or the state committee, in the case of a town, but in no case shall such notice be given not later than the first Wednesday in May. Except as hereinafter provided, no vacancy among the delegates chosen by the ward and town committees shall be filled. Any such vacancy caused by death or removal from the commonwealth may be filled by vote of the ward or town committee at a meeting duly called for the purpose; provided, that notice of the filling of such vacancy is given in writing to the chairman of the state committee of the appropriate political party not less than fourteen days prior to the date appointed for the opening of such convention. Said chairman shall thereupon issue a proper certificate to any person so chosen. Nothing herein contained shall affect or diminish the operation of the laws relating to state primaries contained in sections forty-one to fifty-three A, inclusive. *Approved August 26, 1969.*

Chap. 826. AN ACT AUTHORIZING THE CITY OF HOLYOKE TO APPOINT CERTAIN APPLICANTS AS POLICE OFFICERS IN SAID CITY WHO DO NOT MEET THE AGE REQUIREMENT.

Be it enacted, etc., as follows:

Notwithstanding any provisions of law to the contrary regulating the age requirement of police officers, the director of civil service shall certify, in accordance with the civil service law and rules, and the city of Holyoke may appoint, as a police officer, any applicant who passed the examination for police officers held on January twenty-fifth, nineteen hundred and sixty-eight who meets all requirements other than the requirement that the maximum age shall be thirty-five.

Approved August 26, 1969.

Chap. 827. AN ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS IN CERTAIN COUNTY HOSPITALS APPROPRIATION ACTS FOR THE YEAR NINETEEN HUNDRED AND SIXTY-NINE.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in certain county hospitals appropriation acts, the following sums are hereby appropriated subject to the provisions of law regulating the disbursement of hospital funds and the approval thereof, for the year nineteen hundred and sixty-nine, the sums so appropriated to be in addition to any amount at present available for the purposes.

HAMPSHIRE COUNTY.

Item		
11a.	For reserve for salary increases	$51,000 00
11b.	For upgrading of certain positions and certain shift differentials	6,000 00
	For total expenditures	$57,000 00

MIDDLESEX COUNTY.

8.	For debt and interest	$40,000 00
11a.	For reserve for salary increases	450,000 00
11b.	For upgrading of certain positions and certain shift differentials	17,000 00
	For total expenditures	$507,000 00

NORFOLK COUNTY.

11a.	For reserve for salary increases	$212,000 00
11b.	For upgrading of certain positions and certain shift differentials	8,000 00
	For total expenditures	$220,000 00

PLYMOUTH COUNTY.

Item		
11a.	For reserve for salary increases	$154,000 00
11b.	For upgrading of certain positions and certain shift differentials	11,000 00
	For total expenditures	$165,000 00

WORCESTER COUNTY.

11.	For reserve fund	$50,000 00
11a.	For reserve for salary increases	218,000 00
11b.	For upgrading of certain positions and certain shift differentials	12,000 00
	For total expenditures	$280,000 00

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

Approved August 27, 1969.

Chap. 828. AN ACT MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE MAINTENANCE OF CERTAIN COUNTIES, THEIR DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A SUPPLEMENTAL COUNTY TAX FOR SAID COUNTIES.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the annual appropriation act for each of the following counties, the following sums 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-nine.

BARNSTABLE COUNTY.

Item		
28a.	For reserve for salary increases	$325,000 00
	Total Amount of Appropriation	$325,000 00
	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, in addition to the tax previously authorized by chapter five hundred and eighty of the acts of the current year, the sum of	$325,000 00

BERKSHIRE COUNTY.

28.	For reserve fund	$1,000 00
28a.	For reserve for salary increases	155,000 00
	Total Amount of Appropriations	$156,000 00
	And the county commissioners of Berkshire County are hereby authorized to levy as the county tax of said county for the current year,	

Item		
	in the manner provided by law, in addition to the tax previously authorized by chapter six hundred and fifty-six of the acts of the current year, the sum of	$156,000 00
	BRISTOL COUNTY.	
28a.	For reserve for salary increases	$385,000 00
	Total Amount of Appropriation	$385,000 00
	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, in addition to the tax previously authorized by chapter six hundred and fifty-nine of the acts of the current year, the sum of	$385,000 00
	DUKES COUNTY.	
28.	For reserve fund	$15,000 00
28a.	For reserve for salary increases	30,000 00
	Total Amount of Appropriations	$45,000 00
	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, in addition to the tax previously authorized by chapter five hundred and seventy-nine of the acts of the current year, the sum of	$45,000 00
	ESSEX COUNTY.	
28a.	For reserve for salary increases	$660,000 00
	Total Amount of Appropriation	$660,000 00
	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, in addition to the tax previously authorized by chapter six hundred and sixty of the acts of the current year, the sum of	$660,000 00
	FRANKLIN COUNTY.	
28a.	For reserve for salary increases	$70,000 00
	Total Amount of Appropriation	$70,000 00
	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, in addition to the tax previously authorized by chapter six hundred and fifty-five of the acts of the current year, the sum of	$70,000 00

HAMPDEN COUNTY.

Item		
28a.	For reserve for salary increases	$440,000 00
	Total Amount of Appropriation	$440,000 00
	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, in addition to the tax previously authorized by chapter six hundred and sixty-two of the acts of the current year, the sum of	$440,000 00

HAMPSHIRE COUNTY.

28.	For reserve fund	$10,000 00
28a.	For reserve for salary increases	100,000 00
	Total Amount of Appropriations	$110,000 00
	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, in addition to the tax previously authorized by chapter five hundred and ninety-five of the acts of the current year, the sum of	$110,000 00

MIDDLESEX COUNTY.

1.	For interest on county debt	$60,000 00
28a.	For reserve for salary increases	1,650,000 00
	Total Amount of Appropriations	$1,710,000 00
	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, in addition to the tax previously authorized by chapter eight hundred and ten of the acts of the current year, the sum of	$1,710,000 00

NORFOLK COUNTY.

28a.	For reserve for salary increases	$490,000 00
	Total Amount of Appropriation	$490,000 00
	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, in addition to the tax previously authorized by chapter six hundred and fifty-seven of the acts of the current year, the sum of	$490,000 00

PLYMOUTH COUNTY.

Item		
28a.	For reserve for salary increases.....	$290,000 00
	Total Amount of Appropriation.....	$290,000 00
	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, in addition to the tax previously authorized by chapter six hundred and fifty-eight of the acts of the current year, the sum of.....	$290,000 00

WORCESTER COUNTY.

28a.	For reserve for salary increases.....	$600,000 00
	Total Amount of Appropriation.....	$600,000 00
	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, in addition to the tax previously authorized by chapter six hundred and sixty-one of the acts of the current year, the sum of.....	$600,000 00

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

Approved August 27, 1969.

Chap. 829. AN ACT PROVIDING FOR AMENDMENT OF THE LAW RELATING TO PROFESSIONAL CORPORATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to bring the laws relating to professional corporations into conformity with the laws relating to general business corporations, therefore it is hereby declared to be an emergency law, necessary for the immediate provision of the public welfare and convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 156A of the General Laws, as appearing in section 1 of chapter 654 of the acts of 1963, is hereby amended by inserting after the word "fifty-six", in line 5, the letter: — B.

SECTION 2. This section shall take effect on September third, nineteen hundred and sixty-nine. *Approved August 27, 1969.*

Chap. 830. AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO APPROPRIATE AND PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The city of Somerville is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, an unpaid bill incurred by said

city in the amount of one thousand fifty-seven dollars and seventy-six cents to The Chemical Corporation for material furnished by it in the year nineteen hundred and sixty-seven, said bill being legally unenforceable against said city.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the materials for which bills have been submitted were ordered by an official or an employee of said city, and that such materials were delivered and actually received by said city.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby receives payment for materials which were not received by said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

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

Approved August 27, 1969.

Chap. 831. AN ACT PROVIDING THAT CERTAIN RECORDS OF ANY AGENCY OF THE COMMONWEALTH OR ANY AUTHORITY ESTABLISHED BY THE GENERAL COURT TO SERVE A PUBLIC PURPOSE SHALL BE PUBLIC RECORDS AND REDEFINING "PUBLIC RECORDS".

Be it enacted, etc., as follows:

SECTION 1. Chapter 66 of the General Laws is hereby amended by inserting after section 17A the following section:—

Section 17B. In the case of any political subdivision, board, commission or agency of the commonwealth or any authority established by the general court to serve a public purpose, the following papers and records shall also be public records:

(a) All proposals and bids to enter into any contract or agreement made by any person, when such contract or agreement is entered into or finally rejected;

(b) All contracts, agreements, and amendments thereto, and all business transactions, entered into with any person the consideration for which is over fifty dollars;

(c) All records relating to or tending to show compliance with any competitive bidding requirement, when such records pertain to a contract or agreement which has been entered into or finally rejected;

(d) All records relating to any financing transaction when such transaction has been entered into or abandoned; and

(e) Any written or printed book, paper or map which relates to any future investment or program, when such investment or program is completed or abandoned;

(f) All records referred to in the minutes of meetings;

(g) Any audit conducted by an independent certified public accountant;

(h) All records relating to the salaries and wages of employees and officers.

In the case of an authority established by the general court to serve a public purpose the following shall not be public records:

(a) Records relating solely to internal rules and practices;

(b) Inter-departmental or intra-departmental memoranda;

(c) Records concerning an employee's medical, physical or psychological condition, including but not limited to medical records, transcripts, graphs, memoranda, notes, reports or charts;

(d) Records which in the custody of any political subdivision, board, commission or agency of the commonwealth, would not be public records;

(e) Records pertaining to any civil litigation in which the authority is involved, but only prior to final judicial determination or settlement of such litigation; and

(f) Real estate appraisals, purchase and sale agreements, deeds, and other records pertaining to the acquisition of real estate by purchase or by proceedings under chapters seventy-nine and eighty A.

SECTION 2. Clause Twenty-sixth of section 7 of chapter 4 of the General Laws, as most recently amended by section 1 of chapter 427 of the acts of 1962, is hereby amended by striking out, in line 3, the words "or town" and inserting in place thereof the words:—, town or authority established by the general court to serve a public purpose,— and by striking out, in lines 5 and 6 and in line 8, the words "or town" and inserting in place thereof, in each instance, the words:—, town or such authority. *Approved August 27, 1969.*

Chap. 832. AN ACT PROVIDING CERTAIN CRIMINAL PENALTIES FOR THE MISUSE OF CREDIT CARDS.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by striking out section 37A, as amended by chapter 51 of the acts of 1969, and inserting in place thereof the following sections: —

Section 37A. As used in sections thirty-seven A to thirty-seven C, inclusive, the following words shall have the following meanings, unless the context otherwise requires:

"Cardholder", the person named on the face of a credit card to whom or for whose benefit the credit card is issued by an issuer.

"Credit card", any instrument or device, whether known as a credit card, credit plate, or by any other name, issued with or without fee by an issuer for the use of the cardholder in obtaining money, goods, services or anything else of value on credit.

"Expired credit card", a credit card which is no longer valid because the term shown on its face has elapsed.

"Falsely embosses", completion of a credit card, without the authorization of the named issuer, by adding any of the matter, other than the signature of the cardholder, which an issuer requires to appear on the credit card before it can be used by a cardholder.

"Falsely makes", making or drawing, in whole or in part, a device or instrument which purports to be the credit card of a named issuer but which is not such a credit card because the issuer did not authorize the making or drawing, or altering a credit card which was validly issued.

"Incomplete credit card", a credit card that does not contain all of the matter that must be stamped, embossed, imprinted or written on said card other than the signature, as required by the issuer before it can be used by a cardholder.

"Issuer", the business organization or financial institution which issues a credit card or his duly authorized agent.

"Receives" or "receiving", acquiring possession or control or accepting as security for a loan.

"Revoked credit card", a credit card which is no longer valid because permission to use it has been suspended or terminated by the issuer.

Section 37B. Whoever, with intent to defraud, (*a*) makes or causes to be made, either directly or indirectly, any false statement as to a material fact in writing, knowing it to be false and with intent that it be relied on, respecting his identity or that of any other person, or his financial condition or that of any other person, for the purpose of procuring the issuance of a credit card, or (*b*) takes a credit card from the person, possession, custody or control of another without the cardholder's consent by any conduct which would constitute larceny, or who, with knowledge that it has been so taken, receives the credit card with intent to use it or to sell it, or to transfer it to a person other than the issuer or cardholder, or (*c*) receives a credit card that he knows to have been lost, mislaid, or delivered under a mistake as to the identity or address of the cardholder, and who retains possession with intent to use it or to sell it or to transfer it to a person other than the issuer or the cardholder, or (*d*) being a person other than the issuer or his authorized agent, sells a credit card, or buys a credit card from a person other than the issuer or his authorized agent, or (*e*) being a person other than the cardholder or a person authorized by him, signs a credit card, or (*f*) uses, for the purpose of obtaining money, goods, services or anything else of value, a credit card obtained or retained in violation of clauses (*b*) to (*e*), inclusive, or a credit card which he knows is forged, expired or revoked, where the value of money, goods or services obtained in violation of this section is not in excess of one hundred dollars, or (*g*) obtains money, goods, services or anything else of value by representing without the consent of the cardholder that he is said cardholder or by representing that he is the holder of a card and such card has not in fact been issued, where the value of money, goods or services obtained is not in excess of one hundred dollars, or (*h*) being a person authorized by an issuer to furnish money, goods, services or anything else of value upon presentation of a credit card by the cardholder, or any agent or employees of such person, furnishes money, goods, services or anything else of value upon presentation of a credit card which he knows was obtained or retained in violation of clauses (*b*) to (*e*), inclusive, or a credit card which he knows is forged, expired or revoked where the value of the goods or services obtained is not in excess of one hundred dollars, or (*i*) being a person who is authorized by an issuer to furnish money, goods, services or anything else of value upon presentation of a credit card by the cardholder, or any agent or employee of such person, fails to furnish money, goods, services or anything else of value which he represents in writing to the issuer that he has furnished, and the difference between the value of all money, goods, services and anything else of value actually furnished and the value represented to the issuer to have been furnished does not exceed one hundred dollars,

or (*j*) receives money, goods, services or anything else of value obtained in violation of clauses (*f*) to (*i*), inclusive, shall be punished by a fine of not more than five hundred dollars or by imprisonment in a jail or house of correction for not more than one year or both.

Whoever has in his possession or under his control stolen credit cards issued in the names of four or more other persons shall be presumed to have violated clause (*b*).

Section 37C. Whoever, with intent to defraud, (*a*) obtains control over a credit card as security for debt, or (*b*) receives a credit card which he knows was taken or retained under circumstances which constitute credit card theft or a violation of clauses (*a*) or (*d*) of section thirty-seven B or clause (*a*) of this section, or (*c*) falsely makes or falsely embosses a purported credit card or utters such a credit card, or (*d*) obtains money, goods, services or anything else of value by use of a credit card obtained or retained in violation of clauses (*b*) to (*e*), inclusive, of section thirty-seven B, or by use of a credit card which he knows is forged, expired or revoked, where the value of the money, goods or services obtained in violation of this section is in excess of one hundred dollars, or (*e*) obtains money, goods or services or anything else of value by representing without the consent of the cardholder that he is said cardholder or by representing that he is the holder of a card and such card has not in fact been issued, where the value of money, goods or services obtained in violation of this section is in excess of one hundred dollars, or (*f*) being a person authorized by an issuer to furnish money, goods, services or anything else of value upon presentation of a credit card which he knows was obtained in violation of subsections (*b*) to (*e*), inclusive, of section thirty-seven B, or a credit card which he knows is forged, expired or revoked, when the value of the money, goods or services obtained is in excess of one hundred dollars, or (*g*) being a person authorized by an issuer to furnish money, goods, services or anything else of value upon presentation of a credit card by the cardholder or any agent or employee of such person, fails to furnish money, goods or services or anything else of value which he represents in writing to the issuer that he has furnished, and the difference between the value of all money, goods, services and anything else of value actually furnished and the value represented to the issuer to have been furnished exceeds one hundred dollars, or (*h*) receives money, goods, services or anything else of value obtained in violation of subsections (*f*) or (*g*) of section thirty-seven B, or (*i*) possesses one or more incomplete credit cards, intending to complete them without the consent of the issuer, or (*j*) possesses, with knowledge of its character, machinery, plates or any other contrivance designed to reproduce instruments purporting to be the credit cards of an issuer who has not consented to the preparation of such credit cards, 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 two and one half years or in the state prison for not more than five years, or by both such fine and imprisonment.

Whoever has in his possession or under his control four or more credit cards which are falsely embossed shall be presumed to have violated clause (*c*).

Approved August 27, 1969.

Chap. 833. AN ACT PROVIDING THAT BENEFITS UNDER THE WORKMEN'S COMPENSATION ACT SHALL IN CERTAIN CASES BE BASED ON THE LAW IN EFFECT ON THE DATE OF THE FINAL DECISION RATHER THAN THE DATE OF THE INJURY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 152 of the General Laws is hereby amended by inserting after section 51 the following section:—

Section 51A. In any claim in which no compensation has been paid prior to the final decision on such claim, said final decision shall take into consideration the compensation provided by statute on the date of the decision, rather than the date of the injury.

SECTION 2. Section fifty-one A of chapter one hundred and fifty-two of the General Laws, inserted by section one of this act, shall apply only to injuries occurring on or after the effective date of this act.

Approved August 27, 1969.

Chap. 834. AN ACT ESTABLISHING A BUREAU OF SOLID WASTE DISPOSAL IN THE DEPARTMENT OF PUBLIC WORKS AND PROVIDING A CAPITAL OUTLAY FOR SUCH DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 16 of the General Laws is hereby amended by adding, under the caption SOLID WASTE DISPOSAL, the following seven sections:—

Section 18. As used in this chapter, the following words shall have the following meanings:—

"Solid waste", garbage, refuse, and other discarded solid materials, including solid-waste materials resulting from industrial, commercial, and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

"Solid waste disposal facility", incinerator, sanitary landfill, transfer station, composting plant, other sanitary means of solid waste disposal approved by the department of public health, or any combination of one or more of the above facilities and appurtenant facilities.

Section 19. The department is hereby authorized to dispose of solid wastes, from whatever source, in any manner and at any site which is concurred in by the department of natural resources and the department of public health, provided that the provisions of section one hundred and fifty A of chapter one hundred and eleven shall not apply. For these purposes the department is authorized and empowered, with said concurrence, to purchase, lease, acquire, receive by gift, or take by eminent domain under the provisions of chapter seventy-nine any land, structures, facilities and easements necessary for solid waste disposal. The department may, from such funds as may be appropriated from the Solid Waste Disposal Fund, hire such experts, engineers, and other personnel deemed necessary, and contract

with users, public and private, including agencies of the commonwealth and its political subdivisions, to dispose of solid wastes. To carry out the provisions of this section, the department may, subject to the aforesaid concurrence, contract with any person, firm, corporation, or body politic to plan, design, manage, construct, maintain or operate solid waste disposal facilities and to otherwise implement this section, and may accept any gifts or grants of money or property, whether real or personal, from any source, including but not limited to the United States of America or its agencies relative to the disposal of solid wastes. Any land acquired under this section may be disposed of by the department upon termination of a solid waste disposal facility or completion of use of a site, with the concurrence of the department of natural resources and the department of public health, in the best interests of the commonwealth and for a use compatible with local zoning by-laws or ordinances; provided, however, that in no event shall such land be so disposed of unless said department, with the concurrence of the department of natural resources and the department of public health, first offers, in writing, to convey it to the city or town wherein such land lies for an amount of money not less than the principal amount remaining to be paid on bonds issued to meet the capital outlay expenditures relative to such land, and such offer is not accepted within two months after being made or is refused by the mayor or selectmen of the city or town wherein such land lies.

Section 20. The commissioner shall establish, pursuant to the provisions of section three, a bureau of solid waste disposal. It shall be the responsibility of the bureau to carry out the provisions of sections eighteen through twenty-four, inclusive.

Section 21. The department, with the cooperation of the department of public health and the department of natural resources, shall investigate and study the solid waste disposal needs of the commonwealth and, after a public hearing, shall develop and submit to the appropriate regional planning agencies for their review and comment, proposed programs for solid waste disposal including plans for their implementation. The department, with the aforesaid cooperation, may designate regional solid waste disposal districts to carry out the purposes of sections eighteen through twenty-four, inclusive.

Section 22. The department, at least sixty days prior to submitting its estimates as required by section four of chapter twenty-nine, shall annually submit for approval, by certified mail, to each city and town a proposed budget indicating the projected costs of the disposal of solid wastes originating within such cities and towns, and such approval shall not be withheld unreasonably and shall be deemed granted unless acted upon within thirty days after submission. The department of public health, on a continuing basis, shall review and make recommendations to the department on the manner of operation and adequacy from a public health standpoint of any solid waste disposal facility planned, established, or operated under the provisions of sections eighteen through twenty-four, inclusive, and the department shall implement such recommendations, subject to appropriation.

Section 23. Money received by the department relative to solid waste disposal, including but not limited to funds received from assessments on cities and towns as provided in section nineteen shall

be credited on the books of the commonwealth to a fund to be known as the Solid Waste Disposal Fund which shall be expended, subject to appropriation and the laws relating to state finance, for the purposes of solid waste disposal and for the debt and interest cost relating to any bonds issued to meet the capital outlay expenditures necessary to carry out the provisions of sections eighteen through twenty-four, inclusive.

Section 24. The department shall maintain records of the cost of carrying out the provisions of sections fifteen through twenty-one and shall notify the treasurer of the commonwealth of the estimated amounts of money due the commonwealth from the various municipalities served and they shall be assessed by the state treasurer and included and made a part of the sum charged to such city or town and shall be paid by such city and town into the state treasury as provided by section twenty of chapter fifty-nine provided that any such city or town may in any year anticipate in whole or in part its assessment and appropriate, raise and deposit the amount thereof with the state treasurer, and any sum so deposited shall be credited against such assessment. The proportion in which each participating city and town shall annually pay money into the treasury of the commonwealth to meet expenses incurred under sections eighteen through twenty-four, inclusive, and the cost of maintaining the bureau of solid waste disposal, and any deficiency in the amounts previously paid in, shall annually be determined by the department according to the amount and category of waste received from each such city or town for disposal and shall reflect appropriate adjustments which take into account fees paid by users other than cities and towns. The department, after public hearing, shall establish and from time to time amend charges to users other than cities and towns. There shall be an annual reimbursement in lieu of taxes upon the value of any land held by the department for use as a solid waste disposal facility under this chapter to the city or town in which such land is located. The amount of said reimbursement shall be determined in accordance with sections thirteen through seventeen B of chapter fifty-eight.

SECTION 2. To meet the capital outlay expenditures, including but not limited to expenditures for machinery and equipment, necessary in carrying out the provisions of sections eighteen through twenty-four, inclusive, of chapter sixteen of the General Laws, 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 ten million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Solid Waste Disposal Bonds, Act of 1969, 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, and maturities thereof to be so arranged that the amount payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it

is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and ninety-three. All interest payments and payments on account of principal on bonds authorized by this section shall be paid from the Solid Waste Disposal Fund; provided, that notwithstanding the foregoing, such bonds shall be general obligations of the commonwealth.

SECTION 3. The first sentence of section 13 of chapter 58 of the General Laws, as most recently amended by section 1 of chapter 593 of the acts of 1960, is hereby further amended by adding the following words:—; and of all land held by the department of public works for use as a solid waste disposal facility under sections eighteen through twenty-four, inclusive, of chapter sixteen.

Approved August 27, 1969.

Chap. 835. AN ACT INCREASING THE SALARIES OF THE CONSTITUTIONAL OFFICERS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 6 of the General Laws, as most recently amended by section 1 of chapter 744 of the acts of 1963, is hereby further amended by striking out, in line 2, the word "thirty-five" and inserting in place thereof the word: — forty, — so as to read as follows: —

Section 1. The governor shall receive a salary of forty thousand dollars, and shall not be entitled to any fees or perquisites.

SECTION 2. Section 2 of said chapter 6, as most recently amended by section 1 of chapter 844 of the acts of 1965, is hereby further amended by striking out, in line 2, the word "twenty" and inserting in place thereof the words: — twenty-five thousand, — so as to read as follows:—

Section 2. The lieutenant governor shall receive a salary of twenty-five thousand dollars; but if the office of governor shall be vacant for a period of more than thirty days he shall, for the time during which he performs the duties of governor, receive at the rate allowed to the governor.

SECTION 3. Section 1 of chapter 9 of the General Laws is hereby amended by striking out the third sentence, as most recently amended by section 2 of said chapter 844, and inserting in place thereof the following sentence: — The state secretary shall receive a salary of twenty-five thousand dollars.

SECTION 4. Section 1 of chapter 10 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 3 of said chapter 844, and inserting in place thereof the following sentence: — The state treasurer shall receive a salary of twenty-five thousand dollars.

SECTION 5. Section 1 of chapter 11 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by chapter 669 of the acts of 1964, and inserting in place thereof the following sentence: — The state auditor shall receive a salary of twenty-

five thousand dollars and shall give to the state treasurer a bond for the faithful performance of his official duties in a penal sum and with sureties approved by the governor and council.

SECTION 6. Section 1 of chapter 12 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 4 of chapter 844 of the acts of 1965, and inserting in place thereof the following sentence: — The attorney general shall receive a salary of thirty thousand dollars.

SECTION 7. This act shall take effect as of January first, nineteen hundred and sixty-nine. *Approved August 27, 1969.*

Chap. 836. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO FORM AIR POLLUTION CONTROL DISTRICTS THROUGHOUT THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 142C the following section: —

Section 142D. The department, with the approval of the governor, may establish air pollution control districts compatible with such air quality control regions as may be designated by the secretary of the federal department of health, education and welfare under the provisions of the Air Quality Act of 1967, or any additions or amendments thereto. The department, with the approval of the governor, may add to or remove from air pollution control districts such cities and towns, and may establish or abolish such other air pollution control districts, as it may deem advisable and necessary to effect air pollution control in the commonwealth. The department may adopt, and from time to time amend, after public hearings, ambient air quality standards applicable to said districts and to other portions of the commonwealth, and shall adopt a plan for the implementation, maintenance and attainment of such standards. The powers, duties and rights of the department in the exercise of air pollution control in districts established under this section and the manner in which funds shall be made available to it shall be as provided in section one hundred and forty-two B.

Approved August 27, 1969.

Chap. 837. AN ACT ESTABLISHING A DIVISION OF OCCUPATIONAL EDUCATION WITHIN THE BOARD OF EDUCATION AND DESIGNATING SAID BOARD AS THE SOLE STATE AGENCY RESPONSIBLE FOR THE ADMINISTRATION OF VOCATIONAL EDUCATION IN THE COMMONWEALTH.

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 division of occupational education within the board of education and designating said board as the sole state agency responsible for the administration of vocational education in 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. Chapter 15 of the General Laws is hereby amended by striking out section 1F, as amended by chapter 549 of the acts of 1966, and inserting in place thereof the following section: —

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 six divisions in the following areas: (*a*) curriculum and instruction, (*b*) administration and personnel, (*c*) research and development, (*d*) school facilities and related services, (*e*) state and federal assistance, and (*f*) occupational education.

The three divisions in the areas of curriculum and instruction, administration and personnel, and occupational education 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, and the person appointed associate commissioner for the division of occupational education shall have had experience and background in vocational and occupational education.

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, civic education and other areas of instruction and educational services. The board shall establish job training and job retraining centers. 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.

The board of education, through its division of occupational education, shall be the state agency responsible for the administration of vocational education, and the supervision of the administration thereof by local educational agencies.

For the purposes of this section the term "local educational agency" shall mean any agency which has administrative control and direction of a vocational education program funded in whole or in part by federal funds.

The division of occupational education shall be charged with the responsibility of coordinating, promoting and establishing vocational, technical, vocational adult, manpower education training and retraining, and of making recommendations to the board and to the board of

higher education with respect to their respective responsibilities in the offering of such education. Said division shall also be charged with the following duties: —

(1) To formulate policy for the administration, implementation and supervision of the state plan for occupational and vocational-technical education.

(2) To review and evaluate all applications for all federal and state funds for vocational-technical education.

(3) To provide for the implementation of acceptable research and development which would improve, promote and provide for the expansion of occupational education in the commonwealth.

(4) To be responsible for the implementation of new programs throughout the commonwealth.

(5) To disseminate the findings of the advisory council for vocational-technical education concerning the evaluation of existing occupational-educational programs, services and activities, including teacher-training, and to implement change as necessary as a result of such findings.

(6) To develop the necessary guidelines for the coordination, promotion and the establishment of programs of occupational education for the people of the commonwealth and for the training and the upgrading of teachers for such programs.

(7) To determine with the advice and consent of the board of education and the board of higher education, the guidelines for the disposition of all federal funds for vocational-technical education at the secondary and post-secondary levels.

Upon recommendation of the commissioner and of the associate commissioner the board shall appoint a director of secondary occupational-technical education who shall have had successful administrative experience in the field of vocational or occupational education, a director of post-secondary occupational-technical education who shall have served recently as an administrator in post-secondary occupational education, and an assistant director for programs of occupational education for the disadvantaged and handicapped.

There is hereby established the commission for occupational education which shall consist of sixteen members, six to be appointed by the board of higher education, and ten to be appointed by the board of education.

Of the members to be appointed by the board of higher education one shall be a member of the board of higher education; one shall be a member of the board of community colleges; one shall be a member of the board of state colleges; one shall be a member skilled in technological training for industry; one shall be a member representing comprehensive education; and one shall be a member skilled and active in the field of occupational teacher training.

Of the members to be appointed by the board of education one shall be a member of the board of education; one shall be a member representing the department of labor; one shall be a member of the Massachusetts Council for Vocational-Technical Education; one shall be a member representing industry having specialized knowledge of the employment needs for semiskilled, skilled and technically trained personnel; one shall be a member familiar with the special problems of disadvantaged and handicapped persons; one shall be a member of organized labor; one shall be a member engaged in teaching in the field

of vocational and technical education; one shall be a member active in the field of business and office education; one shall be a member skilled and experienced in the field of industrial arts education; and one shall be a member skilled in the field of home economics education.

The members of said commission shall each serve for a term of three years; provided, however, that of the members first appointed by the board of higher education two shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years; and of the members first appointed by the board of education three shall be appointed for a term of one year, three shall be appointed for a term of two years, and four shall be appointed for a term of three years.

The associate commissioner for occupational education shall be the executive secretary of said commission.

Said commission shall make recommendations to the board of education through its division of occupational education relative to the formulation, administration, implementation and supervision of the state plan for occupational, vocational and technical education, shall from time to time suggest to said division new programs in occupational education and in the field of research and development, and shall report its evaluations of existing occupational-educational programs, services and activities together with recommendations for any necessary changes for the purpose of assisting said division in coordinating, promoting and establishing such programs.

SECTION 2. Section 1G of said chapter 15 is hereby amended by striking out the first paragraph, as appearing in section 2 of chapter 572 of the acts of 1965, and inserting in place thereof the following paragraph: —

The purposes of the board shall be to support, serve and plan general education in the public schools, and through its division of occcupational education to administer and supervise the administration of vocational education programs by every agency in the commonwealth.

SECTION 3. The first paragraph of section 28 of said chapter 15, as appearing in section 7 of said chapter 572, is hereby amended by inserting after the word "education", in line 4, the words: — subject to the supervision of the division of occupational education in the department of education.

SECTION 4. All employees of the bureau of vocational education who, immediately prior to the effective date of this act, held positions classified under chapter thirty-one of the General Laws or had tenure in their positions by reason of section nine A of chapter thirty of the General Laws are hereby transferred to the service of the division of occupational education established by section one F of chapter fifteen of the General Laws, as appearing in section one of this act; every such transfer shall be without impairment of civil service status, seniority, retirement and other rights of the employee, without interruption of his service within the meaning of said chapter thirty-one or section nine A of chapter thirty, and without reduction in his compensation and salary grade, notwithstanding any change in his title or duties made as a result of such transfer. All employees of the bureau of vocational education who immediately prior to the effective date of this act held, without such tenure, positions not so classified are hereby transferred to the

service of said division of occupational education without impairment of seniority, retirement and other rights, without interruption of service within the meaning of said section nine A of chapter thirty and without change in compensation or salary grade.

Approved August 27, 1969.

Chap. 838. AN ACT ESTABLISHING A DEPARTMENT OF YOUTH SERVICES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide a comprehensive and coordinated program of delinquency prevention and services to delinquent children and youths referred or committed to the department of youth services by the courts, 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 General Laws are hereby amended by inserting after chapter 18 the following chapter: —

CHAPTER 18A.

DEPARTMENT OF YOUTH SERVICES.

Section 1. There shall be a department of youth services, in this chapter called the department, which shall be under the supervision and control of a commissioner of youth services, in this chapter called the commissioner. The commissioner shall be appointed by the governor, with the advice and consent of the council, for a term coterminous with that of the governor. The commissioner shall, at the time of his appointment, be qualified by having earned from an accredited institution a graduate degree in the social sciences, education, law or related fields and by having no less than seven years professional or administrative experience in work related to the problems of delinquent children and youth. He shall receive a salary of twenty-five thousand dollars, shall devote his full time during business hours to the duties of his office, shall be the executive head of the department and shall have full responsibility for the formulation and execution of all its policies and the coordination of all of its functions. He shall appoint and may remove all employees in the department. Unless otherwise provided by law, all such appointments and removals shall be made in accordance with the provisions of chapter thirty-one.

Powers and duties given to any administrative bureau, subdivision or institution of the department by any general or special law shall be exercised and discharged subject to the direction, control and supervision of the commissioner. The department may expend such sums as may be appropriated for grants to cities and towns and to other public agencies and for the purchase of services from other government departments and agencies and from private nonprofit agencies to carry out any of the program and purposes of the department. The commissioner may establish, subject to appropriation, such district offices and employ such field agents as shall be necessary or desirable to carry out the program and purposes of the department. Federal funds granted to the commonwealth to aid in the financing of any of the program and policies

of the department shall be credited to a separate fund on the books of the commonwealth only for the purposes of such expenditures to be made under the direction of the commissioner. Federal funds paid as reimbursement to the commonwealth shall be deposited in the General Fund.

Section 2. The department shall provide a comprehensive and coordinated program of delinquency prevention and services to delinquent children and youth referred or committed to the department by the courts; community services for the prevention of juvenile delinquency through its own staff, through grants-in-aid to cities, towns, and other public agencies and through purchase of services from private nonprofit agencies; and services and facilities for the study, diagnosis, care, treatment, including physical and mental health and social services, education, training and rehabilitation of all children and youth referred or committed. The department shall maintain a program of research into the causes, treatment and prevention of juvenile delinquency, including new methods of service and treatment. The department shall cooperate with other state and local agencies, both public and private, serving children and youth.

Section 3. The commissioner shall appoint, with the approval of the governor, a deputy commissioner who shall not be subject to the provisions of chapter thirty-one and to whom the provisions of section nine A of chapter thirty shall not apply, but who shall possess the same qualifications required of the commissioner, except that he shall have had not less than five years experience in work related to juvenile delinquency, of which at least two shall have been as an administrator. Said deputy commissioner shall serve at the pleasure of the commissioner, and shall devote his full time during business hours to the duties of his office. He shall exercise such authority and discharge such duties of the commissioner as the commissioner may from time to time delegate to him and, in the absence or incapacity of the commissioner, or in the event of a vacancy in the office of commissioner, shall act as the commissioner until the absence or incapacity shall have terminated or the vacancy shall have been filled.

Section 4. There shall be in the department the following bureaus: the bureau of clinical services; the bureau of after-care, delinquency prevention and community services; the bureau of educational services; and the bureau of institutional services. Each bureau shall be under the direction of an assistant commissioner who shall be appointed by the commissioner and who shall not be subject to the provisions of chapter thirty-one and to whom the provisions of section nine A of chapter thirty shall not apply.

Section 5. The bureau of clinical services shall review, upon commitment or referral, the social histories and diagnostic data concerning all persons referred or committed to the department, shall conduct such further study and evaluation as may be required for clinical classification, and shall place such persons under an appropriate form of care. Said bureau shall conduct the research and planning necessary for the continued care of each youth within the jurisdiction of the department and the development and implementation of effective individualized treatment programs for each of the delinquent children committed to the department. Said bureau shall be responsible for all case assignments, case reassignments, case dispositions, and proposals for dis-

charge, and shall regularly review existing case assignments in the department. Said bureau shall operate the Reception-Detention Center for Girls at Boston, Judge John J. Connelly Youth Center, Boston, Westfield Detention Center, Westfield and Worcester Detention Center, Worcester, and subject to appropriation such other centers as may be necessary for the study and diagnosis of children's needs upon commitment or referral and for temporary shelter care in emergency cases including those children requiring secure custody.

The commissioner shall appoint an assistant commissioner for the bureau of clinical services who shall be a psychiatrist accredited by the American Board of Child Psychiatry. Said assistant commissioner shall have had at the time of his appointment a minimum of ten years experience in the field of mental health relative to children. Said assistant commissioner shall serve at the pleasure of the commissioner. He may, notwithstanding any contrary provision of law, be allowed such professional affiliations concurrent with his duties as the commissioner may approve, including the holding of a nontenure appointment at a medical school or university. Said assistant commissioner shall, with the approval of the commissioner, establish and maintain standards for all clinical and child care positions in the department and shall review the qualifications and performances of all clinical and child care personnel. The commissioner shall appoint replacement or additional clinical and child care personnel upon recommendation of said assistant commissioner together with the assistant commissioner of any other bureau requesting such personnel.

Section 6. The bureau of after-care, delinquency prevention and community services shall be responsible for the noninstitutional programs of the department, including but not limited to foster home care, group home care, after-care services to children in their own homes, after-care investigation services unit, parole and educational counselor programs. It shall be responsible for developing alternatives to institutional care and shall provide for work with the families of children in institutions in order to facilitate their return home and their adjustment and integration into the community. It shall further be responsible for continuing consultation with other state agencies and with local community groups and agencies for the development of preventive programs, the conduct of grants-in-aid for the initiation, demonstration and development of programs and the school adjustment counselor program.

The commissioner shall appoint an assistant commissioner for the bureau of after-care, delinquency prevention and community services who shall have an earned graduate degree from an accredited institution in the social sciences, education, or related fields. Said assistant commissioner shall have had at the time of his appointment at least five years professional experience in delinquency prevention and after-care with at least two of these years having been spent in an administrative capacity in his field. Said assistant commissioner shall serve at the pleasure of the commissioner.

Section 7. The bureau of educational services shall establish and maintain programs and curricula for the educational service functions of each institution of the department and for coordinating educational services for individual youths at each stage of departmental jurisdiction. Said bureau shall establish and maintain academic and vocational educational programs, curriculum development plans, teacher training pro-

grams and library services for each of the institutions of the department and each of the youth committed to the department. Said bureau shall seek out and implement federally aided educational programs. Said bureau, after consultation with the commissioner and the assistant commissioners of the other bureaus or their designees, shall develop and initiate in-service training programs for all employees in each of the institutions and facilities within the jurisdiction of the department. Approval of such training programs by the director of personnel and standardization shall be required in accordance with the provisions of section twenty-eight of chapter seven.

The commissioner shall appoint an assistant commissioner for the bureau of educational services who shall have an earned graduate degree from an accredited institution in education, the social sciences, or related fields with a specialty in the problems relating to delinquency. Said assistant commissioner shall have had at the time of his appointment at least five years professional experience in public or private secondary school, teaching in the area of delinquency prevention or teaching delinquent youth, with at least two of these years having been spent in administrative-curricula planning capacity. Said assistant commissioner shall serve at the pleasure of the commissioner. Said assistant commissioner shall, with the approval of the commissioner, establish and maintain standards for all teaching positions in the jurisdiction of the department and shall review the qualifications and performances of all teaching personnel in the department. Said assistant commissioner together with the assistant commissioner of each bureau requesting replacement and additional teaching personnel shall make recommendations to the commissioner relative to the replacement and addition of each and all teaching personnel for the institutions and facilities under the jurisdiction of said bureau.

Section 8. The bureau of institutional services shall operate the Residential Treatment Unit, Oakdale, the Lyman School for Boys at Westborough, the Industrial School for Boys at Shirley, the Institute for Juvenile Guidance at South Bridgewater, the Industrial School for Girls at Lancaster and Stephen L. French Forestry Camp at East Brewster. Said bureau shall be responsible for all programs within the institutions of the department other than those programs which are primarily clinical or educational, and shall from time to time evaluate such programs to determine their effectiveness. Said bureau shall coordinate programs between institutions and also with other programs of the department to assure effective continuity in the rehabilitative process.

The commissioner shall appoint an assistant commissioner for the bureau of institutional services who shall have an earned graduate degree from an accredited institution in the social sciences, education, or related fields. Said assistant commissioner shall have had at the time of his appointment at least five years professional experience in working with delinquent children in an institutional setting, with at least two of these years having been spent in an administrative capacity. Said assistant commissioner shall serve at the pleasure of the commissioner. Said assistant commissioner shall from time to time make recommendations to the commissioner relative to the need of major alteration and renovation, expansion, relocation or replacement of existing institutions or camps and the construction of additional institutions or camps.

Section 9. There shall be in the department an advisory committee consisting of the commissioner of youth services, the commissioner of mental health, the commissioner of education, the commissioner of correction, the commissioner of rehabilitation, the chairman of the Massachusetts commission against discrimination, the executive secretary of the Massachusetts Society for the Prevention of Cruelty to Children, and the executive secretary of the Massachusetts Committee on Children and Youth, all of whom shall serve ex officiis, and eight other persons to be appointed by the governor. Such persons shall have demonstrated professional involvement and expertise in the area of delinquency prevention, rehabilitation, and treatment. Upon the expiration of the term of office of any appointive member, his successor shall be appointed for a term of three years. Any vacancy shall be filled by the governor for the remainder of the unexpired term. The governor shall appoint from the members of said committee a chairman and a vice chairman. The committee may appoint a full time executive secretary. Members of said committee shall serve without compensation, but each member shall be reimbursed by the commonwealth for all reasonable expenses incurred in the performance of his official duties.

Said advisory committee shall have the following duties: (*a*) It shall advise the commissioner on policy, program development and priorities of need in developing a comprehensive program (1) for the treatment, rehabilitation and custody of juvenile offenders and (2) for integration of the juvenile offender into constructive community life. (*b*) It shall review the annual plan and the proposed annual budget for the department, and shall make recommendations to the commissioner relative thereto. (*c*) It shall advise on the recruitment policies of the schools in the department. (*d*) It shall submit an annual report in which it may propose legislation and present material for the education of the public. (*e*) It shall visit, at its discretion, every institution and facility within the jurisdiction of the department. It shall meet at least four times a year and shall convene special meetings at the call of the chairman of the committee, a majority of the committee, or the commissioner. For the purposes of holding meetings and conducting official business, a majority of the membership shall constitute a quorum. A written record of all meetings of the committee shall be maintained by the executive secretary and a copy filed within fifteen days after each meeting by said secretary with the commissioner of administration and finance.

SECTION 2. Sections sixty-five, sixty-six, sixty-seven, sixty-nine, sixty-nine A and sixty-nine B of chapter six of the General Laws and the caption preceding said section sixty-five are hereby repealed.

SECTION 3. Section 122 of said chapter 6, as appearing in section 2 of chapter 622 of the acts of 1964, is hereby amended by striking out, in lines 5 and 6, the words "and rehabilitation, and the director of the division of youth service" and inserting in place thereof the words: — rehabilitation, and youth services.

SECTION 4. The first sentence of section 12 of chapter 17 of the General Laws, as amended by chapter 67 of the acts of 1966, is hereby further amended by striking out, in lines 4 and 5, the words "and correction, and the chairman of the youth service board" and inserting in place thereof the words: — correction, and youth services.

SECTION 5. Section 9B of chapter 30 of the General Laws, as amended by chapter 611 of the acts of 1960, is hereby further amended by striking out, in line 3, the words "or correction" and inserting in place thereof the words: — , correction or youth services, — and by striking out, in lines 3 and 4, the words ", or in institutions under the jurisdiction of the division of youth service".

SECTION 6. Section 9D of said chapter 30, inserted by section 1 of chapter 538 of the acts of 1958, is hereby amended by striking out, in line 3, the words "or correction, or in any institution under the jurisdiction of the division of youth service" and inserting in place thereof the words: — correction, or youth services.

SECTION 7. The second paragraph of section 24A of said chapter 30, as appearing in chapter 423 of the acts of 1964, is hereby amended by striking out, in line 5, the words "youth service board" and inserting in place thereof the words: — department of youth services.

SECTION 8. Paragraph (2) of section 1 of chapter 30A of the General Laws, as most recently amended by chapter 725 of the acts of 1965, is hereby further amended by striking out, in lines 7 and 8, the words "youth service board and the division of youth service in the department of education" and inserting in place thereof the words: — the department of youth services.

SECTION 9. The first sentence of section 13 of chapter 58 of the General Laws, as most recently amended by section 1 of chapter 593 of the acts of 1960, is hereby further amended by striking out, in line 11, the words "youth service board" and inserting in place thereof the words: — department of youth services.

SECTION 10. Chapter 77 of the General Laws is hereby amended by striking out section 3, as most recently amended by section 1 of chapter 520 of the acts of 1964, and inserting in place thereof the following section: —

Section 3. A child between seven and sixteen who wilfully and habitually absents himself from school contrary to section one of chapter seventy-six shall be deemed an habitual truant, and, unless placed on probation as provided in section seven, may, on complaint of a supervisor of attendance, be committed, until he reaches his sixteenth birthday, to the county training school, if any, maintained within the county wherein he resides or, if there is no such school, to the custody of the department of youth services or to a county training school; provided, that no girl shall be committed to a county training school under this section, but may be committed to the custody of the department of youth services.

SECTION 11. Said chapter 77 is hereby further amended by striking out section 4, as most recently amended by section 2 of said chapter 520, and inserting in place thereof the following section: —

Section 4. A child between seven and sixteen found wandering about the streets or public places, having no lawful occupation, habitually absent from school and growing up in idleness and ignorance, shall be deemed an habitual absentee, and, unless placed on probation as provided in section seven, may, on complaint of a supervisor of attendance or any other person, be committed, until he reaches his sixteenth birthday, to the county training school, if any, maintained within the county

wherein he resides or, if there is no such school, to the custody of the department of youth services, or to a county training school; provided, that no girl shall be committed to a county training school under this section, but may be committed to the custody of the department of youth services.

SECTION 12. Said chapter 77 is hereby further amended by striking out section 5, as most recently amended by section 3 of said chapter 520, and inserting in place thereof the following section: —

Section 5. A child under sixteen persistently violating reasonable regulations of the school he attends, or otherwise persistently misbehaving therein, so as to render himself a fit subject for exclusion therefrom, shall be deemed an habitual school offender, and, unless placed on probation as provided in section seven, may, on complaint of a supervisor of attendance, be committed, until he reaches his sixteenth birthday, to the county training school, if any, maintained within the county wherein he resides or, if there is no such school, to the custody of the department of youth services, or to a county training school; provided, that no girl shall be committed to a county training school under this section, but may be committed to the custody of the department of youth services.

SECTION 13. Section 4D of chapter 111 of the General Laws, inserted by section 3 of chapter 418 of the acts of 1959, is hereby amended by striking out, in line 4, the words "and correction" and inserting in place thereof the words: — correction, and youth services, — and by striking out, in line 6, the words ", the chairman of the youth service board,".

SECTION 14. Section 55 of chapter 119 of the General Laws, as most recently amended by section 3 of chapter 605 of the acts of 1952, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph: —

If the court shall be of the opinion that the interests of the child require the attendance at any proceedings of an agent of the department of youth services and shall request such attendance by reasonable notice to the commissioner of youth services, such agent shall attend to protect the interests of said child.

SECTION 15. Said chapter 119 is hereby further amended by striking out section 58, as most recently amended by chapter 385 of the acts of 1948, and inserting in place thereof the following section: —

Section 58. At the hearing of a complaint against a child the court shall hear the testimony of any witnesses that appear and take such evidence relative to the case as shall be produced. If the allegations against a child are proved beyond a reasonable doubt, he may be adjudged a wayward child or a delinquent child.

If a child is adjudged a delinquent child, the court may place the case on file, or may place the child in the care of a probation officer for such time and on such conditions as may seem proper, or may commit him to the custody of the department of youth services. If it is alleged in the complaint upon which the child is so adjudged that a penal law of the commonwealth, a city ordinance or a town by-law has been violated or, in the cases of habitual school offenders and truancy violations, the court may commit such child to the custody of the commissioner of youth services and authorize him to place such child in the charge of any person, and, if at any time thereafter the child proves unmanageable, to transfer such child to that facility or training school which in

the opinion of said commissioner, after study, will best serve the needs of the child, but not for a longer period than until such child becomes twenty-one. The department of youth services shall provide for the maintenance, in whole or in part, of any child so placed in the charge of any person.

If a child adjudged a wayward child or delinquent child is placed on probation by the superior court, he may be placed in the care of a probation officer of the district court, including in such term the Boston juvenile court, within the judicial district in which such child resides.

The court may commit such wayward or delinquent child to the department of youth services, but it shall not commit such child to a jail or house of correction, nor to the Lyman school, the industrial school for boys, or the industrial school for girls, nor to any other institution supported by the commonwealth for the custody, care and training of delinquent or wayward children or juvenile offenders.

The court may make an order for payment by the child's parents or guardian from the child's property, or by any other person responsible for the care and support of said child, to the institution, department, division, organization or person furnishing care and support at times to be stated in an order by the court of sums not exceeding the cost of said support after ability to pay has been determined by the court; provided, that no order for the payment of money shall be entered until the person by whom payments are to be made shall have been summoned before the court and given an opportunity to be heard. The court may from time to time, upon petition by, or notice to the person ordered to pay such sums of money, revise or alter such order or make a new order, as the circumstances may require.

SECTION 16. Section 58B of said chapter 119, inserted by section 1 of chapter 194 of the acts of 1957, is hereby amended by striking out, in lines 7 and 20, the words "youth service board" and inserting in place thereof, in each instance, the words: — department of youth services.

SECTION 17. Said chapter 119 is hereby further amended by striking out section 67, as most recently amended by section 1 of chapter 609 of the acts of 1955, and inserting in place thereof the following section: —

Section 67. Whenever a child between seven and seventeen years of age is arrested with or without a warrant, as provided by law, the officer in charge of the police station or town lockup to which the child has been taken shall immediately notify the probation officer of the district court within whose judicial district such child was arrested and at least one of the child's parents, or, if there is no parent, the guardian or person with whom it is stated that such child resides, and shall inquire into the case. Pending such notice and inquiry, such child shall be detained. Upon the acceptance by the officer in charge of said police station or town lockup of the written promise of said parent, guardian or any other reputable person to be responsible for the presence of such child in court at the time and place when such child is to appear or upon the receipt of such officer in charge from said probation officer of a request for the release of such child to him, such child shall be released to said person giving such promise or to said probation officer making such request; provided, that, if the arresting officer requests in writing that a child between fourteen and seventeen years of age be detained, and if the court issuing a warrant for the arrest of a child between fourteen and

seventeen years of age directs in the warrant that such child shall be held in safekeeping pending his appearance in court, or, if the probation officer shall so direct, such child shall be detained in a police station or town lockup, or place of temporary custody commonly referred to as a detention home of the department of youth services, or any other home approved by the department of youth services pending his appearance in court. In the event any such child is so detained, the officer in charge at the police station or town lockup shall notify the probation officer and parent or parents, guardian, or person with whom it is stated that such child resides of the detention of such child. Nothing contained in this section shall prevent the admitting of such child to bail in accordance with law. Said probation officer or officer in charge at the police station or town lockup shall notify such child and his parent or parents or guardian or person with whom it is stated that such child resides of the time and place of the hearing of his case. No child between fourteen and seventeen years of age shall be detained in a police station or town lockup unless the detention facilities for children at such police station or town lockup have received the approval in writing of the commissioner of youth services. The department of youth services shall make inspection at least annually of police stations or town lockups wherein children are detained. If no such approved detention facilities exist in any city or town, such city or town may contract with an adjacent city or town for the use of approved detention facilities in order to prevent children who are detained from coming in contact with adult prisoners. Nothing in this section shall permit a child between fourteen and seventeen years of age being detained in a jail or house of correction. A separate and distinct place shall be provided in police stations, town lockups or places of detention for such children.

SECTION 18. Said chapter 119 is hereby further amended by striking out section 68, as most recently amended by chapter 269 of the acts of 1956, and inserting in place thereof the following section: —

Section 68. A child between seven and seventeen years of age held by the court for further examination, trial or continuance, or for indictment and trial under the provisions of sections seventy-three to eighty-three, or to prosecute an appeal to the superior court, if unable to furnish bail, shall be committed by the court to the care of the department of youth services, a probation officer, a parent, guardian, or other responsible person who shall provide for his safekeeping; provided, however, that the appearance at such examination or trial, or at the prosecution of the appeal of such child, shall be the responsibility of the court for which he is being held in safekeeping.

The department of youth services may provide special foster homes, and places of temporary custody commonly referred to as detention homes of the department of youth services for the care, maintenance and safekeeping of such children between seven and seventeen years of age who may be committed by the court to said department under this section; provided, that no more than five such children shall be detained in any such special foster home at any one time.

A child between seven and seventeen years of age so committed by the court under the provisions of this chapter to await further examination or trial by the Boston juvenile court, a district court or the superior court shall be returned thereto within fifteen days after the date of the order of commitment, and final disposition of the case shall thereupon

be made by adjudication or otherwise, unless, in the opinion of the court, and subject to the provisions of this section, the interest of the child and the public otherwise require. If the opinion of the court is that the case should be further continued and the child committed to the department of youth services pending such further continuance, then the commitment pending such further continuance may in no event be ordered for a period which, when added to all prior commitments of the child under this section for the preceding six months, shall exceed thirty days, and the final disposition shall take place at the expiration of such continuance as herein provided, except in those cases where a child or youth is held in detention on default of bail on appeal to the superior court or in those cases where the court, in whose jurisdiction the case originates, makes a written finding of fact that such continuance is in the best interest of the child and the public.

The provisions of section twenty-four of chapter two hundred and twelve, relative to the precedence of cases of persons actually confined in prison and awaiting trial, shall apply to children held in detention facilities of the department of youth services under this section to prosecute appeals to the superior court, or held for indictment and trial under the provisions of sections seventy-three to eighty-three, inclusive.

Said probation officer shall have the same authority, rights and powers in relation to a child committed to his care under this section, and in relation to a child released to him as provided in section sixty-seven, as he would have if he were surety on the recognizance of such child.

SECTION 19. Said chapter 119 is hereby further amended by striking out section 68A, inserted by section 3 of chapter 609 of the acts of 1955, and inserting in place thereof the following section: —

Section 68A. A child between seven and seventeen years of age, held by the court for further examination, trial or continuance, or for indictment and trial under the provisions of sections seventy-three to eighty-three, inclusive, or to prosecute an appeal to the superior court, may at the discretion of the court be referred to the department of youth services, any court clinic, or the department of mental health, with its consent, and with the consent of the parents or guardian, for diagnostic study on an inpatient or outpatient basis; and, upon completion of such study, the department of youth services, court clinic or department of mental health, as the case may be, shall forward a report and recommendations to the court. In default of bail, any such child may be committed by the court to the department of youth services for a period not to exceed thirty days while undergoing diagnostic study. At the expiration of such period, such child shall be returned to the court, together with the report and recommendations of the department of youth services.

SECTION 20. Said chapter 119 is hereby further amended by striking out section 68B, as so inserted, and inserting in place thereof the following section: —

Section 68B. The department of youth services may use or provide special foster homes and places of temporary custody commonly referred to as detention homes, at various places in the commonwealth which shall be completely separate from any police station, town lockup or jail, and which shall be used solely for the temporary care, custody and study of children committed to the care of the department of youth services. The commissioner of youth services may at his discretion

transfer any child thus committed from any foster home or detention home to another such foster home or detention home.

SECTION 21. Section 68C of said chapter 119, as so inserted, is hereby amended by striking out, in line 1, the words "youth service board" and inserting in place thereof the words: — department of youth services, — and by striking out, in line 4, the word "board" and inserting in place thereof the word: — department.

SECTION 22. Section 69A of said chapter 119, inserted by section 9 of chapter 310 of the acts of 1948, is hereby amended by striking out, in lines 2 and 3, the words "youth service board" and inserting in place thereof the words: — department of youth services, — and by striking out, in line 5, the word "board" and inserting in place thereof the word: — department.

SECTION 23. Section 72 of said chapter 119, as most recently amended by section 3 of chapter 308 of the acts of 1964, is hereby further amended by striking out, in lines 11 and 12, the words "youth service board" and inserting in place thereof the words: — department of youth services.

SECTION 24. Section 83 of said chapter 119, as most recently amended by section 8 of said chapter 308, is hereby further amended by striking out, in lines 14 and 15, the words "youth service board" and inserting in place thereof the words: — department of youth services.

SECTION 25. Said chapter 119 is hereby further amended by striking out section 84, added by section 9 of said chapter 308, and inserting in place thereof the following section: —

Section 84. Whenever a person is committed to the department of youth services by a court under section fifty-six, fifty-eight or eighty-three, a warrant of commitment shall be issued in substance as follows: —

THE COMMONWEALTH OF MASSACHUSETTS.

(COUNTY) ss.

To the Sheriff of the County of ..... or his Deputy, or any Constable or Police Officer in said County, and to the Department of Youth Services at

GREETING:

Whereas, (name of person committed) of ..... in the county of ....., a boy (or girl) between seven and seventeen (or eighteen) years of age, has this day been brought before the ..... court of ..... by virtue of a summons (or warrant) issued to (against) him (or her) on the complaint of ..... of ..... in the county of ..... who therein, upon oath, says that said defendant, at ..... in the county of ..... on the ..... day of ..... in the year one thousand nine hundred and ..... was guilty of ..... as is more fully alleged in said complaint.

And after hearing all matters and things concerning the same, and all persons entitled thereto having been summoned and notified of the pendency of said complaint, as required by law, it is adjudged by said court that said defendant is delinquent and that he (or she) is of the age of ..... years and ..... months, and is a suitable subject for commitment to the custody of the department of youth services, and that his (or her) moral welfare and the good of society require that he (or she) should be sent thereto for diagnosis, treatment and training; and it is thereupon ordered by said court that said defendant stand committed to the custody of the department of youth services during his (or her) minority, or until he (or she) be discharged according to law.

You are therefore hereby required, in the name of the Commonwealth of Massachusetts, to take said defendant and him (or her) carry to the department of youth services and him (or her) deliver to the (designated officer) thereof, together with

an attested copy thereof, and thereafterward forthwith to return this warrant with your doings thereon into said court.

And you, the department of youth services, are alike required to receive said defendant into your custody, and him (or her) safely keep for diagnosis, treatment, instruction and training until the expiration of said term of his (or her) minority, or he (or she) be discharged according to law.

Witness, ... at said ..... this ..... day of ..... in the year one thousand nine hundred and .....

Clerk.

A true copy. (*Constable of* .....)

Attest: (*Sheriff of* .....)

No variance from said form shall be considered material if it sufficiently appears upon the face thereof that the person is committed by the court in the exercise of the powers conferred by this chapter. The warrant may be executed by any officer qualified to serve civil or criminal process in the county where the case is heard. Accompanying the warrant, the court or magistrate shall transmit to the designated officer of the department of youth services, by the officer serving it, a statement of the substance of the complaint and testimony given in the case, and such other particulars relative to the person committed as can be ascertained.

SECTION 26. Chapter 120 of the General Laws is hereby amended by striking out the title and inserting in place thereof the following title: — DEPARTMENT OF YOUTH SERVICES AND MASSACHUSETTS TRAINING SCHOOLS.

SECTION 27. Said chapter 120 is hereby further amended by striking out section 1, as most recently amended by section 4 of chapter 605 of the acts of 1952, and inserting in place thereof the following section: —

Section 1. The department of youth services shall be a corporation for the purpose of taking, holding and investing in trust for the commonwealth, subject to section fifteen of chapter ten, any grant or devise of land or any gift or bequest made at any time for the use of any institution of which said department has the management, government and care, and it shall succeed to and retain the rights, powers and duties formerly held or acquired by the division of youth service and by the youth service board, except as otherwise provided in said section fifteen and in this chapter.

SECTION 28. Said chapter 120 is hereby further amended by striking out section 2, as most recently amended by section 4 of chapter 770 of the acts of 1955, and inserting in place thereof the following section: —

Section 2. The department of youth services shall have the management, government and care of the Lyman school for boys at Westborough, the industrial school for girls at Lancaster, the industrial school for boys at Shirley, and of all other institutions, except correctional institutions of the commonwealth, supported by the commonwealth for the custody, diagnosis, care and training of delinquent or wayward children or habitual truants or habitual absentees or habitual school offenders or juvenile offenders. The department of youth services shall have control of the land and buildings of said schools. To carry out its duties under this chapter, the commissioner shall authorize the employment within the limits of the amount appropriated therefor, such medical, dental, psychiatric, psychological, social work, legal, investigative and other expert personnel, including experts in the fields

of fiscal affairs, research and planning, and personnel administration and training, superintendents, field representatives, supervisory, clerical and other employees as he shall deem necessary, and shall prescribe their duties. Physicians, dentists and psychiatrists employed hereunder shall not be subject to the provisions of chapter thirty-one or section nine A of chapter thirty.

SECTION 29. Section two A of said chapter one hundred and twenty is hereby repealed.

SECTION 30. Section 3 of said chapter 120, as amended by section 6 of chapter 605 of the acts of 1952, is hereby further amended by striking out, in lines 1 and 2, the words "director of the division of youth service" and inserting in place thereof the words: — commissioner of youth services.

SECTION 31. Section 4 of said chapter 120, as amended by section 7 of said chapter 605, is hereby further amended by striking out, in lines 1 and 2, the words "director of the division of youth service" and inserting in place thereof the words: — commissioner of youth services.

SECTION 32. Section four A of said chapter one hundred and twenty is hereby repealed.

SECTION 33. Said chapter 120 is hereby further amended by striking out section 5, as appearing in section 22 of chapter 310 of the acts of 1948, and inserting in place thereof the following section: —

Section 5. (*a*) When a person has been committed to the department of youth services, it shall, under rules established by it, forthwith examine and study him and investigate all pertinent circumstances of his life and behavior.

(*b*) The department of youth services shall make periodic reexamination of all persons within its control. These examinations may be made as frequently as the department considers desirable, and shall be made with respect to every person at intervals not exceeding one year.

(*c*) The department of youth services shall keep written records of all examinations and of the conclusions based thereon, and of all orders concerning the disposition or treatment of every person subject to its control.

(*d*) Failure of the department of youth services to examine a person committed to it, or to reexamine him within one year of a previous examination, shall not of itself entitle the person to discharge from the control of the department, but shall entitle him to petition the committing court for an order of discharge, and the court shall discharge him unless the department upon due notice satisfies the court of the necessity for further control.

SECTION 34. Section 6 of said chapter 120 is hereby amended by striking out, in line 2, as so appearing, the word "board" and inserting in place thereof the words: — department of youth services.

SECTION 35. Section 6A of said chapter 120, as so appearing, is hereby amended by striking out, in line 2, the word "board" and inserting in place thereof the words: — department of youth services.

SECTION 36. Said chapter 120 is hereby further amended by striking out section 7, as amended by section 9 of chapter 605 of the acts of 1952, and inserting in place thereof the following section: —

Section 7. The superintendent of each school or other institution, with the subordinate officers, shall have general charge of and be responsible for the welfare and custody of the children lodged therein,

and for carrying out the rehabilitative program prescribed by the commissioner of youth services. He shall be a constant resident at the school, and, under the direction of the commissioner of youth services, shall seek to establish relationships and to organize ways of life that will meet the moral, physical, emotional, intellectual and social needs of the children under his care as those needs would be met in adequate homes.

SECTION 37. Section 8 of said chapter 120 is hereby amended by striking out the fourth and fifth sentences, as amended by section 10 of said chapter 605, and inserting in place thereof the following two sentences: — He shall keep accounts of all his receipts and expenditures, and of all property intrusted to him, showing the income and expenses of the institution; and shall account to the commissioner of youth services, in such manner as said commissioner may require, for all money received by him. His books and all documents relative to the school shall at all times be open to the inspection of the commissioner of youth services.

SECTION 38. Section 9 of said chapter 120, as amended by section 11 of said chapter 605, is hereby further amended by striking out, in lines 2 and 3, the words "director of the division of youth service" and inserting in place thereof the words: — commissioner of youth services.

SECTION 39. Said chapter 120 is hereby further amended by striking out section 10, as most recently amended by section 12 of said chapter 605, and inserting in place thereof the following section:—

Section 10. (*a*) For the purpose of carrying out its duties and effectuating the decisions of the department of youth services with respect to the classification, placement for training and treatment, transfer, release under supervision and discharge of persons committed to the department the commissioner of youth services is authorized to make use of law enforcement, detention, supervisory, medical, educational, correctional, segregative, and other facilities, institutions and agencies, whether public or private, within the commonwealth wherever feasible, otherwise outside the commonwealth; provided however, that the department shall not transfer custody of any person who was committed to the department by a juvenile court and who is under twenty-one to a penal institution. The commissioner of youth services may enter into agreements with the appropriate private or public officials for separate care and special treatment in existing institutions of persons committed to the department.

At least twice annually, the commissioner of youth services with the assistance of the executive secretary to the advisory committee shall be responsible for convening and programming a meeting of a youth services coordinating council composed of the commissioners of public health, mental health, education, public welfare, corrections, and probation, and the commissioner of administration and finance or their designees. The youth services coordinating council shall meet for the purposes of providing for the coordination and mutual assistance in the carrying out and evaluation of all the programs relating to youth services in the commonwealth. Said council shall jointly prescribe and from time to time amend rules and recommendations of their various departments for the aforementioned purposes.

(*b*) Nothing herein shall be construed as giving the department of youth services control over existing facilities, institutions or agencies other than those listed in section two, or as requiring such facilities,

institutions or agencies to service said department inconsistently with their functions, or with the authority of their officers, or with the laws and regulations governing their activities, or as giving said department power to make use of any private institution or agency without its consent, or to pay a private institution or agency for services which a public institution or agency is willing and able to perform.

(*c*) Public institutions and agencies are hereby required to accept and care for delinquent children or convicted persons sent to them by the department in the same manner as they would be required to do had such persons been committed thereto by a juvenile court, district court, superior court or probate court.

(*d*) The department is hereby given the right and shall be required periodically to inspect all public and all private institutions and agencies whose facilities it is using. Every institution and agency, whether public or private, is required to afford the department reasonable opportunity to examine or consult with persons committed to the department who are for the time being in the custody of the institution or agency.

(*e*) Placement of a person by the department in any institution or agency not operated by the department or the release of such person from such an institution or agency shall not terminate the control of the department over such person. No person placed in such institution or under such an agency may be released by the institution or agency without the approval of the department.

SECTION 40. Said chapter 120 is hereby further amended by striking out section 11, as most recently amended by chapter 532 of the acts of 1957, and inserting in place thereof the following section: —

Section 11. When funds are available for the purpose, the commissioner of youth services may (*a*) establish and operate places for detention and diagnosis of all persons committed to the department; (*b*) establish and operate additional treatment and training facilities necessary to classify and segregate and handle delinquents and juvenile offenders of different ages, habits and mental and physical condition according to their needs; (*c*) establish facilities to aid persons given conditional release or discharged by the department to find employment and to lead a law-abiding existence, and shall establish, on land under the control of the department of natural resources or upon other sites approved by the commissioner of natural resources, forest or farm school camps to which children placed in the care of the department of youth services may be sent for such education and training as may be deemed best for their readjustment, the work projects of which may be assigned in farming or reforestation, maintenance and development of state forests and recreational areas as may be approved by the commissioner of natural resources.

SECTION 41. Said chapter 120 is hereby further amended by striking out section 12, as most recently amended by section 14 of chapter 605 of the acts of 1952, and inserting in place thereof the following section: —

Section 12. The department may direct release under supervision at any time, and may place children in its custody in their usual homes or in any situation or family that has been approved by the department. The commissioner of youth services may, subject to appropriation, employ agents for investigating places and for visiting and supervising children, and may provide for the maintenance, in whole or in part, of any child so placed in the charge of any person. Immediately on

placing children in families or homes, the commissioner of youth services shall notify the commissioner of public welfare of the name of each child so placed and of the name and residence of the person to whose care he is entrusted. The department may at any time, until the expiration of the period of commitment, resume the care and custody of any child released under supervision. The department shall place children in families or homes of the religious belief of such children, but if this be impracticable, then due regard shall be had to the locality, and, if practicable, the home shall be such that the children shall have the opportunity to attend religious worship of their own belief.

SECTION 42. Section 13 of said chapter 120, as amended by section 4 of chapter 593 of the acts of 1949, is hereby further amended by striking out, in lines 2, 6 and 9, the word "board" and inserting in place thereof, in each instance, the word: — department.

SECTION 43. Section 13A of said chapter 120, inserted by section 1 of chapter 619 of the acts of 1953, is hereby amended by striking out, in lines 1, 9 and 15, the word "board" and inserting in place thereof, in each instance, the word: — department, — and by striking out, in line 8, the words "youth service board" and inserting in place thereof the words: — department of youth services.

SECTION 44. Said chapter 120 is hereby further amended by striking out section 14, as amended by section 2 of chapter 685 of the acts of 1954, and inserting in place thereof the following section: —

Section 14. Whenever the department finds that any person committed to it is insane or feeble minded, within the meaning of chapter one hundred and twenty-three, or a sexual psychopath, within the meaning of chapter one hundred and twenty-three A, or a potential psychotic, as defined and determined by the assistant commissioner of the bureau of clinical services, the department may make application to the proper court for a new commitment to the appropriate agency in accordance with law.

SECTION 45. Said chapter 120 is hereby further amended by striking out section 15, as appearing in section 22 of chapter 310 of the acts of 1948, and inserting in place thereof the following section: —

Section 15. With the consent of the department, the commissioner of correction may transfer to the care of the department any boy under seventeen sentenced to the Massachusetts reformatory, or any girl under seventeen sentenced to the reformatory for women, for such disposition as in the opinion of the department, after study, will best serve the needs of the boy or girl and best protect the interests of the public.

SECTION 46. Section 16 of said chapter 120, as so appearing, is hereby amended by striking out, in lines 1, 4, 5 and 8, the word "board" and inserting in place thereof, in each instance, the word: — department.

SECTION 47. Section 17 of said chapter 120, as so appearing, is hereby amended by striking out, in lines 1, 5 and 12, the word "board" and inserting in place thereof, in each instance, the word: — department.

SECTION 48. Section 18 of said chapter 120, as so appearing, is hereby amended by striking out, in lines 1, 16, 18 and 19, the word "board" and inserting in place thereof, in each instance, the word: — department.

SECTION 49. Section 19 of said chapter 120, as so appearing, is hereby amended by striking out, in lines 1, 2, 5, 13, 15, 20 and 21, the word

"board" and inserting in place thereof, in each instance, the word: — department.

SECTION 50. Section 20 of said chapter 120, as so appearing, is hereby amended by striking out, in lines 11 and 13, the word "board" and inserting in place thereof, in each instance, the word: — department.

SECTION 51. Said chapter 120 is hereby further amended by striking out section 21, as so appearing, and inserting in place thereof the following section: —

Section 21. Commitment to the care of the department of a wayward child or delinquent child shall not operate to disqualify said child in any future examination, appointment or application for public service under the government either of the commonwealth or of any political subdivision thereof.

Whenever a person committed to the department by a court upon conviction of a crime is discharged from its control such discharge shall, when so ordered by the department, restore such person to all civil rights and shall have the effect of setting aside the conviction. The conviction of such a person shall not operate to disqualify him for any future examination, appointment or application for public service under the government either of the commonwealth or of any political subdivision thereof.

The records of commitment to the department shall be withheld from public inspection except with the consent of the department, but such records concerning any child who at the time of commitment was between seven and seventeen years of age shall be open, at all reasonable times, to the inspection of the child, his or her parent or parents, guardian or attorney, or any of them. A commitment to the department shall not be received in evidence or used in any way in any proceeding in any court except in subsequent proceedings for waywardness or delinquency against the same child, and except in imposing sentence in any criminal proceeding against the same person.

SECTION 52. Said chapter 120 is hereby further amended by striking out section 22, as amended by section 3 of chapter 731 of the acts of 1956, and inserting in place thereof the following section: —

Section 22. The department shall conduct continuing inquiry into the effectiveness of the treatment methods it employs in seeking the reformation of juvenile and youthful offenders. To this end the department shall obtain from the commissioner of probation all court record information on its wards compiled subsequent to their discharge from the jurisdiction of the department, and with the cooperation of the commissioner of probation tabulate and analyze these data so that they may be used to evaluate the relative merits of methods of treatment. The results of such studies shall be made available to the public in each annual report of the department. The department shall make an annual report to the governor and to the general court containing, in addition to other matters required by law, a statement of the number of persons committed to the department during the preceding fiscal year and of the disposition made of such persons and of all other persons under its supervision during said year. The report shall include such inventories as the institutions under the department's supervision are required by law to make, a statement of the condition and needs of the facilities under its supervision, and of the progress made towards an integrated rehabilitory system capable of giving the most

effective individual treatment for rehabilitation. The report shall include such recommendations for legislation as the department may wish to make.

SECTION 53. Section 23 of said chapter 120, as appearing in section 22 of chapter 310 of the acts of 1948, is hereby amended by striking out, in line 1, the word "board" and inserting in place thereof the word: — department.

SECTION 54. Section 23A of said chapter 120, as so appearing, is hereby amended by striking out, in lines 2, 4 and 7, the word "board" and inserting in place thereof the word: — department.

SECTION 55. Said chapter 120 is hereby further amended by striking out section 24, as so appearing, and inserting in place thereof the following section: —

Section 24. The department may expend any money given for the purpose in erecting houses or other buildings on the land of the commonwealth at Lancaster, for increasing the accommodation and facilities of the industrial school, if the plans therefor are first approved by the bureau of building construction.

SECTION 56. Said chapter 120 is hereby further amended by striking out section 25, as so appearing, and inserting in place thereof the following section: —

Section 25. The provisions of this chapter relative to commitment to the care of the department shall extend to boys and girls committed by authority of the courts or magistrates of the United States.

SECTION 57. Section 26 of said chapter 120, as so appearing, is hereby amended by striking out, in line 2, the word "board" and inserting in place thereof the word: — department.

SECTION 58. Section 6 of chapter 123A of the General Laws, as appearing in section 1 of chapter 646 of the acts of 1958, is hereby amended by striking out, in line 2, the words "youth service board" and inserting in place thereof the words: — department of youth services, — and by striking out, in lines 3 and 4, 11 and 13 and 14, the words "director of the youth service board" and inserting in place thereof, in each instance, the words: — commissioner of youth services.

SECTION 59. Section 152 of chapter 127 of the General Laws, as most recently amended by section 1 of chapter 467 of the acts of 1961, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

If a sentence of death is imposed on a child under seventeen years of age, and if, before he reaches the age of seventeen, the governor pardons such child and commits him to the care of the department of youth services, said department shall assume control over him subject to the provisions of sections seventeen to twenty, inclusive, of chapter one hundred and twenty.

SECTION 60. Section 30A of chapter 149 of the General Laws is hereby amended by striking out, in lines 23 and 24, as appearing in section 1 of chapter 430 of the acts of 1960, the words "youth service division" and inserting in place thereof the words: — department of youth services.

SECTION 61. Section 30B of said chapter 149 is hereby amended by striking out, in line 14, as appearing in section 1 of chapter 762 of the acts of 1960, the words "youth service division" and inserting in place thereof the words: — department of youth services.

SECTION 62. Chapter 276 of the General Laws is hereby amended by striking out section 97, as most recently amended by section 18 of chapter 731 of the acts of 1956, and inserting in place thereof the following section: —

Section 97. Sections eighty-three to ninety-six, inclusive, shall not authorize a probation officer to interfere with any of the duties required of the department of youth services under the law relative to juvenile offenders.

SECTION 63. The last sentence of section 100 of said chapter 276, as appearing in section 22 of said chapter 731, is hereby amended by striking out, in lines 2 and 3, the words "youth service board or the division of youth service" and inserting in place thereof the words: — department of youth services.

SECTION 64. Chapter 279 of the General Laws is hereby amended by striking out section 2, as amended by chapter 584 of the acts of 1949, and inserting in place thereof the following section: —

Section 2. In all cases the execution of orders of commitment to any training school or reformatory, however named, the department of youth services, or the department of public welfare may be suspended, and such suspension continued or revoked, in the same manner and with the same effect as the execution of sentences in criminal cases.

SECTION 65. The youth service board, the division of youth service and the advisory committee on service to youth are hereby abolished, and the offices of the members of the youth service board, and director, first deputy director for administrative services, second deputy director for field services, and third deputy director for institutional services of the division of youth service are hereby terminated. All powers and duties exercised by said board and division are hereby transferred to the department of youth services established under section one of chapter eighteen A of the General Laws, as appearing in section one of this act; all powers and duties exercised by the advisory committee on service to youth are hereby transferred to the advisory committee in the department of youth service established under section nine of said chapter eighteen A; and all powers and duties of said offices of chairman, member, director and deputy director are hereby transferred to the commissioner of youth services appointed under the provisions of said chapter eighteen A or to other officers and employees of said department in accordance with the provisions of said chapter eighteen A.

SECTION 66. All officers and employees of the division of youth service who immediately prior to the effective date of this act hold positions classified under chapter thirty-one of the General Laws, or have tenure in their positions by reason of sections nine A, nine B and nine D of chapter thirty of the General Laws, shall continue to be employees of the department of youth services without impairment of civil service status, seniority, retirement and other employment rights, and without interruption of service within the meaning of said chapter thirty-one or said section nine A, nine B or nine D, and without reduction in compensation and salary grade, notwithstanding any change in title or duties made under this act. All officers and employees of said division who immediately prior to said effective date do not hold positions classified under said chapter thirty-one, or do not have tenure in their positions by reason of said section nine A, nine B or nine D, shall continue to be employed in the department of youth services under this

act without impairment of seniority, retirement and other rights, and without interruption of service within the meaning of said section nine A, nine B or nine D, and said chapter thirty-one, and without reduction in compensation and salary grade.

Upon the effective date of this act the status of any employee of any board, division, bureau, section or other administrative unit under the division of youth service, except those persons and officers appointed by the governor, or the status of any employee of the advisory committee on service to youth, including the position of executive secretary to the advisory committee on service to youth, who immediately prior thereto did not have tenure under section nine A of chapter thirty or chapter thirty-one of the General Laws shall be transferred to the department of youth services, established by section one of chapter eighteen A of the General Laws, inserted by section one of this act. Said incumbent executive secretary to the advisory committee on service to youth in order to provide continuity for the newly created advisory committee in the department of youth services shall continue to serve and shall fill the position of full time executive secretary to the advisory committee in the department of youth services.

SECTION 67. The term of the commissioner of the department of youth services first appointed by the governor under the provisions of section one of chapter eighteen A of the General Laws, inserted by section one of this act, shall, notwithstanding the provisions of said section one, terminate on the second day of January, nineteen hundred and seventy-five.

SECTION 68. The commissioner of youth services, in consultation with the advisory committee, shall study and review the effectiveness of the administrative structure of the department of youth services as provided in sections one through nine, inclusive, of chapter eighteen A of the General Laws, inserted by section one of this act, and within one year of the effective date hereof shall report to the governor and the general court the results of such study and review and his recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect.

SECTION 69. The terms of the eight members of the advisory committee in the department of youth services first appointed by the governor shall be as follows: two members shall be appointed for terms of one year each; three members for terms of two years each; and three members for terms of three years each.

SECTION 70. All books, papers, records and documents in the custody of or maintained for the use of any board, division, committee or office abolished by this act are hereby transferred to the custody of the department of youth services. All petitions, applications, hearings and other proceedings duly pending before and all prosecutions and legal and other proceedings duly begun by or against such board, division, committee or office, abolished by this act or before or by any member, officer or employee thereof, shall continue unabated and remain in full force and effect notwithstanding passage of this act, and may be completed before or by the department of youth services. All duly existing contracts, leases and obligations of any board, division, committee or office abolished by this act shall be performed by the department of youth services or by an administrative unit, officer or employee thereof acting under authority of law. All rules and regulations

adopted by the youth service board and division of youth service abolished by this act shall remain in effect as rules and regulations of the department of youth services until amended or repealed by said department. This act shall not affect any renewal provisions or option to renew contained in any such lease in existence on the effective date of this act, all of which on the effective date of this act shall be transferred to and thereafter may be exercised by the department of youth services. All property held in trust by any board, division, committee or office abolished by this act, or by members thereof, shall continue to be held in trust, and be administered in accordance with the terms of such trust, by the department of youth services or, if such department shall decline such trust, by trustees appointed by any court of competent jurisdiction upon application of any interested person for such appointment or for instructions in connection therewith.

SECTION 71. All unexpended balances of moneys heretofore appropriated for the youth service board and the division of youth service shall be available for expenditures by the department of youth services on the effective date of this act.

SECTION 72. The provisions of this act are severable and if any provision 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 73. Physicians and registered nurses permitted by law to treat inmates at any state institution shall be allowed to treat youths committed to the department of youth services in cases of emergency.

SECTION 74. This act shall take effect on October first, nineteen hundred and sixty-nine, or upon the qualification of the commissioner of youth services appointed under the provisions of section one of chapter 18A of the General Laws, inserted by section one of this act, whichever is the later. *Approved August 28, 1969.*

Chap. 839. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF HAMPSHIRE TO BORROW MONEY FOR THE DEMOLITION OF EXISTING STRUCTURES, SITE WORK AND CONSTRUCTING AND EQUIPPING A NEW COUNTY CHRONIC DISEASE HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Hampshire are hereby authorized to raise and expend a sum not exceeding one million eight hundred fifty thousand dollars for the demolition of existing buildings, site work and constructing, originally equipping and furnishing, on land now owned by said county, a new county chronic disease hospital, including plans and specifications therefor. 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 in section one, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time upon the credit of the county such sums, not exceeding, in the aggregate, one million eight hundred fifty thousand dollars as may be necessary, and may issue bonds or notes of the

county therefor which shall bear on their face the words, Hampshire County Chronic Disease Hospital Loan, Act of 1969. Each authorized issue shall constitute a separate loan. Such loans shall be payable in such annual installments, beginning not more than one year from the date thereof, as will extinguish each loan in not more than twenty years from its date, so that the amount of such annual payment in any year shall be not less than the amount of the principal of the loan payable in any subsequent year. Such bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but for not 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 August 28, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 29, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 839 of the Acts of 1969, entitled "AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF HAMPSHIRE TO BORROW MONEY FOR THE DEMOLITION OF EXISTING STRUCTURES, SITE WORK AND CONSTRUCTING AND EQUIPPING A NEW COUNTY CHRONIC DISEASE HOSPITAL." and the enactment of which received my approval on August 28, 1969, 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 intent of this legislation is to replace the existing facilities and in order to allow the County to take advantage of Federal funds which will be available very shortly, I declare the above facts constitute the emergency.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, September 2, 1969.

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

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 840. AN ACT AUTHORIZING THE CITY OF WALTHAM TO INCREASE THE HOURLY RATE OF OVERTIME PAY OF MEMBERS OF ITS POLICE DEPARTMENT RETROACTIVE TO JUNE SIXTH, NINETEEN HUNDRED AND SIXTY-NINE.

Be it enacted, etc., as follows:

SECTION 1. The city of Waltham is hereby authorized to increase the hourly rate of overtime pay of members of its police department, said increase to be retroactive to June sixth, nineteen hundred and sixty-nine.

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

Approved August 28, 1969.

Chap. 841. AN ACT PROVIDING FOR ADDITIONAL COURT OFFICERS IN CERTAIN DISTRICT COURTS.

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 38 of the acts of 1969, 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 eight court officers may be appointed, of whom one shall be designated by the justice of said court as chief court officer and one as assistant chief court officer; in the municipal court of the Dorchester district seven court officers may be appointed, of whom one shall be designated by the justice of said court as chief court officer and one as assistant chief court officer; in the district court of Springfield six court officers may be appointed; in the third district court of eastern Middlesex and in the central district court of Worcester five court officers may be appointed; in the municipal court of the West Roxbury district four court officers may be appointed; in the East Boston district court three court officers may be appointed, of whom one shall be designated by the justice of said court as chief court officer; in the district court of Chelsea, in the district court of Somerville, in the district court of East Norfolk, in the first district court of southern Middlesex, in the fourth district court of eastern Middlesex and in the district court of Lowell three court officers may be appointed; in the third district court of Bristol, in the district court of Brockton, in the municipal court of Brookline, in the municipal courts of the South Boston district and of the Charlestown district, the district court of Hampshire, the first district court of eastern Middlesex, the second district court of eastern Middlesex, the district court of Newton, the district court of northern Norfolk and the second district court of Plymouth 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 August 28, 1969.

Chap. 842. AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO PAY ACTUAL MOVING COSTS TO PERSONS DISPLACED BY THE TAKING OF CERTAIN LAND BY SAID CITY.

Be it enacted, etc., as follows:

The city of Somerville is hereby authorized to make relocation payments for actual moving costs to persons displaced by reason of the exercise of the power of eminent domain by said city for the construction of the East Somerville Elementary School, notwithstanding the limitations on such payments contained in section six A of chapter seventy-nine or in section one of chapter seventy-nine A of the General Laws.

Approved August 28, 1969.

Chap. 843. AN ACT ESTABLISHING THE MASSACHUSETTS SCIENCE AND TECHNOLOGY FOUNDATION AND PRESCRIBING ITS AUTHORITY AND FUNCTIONS.

Be it enacted, etc., as follows:

SECTION 1. There is hereby created and placed in the department of commerce and development a body corporate to be known as the Massachusetts Science and Technology Foundation, hereinafter called the "Foundation", which shall not be subject to the supervision or regulation of the department of commerce and development or of any department, agency or other instrumentality of the commonwealth except to the extent and in the manner provided in this act.

SECTION 2. The purposes of the Foundation shall be to encourage, promote and assist basic and applied scientific and technological research and development in the commonwealth; and to establish therein facilities for said purposes.

SECTION 3. The Foundation shall be governed and its corporate powers exercised by a board of nine members, to be appointed by the governor for terms of four years, their initial appointments, however, being two each for terms of one, two and three years, and three for a term of four years. All members shall be citizens of the United States. Any person appointed to fill a vacancy shall serve only for the unexpired term. Members shall receive no compensation for their services but shall be reimbursed for travel and other expenses actually and necessarily incurred in the performance of their duties. The governor shall designate a chairman and vice-chairman from the membership of the board, who shall serve at his pleasure. Said governing board shall hold such meetings as the members may determine. Five members of the board shall constitute a quorum and the affirmative vote of five members shall be required for any action taken by the board. The board may adopt by-laws for the Foundation and may amend and repeal the same. A copy of the by-laws, and of any amendment thereto, shall be filed with the secretary of the commonwealth. The board shall from time to time select a secretary from its membership, who shall keep a record of its actions, findings and determinations, which record shall be a public record. The board may adopt a seal for the Foundation. The Foundation shall be furnished suitable accommodations for its principal office in the state

office building or elsewhere; the Foundation may, subject to available funds, establish branch offices, exhibits or facilities at such places.

SECTION 4. The governing board shall appoint a director to serve as administrator of the Foundation. The director shall exercise such powers as the Foundation in its by-laws shall prescribe, and he shall serve at the pleasure of the board. His salary shall be fixed by the board, and he shall be reimbursed for travel and other expenses incurred in the performance of his duties. The Foundation may establish such advisory committees as it deems necessary and helpful. Members of such advisory committees shall serve without salary for such terms, not to exceed three years, as the Foundation may determine; they shall be reimbursed for traveling and other reasonable expenses actually incurred in the performance of their official duties as members of said committees. The Foundation may hire such additional officers, experts, attorneys, accountants and other employees as it may deem necessary. The provisions of section nine A of chapter thirty and the provisions of chapter thirty-one shall not apply to the director or to any other officer or employee of the Foundation.

SECTION 5. For the accomplishment of the purposes of this act, the Foundation shall have the power and authority within the limits of available funds

(*a*) to finance, conduct, or cooperate in financing or conducting basic and applied scientific and technical research and development by making and entering into contracts and other appropriate arrangements, including the provision of grants, loans and other forms of assistance; provided, however, that no money granted or appropriated by the commonwealth or by any political subdivision thereof and no property owned by the commonwealth or any such political subdivision shall be given by said Foundation as a grant, loan or other form of assistance, under the provisions of this act, to any person or institution for the purposes of founding, maintaining or aiding a school or college, educational or charitable organization which is not publicly owned and under the exclusive control, order and superintendence of public officers or public agents, as set forth in Article XLVI of the Amendments to the Constitution.

(*b*) to acquire, construct or lease facilities and equipment for the conduct of basic and applied research, to operate such facilities and conduct such research as a licensee or contractor of the federal government whenever such license or contract is required for the conduct of such research activity, and, at its discretion, to fix by contract or otherwise establish and charge rentals, rates and fees for the use of facilities and services operated or provided by the Foundation.

(*c*) to lease facilities, equipment, real or personal property owned or leased by the Foundation to public or private persons, institutions or firms for a fair and reasonable consideration, but each such lease shall provide for cancellation or termination thereof by the Foundation at its discretion at stated times which shall be not less frequently than once in each calendar year.

(*d*) to solicit, study and evaluate scientific and technological research and development opportunities suitable for support by the Foundation.

(*e*) to prepare, publish and distribute, with or without charge as the Foundation may determine, such technical studies, reports, bulletins and other materials as it deems appropriate.

(*f*) to organize, conduct, sponsor or cooperate in and assist the conduct of special institutes, conferences, demonstrations and studies relating to scientific and technological research and development.

(*g*) to secure such federal assistance as may be available for any of the purposes of this act.

SECTION 6. The Foundation shall, in addition to the specific powers enumerated in section five, have the following general powers:—

(*a*) to acquire by purchase, lease, loan, gift, and to hold in separate custody, invest, reinvest, dispose of by grant, sale, lease, or loan, or to use on behalf of the Foundation and for any of its purposes, real and personal property and moneys, or any interest therein, and any compensation, reimbursement, or other revenue resulting from loans, inventions, patents, the conduct of scientific and technical research or tests, and any other activity authorized by this act.

(*b*) to accept any and all donations, grants, bequests and devises, conditional or otherwise, of money, property, services or other things of value which may be received from the United States or any agency thereof, any governmental agency, or any institution, person, firm or corporation, private or public, to be held, used or applied for any or all of the purposes specified in this act, in accordance with the terms and conditions of any such grant. Receipt of each such donation or grant shall be detailed in the annual report of the Foundation. Such report shall include the identity of the donor or lender, the nature of the transaction and any conditions attaching thereto.

(*c*) to sue and be sued in its own name and to prosecute and defend all actions relating to its property and affairs. The Foundation shall be liable for its debts and obligations, but the property of the Foundation shall not be subject to attachment nor levied upon by execution or otherwise. Process may be served upon the treasurer of the Foundation or, in the absence of the treasurer, upon any member of the governing board of the Foundation.

(*d*) to adopt rules and regulations, not inconsistent with law, governing any matters relating to the activities of the Foundation.

(*e*) to advise, consult and cooperate with the federal government and any officer or agency thereof, and any other governmental unit or agency or officer thereof, and with any private person, institution or firm to carry out the purposes and functions of the Foundation under this act.

(*f*) to insure its employees under the provisions of the employment security law and to become liable for payments instead of contributions as provided in subsection (o) of section fourteen of chapter one hundred and fifty-one A of the General Laws.

Consistent with the constitution and laws of the commonwealth, the Foundation shall have such other powers, including the power to buy, sell, lease, pledge and otherwise deal with real and personal property, as may be necessary for or incidental to carrying out the foregoing powers and the accomplishment of the purposes of this act.

SECTION 7. All moneys received by the Foundation under the authority of this act shall be deemed trust funds, to be held and

applied solely as provided in this act. The Foundation shall, in any trust agreement, provide for the payment of all revenues to be received to any officer who, or to any agency, bank or trust company which, shall act as trustee of such funds and shall hold and apply the same to the purposes hereof, subject to such regulations as this act and such trust agreement may provide.

All expenses incurred in carrying out the provisions of this act shall be payable solely from funds provided under the authority of this act, and the Foundation shall have no power to make its obligations payable out of any property or moneys except those of the Foundation. No obligation of the Foundation shall be a debt of the commonwealth and no liability or obligation shall be incurred by the Foundation beyond the extent to which moneys shall have been provided by appropriation or otherwise under the provisions of this act and are available therefor.

SECTION 8. The Foundation shall render to the governor and to the general court on or before the first day of November in each year a report summarizing its activities for the preceding fiscal year, and its recommendations, including minority recommendations or comments, if any, and drafts of such legislation as may be necessary to carry said recommendations into effect. Such report shall contain a complete financial statement, including information as to the acquisition or disposition by the Foundation of any patents or patent rights, and the receipt by the Foundation of funds, property or any interest therein by gift, grant or devise.

SECTION 9. The Foundation shall keep accurate accounts of all receipts and disbursements, and such accounts shall be audited yearly by a certified or licensed public accountant whose report of the audit shall be included in the annual report of the Foundation. In addition, the accounts of the Foundation shall be subject to annual audit by the department of the state auditor, the cost of which audit shall not be borne by the Foundation.

SECTION 10. No member of the governing board, officer or employee of the Foundation shall acquire, retain or transfer any rights, under the patent laws of the United States or otherwise, in any invention which he may make or produce in connection with the performance of his assigned activities; provided, however, that this section shall not prevent any officer or employee of the Foundation from executing any application for a patent on any such invention for the purpose of assigning the same to the Foundation in accordance with such rules and regulations as the board of directors may establish. No officer or employee of the Foundation shall be in the employ of or be in any way, directly or indirectly, financially interested in any person, partnership, corporation or association having any business or financial transactions with the Foundation. No member shall act as a member of the governing board, or vote as such, in connection with any matter in which to his knowledge, he, his immediate family, or any organization which he is serving as a director, officer, trustee, partner or employee, has a financial interest; and any member, immediately upon learning that any such matter is being considered or proposed by the board, shall fully disclose to the board the nature of his interest therein.

SECTION 11. In evaluating research proposals and requests for assistance submitted by interested individuals, institutions and firms, to the Foundation, the Foundation shall give priority to proposals which do not require indefinitely continuing grants and which portend immediate or long-range benefit to the commonwealth, and to such persons, institutions or firms as are residents of the commonwealth or were organized therein.

SECTION 12. The Foundation is created and shall be operated exclusively for public purposes and not for pecuniary profit. No part of the net earnings of the Foundation shall inure to the benefit of any private individual.

SECTION 13. The Foundation and all its real and personal property shall be exempt from taxation and from betterments and special assessments; and the Foundation shall not be required to pay any tax, excise or assessment to or for the commonwealth or any of its political subdivisions. *Approved August 28, 1969.*

Chap. 844. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY TO TAKE THE WATER RIGHTS TO RICHMOND POND BY EMINENT DOMAIN.

Be it enacted, etc., as follows:

The county commissioners of Berkshire county are hereby authorized to take by eminent domain or to acquire by purchase or otherwise, for recreational and flood control purposes, the water rights, dam and any land or buildings which may be necessary for the control of the flowage of the water in Richmond pond located in part in the city of Pittsfield and in part in the town of Richmond. *Approved August 28, 1969.*

Chap. 845. AN ACT RELATIVE TO THE COMPENSATION OF THE JUSTICES OF SEVERAL COURTS OF THE COMMONWEALTH AND OF CERTAIN REGISTERS OF PROBATE.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 185 of the General Laws, as most recently amended by section 1 of chapter 699 of the acts of 1966, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — The judge and associate judges of the land court shall each receive a salary of thirty thousand dollars and each shall annually receive, upon the certificate of the judge, the amount of expenses incurred by him in the discharge of his duties, to be paid by the commonwealth.

SECTION 2. Chapter 211 of the General Laws is hereby amended by striking out section 22, as most recently amended by section 2 of said chapter 699, and inserting in place thereof the following section: —

Section 22. The chief justice of the court shall receive a salary of thirty-five thousand dollars and each associate justice a salary of thirty-three thousand eight hundred dollars, and the chief justice and each associate justice shall annually receive from the commonwealth, upon certificate of the chief justice, the amount of the expenses incurred by

them in the discharge of their duties. Such justices shall devote their entire time during ordinary business hours to their respective duties and shall not, directly or indirectly, engage in the practice of law.

SECTION 3. Chapter 212 of the General Laws is hereby amended by striking out section 27, as most recently amended by section 3 of said chapter 699, and inserting in place thereof the following section: —

Section 27. The chief justice shall receive a salary of thirty-one thousand three hundred dollars and each associate justice a salary of thirty thousand dollars, and the chief justice and each associate justice shall annually receive from the commonwealth, upon the certificate of the chief justice, the amount of the expenses incurred by them in the discharge of their duties. Such justices shall devote their entire time during business hours to their respective duties and shall not, directly or indirectly, engage in the practice of law.

SECTION 4. Chapter 217 of the General Laws is hereby amended by striking out section 34, as most recently amended by section 2 of chapter 841 of the acts of 1967, and inserting in place thereof the following section: —

Section 34. The salaries of all judges of probate shall be paid by the commonwealth except for the salary of the judge of probate designated under section two A to have and perform the duties described in section eight, and are hereby established as follows: —

COUNTY	SALARIES
Suffolk	$26,300
Middlesex	26,300
Norfolk	26,300
Essex	26,300
Hampden	26,300
Worcester	26,300
Bristol	26,300
Plymouth	26,300
Barnstable	26,300
Berkshire	26,300
Franklin	26,300
Hampshire	26,300
Dukes	9,400
Nantucket	9,400

The judge designated under section two A shall, irrespective of the county in which he serves as a judge of probate, receive a salary of twenty-seven thousand three hundred dollars for his combined services as chief judge and judge of probate.

SECTION 5. Section 35A of said chapter 217 is hereby amended by striking out the second sentence, as most recently amended by section 5 of chapter 699 of the acts of 1966, and inserting in place thereof the following sentence: — The salaries of the registers of probate in the counties of Dukes and Nantucket shall be seven thousand four hundred dollars.

SECTION 6. The second paragraph of section 6 of chapter 218 of the General Laws, as amended by section 6 of said chapter 699, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — He shall receive a salary of twenty-six thousand three hundred dollars for his combined services as chief justice and as justice of the court to which he was appointed.

SECTION 7. Said chapter 218 is hereby further amended by striking out section 75, as most recently amended by section 7 of said chapter 699, and inserting in place thereof the following section: —

Section 75. The salary of the chief justice of the municipal court of the city of Boston shall be twenty-six thousand three hundred dollars, and the salary of each of the associate justices shall be twenty-five thousand dollars.

SECTION 8. Said chapter 218 is hereby further amended by striking out section 76, as most recently amended by section 8 of said chapter 699, and inserting in place thereof the following section: —

Section 76. The salary of the justice of the Boston juvenile court shall be twenty-six thousand three hundred dollars.

SECTION 9. The first paragraph of section 77A of said chapter 218 is hereby amended by striking out the word "twenty-two", inserted by section 9 of said chapter 699, and inserting in place thereof the word: — twenty-five.

SECTION 10. Section 78 of said chapter 218 is hereby amended by striking out the first paragraph, as most recently amended by section 2 of said chapter 782 of the acts of 1967, and inserting in place thereof the following paragraph: —

The salary of the justice of each of the following district courts
district court of eastern Essex,
district court of Newburyport,
district court of Chicopee,
shall be ten thousand one hundred dollars;
the salary of the justice of each of the following district courts
district court of Leominster,
district court of northern Berkshire,
district court of Natick,
district court of western Worcester,
second district court of Essex,
fourth district court of Berkshire,
district court of eastern Hampshire,
district court of southern Berkshire,
district court of Lee,
shall be eight thousand eight hundred dollars;
the salary of the justice of each of the following district courts
third district court of Essex,
district court of Winchendon,
district court of eastern Franklin,
district court of Williamstown,
shall be seven thousand six hundred dollars;
the salary of the justices of each of the following district courts
district court of Dukes County,
district court of Nantucket,
shall be eight thousand three hundred dollars.

SECTION 11. Section 77B of said chapter 218 is hereby amended by striking out the second paragraph, as appearing in section 15 of chapter 810 of the acts of 1963, and inserting in place thereof the following paragraph: —

Special justices, when sitting at the order of the chief justice of the district courts, shall receive from the county in which they sit payment

computed at the rate by the day of the salary of the justice of the district court in which they sit, or fifty dollars per day, whichever is greater.

SECTION 12. This act shall take effect as of January first, nineteen hundred and sixty-nine. *Approved August 28, 1969.*

Chap. 846. AN ACT TO PROVIDE STUDENT REPRESENTATION ON CERTAIN EDUCATIONAL BOARDS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 15 of the General Laws is hereby amended by striking out section 20 and inserting in place thereof the following section:—

Section 20. There shall be a board of trustees of the University of Massachusetts consisting of the governor, the commissioner of education, the commissioner of agriculture, the commissioner of public health, the commissioner of mental health, and the president of the college, ex officio, an elected representative of the student body of said University, selection of whom shall alternate yearly between the Amherst and Boston campuses, and not more than seventeen appointive members, none of whom shall be affiliated in any capacity with a private medical school. The term of office of the elected member of the board shall be one year. No person shall be eligible to be elected to the board unless at the time of his election he is enrolled as a student at the University. If at any time during his term of office said elected member ceases to be so enrolled, his membership on the board shall be terminated and his position shall be deemed vacant. A vacancy in the elected membership prior to the expiration of a term shall be filled for the remainder of the term in the same manner as elections to full terms. Upon the expiration of the term of office of any appointive member, his successor shall be appointed for seven years by the governor. The elected and appointive members of the board shall serve without compensation, but their personal and incidental expenses shall be paid as are those of trustees of other public institutions.

SECTION 2. Said chapter 15 is hereby further amended by striking out section 20A and inserting in place thereof the following section:—

Section 20A. There shall be a board of trustees of state colleges consisting of the chairman of the student advisory commission to the board of trustees of state colleges, and eleven other 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 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 or be employed by or derive regular compensation from the commonwealth.

Upon the expiration of the term of office of an appointive 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 appointive 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 3. Said chapter 15 is hereby further amended by inserting after section 20B the following section:—

Section 20C. There shall be a student advisory commission to the board of trustees of state colleges consisting of one elected representative from the student body at each of the institutions under the jurisdiction of said board. The term of office of each member of said commission shall be one year. No person shall be eligible to be elected to the commission unless at the time of his election he is enrolled as a student in an institution under the jurisdiction of said board. If at any time during his term of office a member of said commission ceases to be so enrolled, his membership shall be terminated and his position shall be deemed vacant. A vacancy prior to the expiration of a term shall be filled for the remainder of the term by a person appointed by the chairman of the commission provided that the person so appointed shall be one who is enrolled as a student in the same institution represented by his predecessor. The members of the commission shall elect their own chairman by majority vote of the entire membership. The chairman of the commission shall, from time to time, call meetings of the commission. The members of the commission shall serve without compensation except that they shall be reimbursed for necessary expenses incurred in travelling to and from commission meetings.

SECTION 4. Said chapter 15 is hereby further amended by striking out section 21A and inserting in place thereof the following section:—

Section 21A. There shall be a board of trustees for the Southeastern Massachusetts University consisting of fifteen members to be appointed by the governor and an elected representative of the student body of the University. Of the trustees first appointed, three shall be selected from the board of trustees of the New Bedford Institute of Technology and three from the board of trustees of the Bradford Durfee College of Technology; provided, that not more than four trustees shall be residents of the same city or town. Of the fifteen trustees originally appointed, six shall be appointed for a term of three years, five for a term of two years and four for a term of one year. The successor of each such trustee shall be appointed for a term of three years and until his successor shall be duly appointed and qualified, except that any person appointed to fill a vacancy shall serve only for the unexpired term. The term of office of the elected trustee of the board shall be one year. No person shall be eligible to be elected to the board unless at the time of his election he is enrolled as a student at the University. If at any time during his term of office

said elected trustee ceases to be so enrolled, his membership on the board shall be terminated and his position shall be deemed vacant. A vacancy in the office of elected trustee prior to the expiration of a term shall be filled for the remainder of the term in the same manner as elections to full terms.

SECTION 5. Said chapter 15 is hereby further amended by striking out section 24 and inserting in place thereof the following section:—

Section 24. There shall be a board of trustees for the Lowell Technological Institute of Massachusetts consisting of fifteen appointive members and the commissioner of education and the mayor of Lowell, as ex officiis members, and an elected representative from the student body at the Institute. The term of office of the elected member of the board shall be one year. No person shall be eligible to be elected to the board unless at the time of his election he is enrolled as a student at the Institute. If at any time during his term of office said elected member ceases to be so enrolled, his membership on the board shall be terminated and his position shall be deemed vacant. A vacancy in the elected membership prior to the expiration of a term shall be filled for the remainder of the term in the same manner as elections to full terms. At the expiration of a term of office of an appointive member the governor shall appoint five members each year for a term of three years. In the appointment of trustees, due consideration shall be given to adequate representation of the alumni on said board of trustees.

SECTION 6. Said chapter 15 is hereby further amended by striking out section 27 and inserting in place thereof the following section:—

Section 27. There is hereby established in the department, but not subject to its control, a Massachusetts board of regional community colleges, hereinafter called the board, which shall consist of seventeen members, including the chancellor of the board of higher education, the commissioner of education, the president of the University of Massachusetts, a president of a state college elected annually by the presidents of the state colleges, including the Massachusetts college of art and the Massachusetts Maritime Academy, a president of a Massachusetts technical institute elected by the presidents of such technical institutes, the chairman of the student advisory commission to the board of trustees of regional community colleges, and eleven members appointed by the governor, at least one of whom shall be the president of a private college, university or junior college in the commonwealth at least two of whom shall be women. The members shall serve without compensation, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties. The governor, in his initial appointments, shall designate three members to serve for six years, three members for five years, two members for four years, one member for three years, one member for two years, and one member for one year. Upon the expiration of the term of office of a member of the board his successor shall be appointed for a term of six years. The governor shall from time to time designate one of the members as chairman.

SECTION 7. Said chapter 15 is hereby further amended by inserting after section 27 the following section:—

Section 27A. There shall be a student advisory commission to the board of regional community colleges consisting of one elected repre-

sentative from the student body at each of the institutions under the jurisdiction of said board. The term of office of each member of said commission shall be one year. No person shall be eligible to be elected to the commission unless at the time of his election he is enrolled as a student in an institution under the jurisdiction of said board. If at any time during his term of office a member of said commission ceases to be so enrolled, his membership shall be terminated and his position shall be deemed vacant. A vacancy prior to the expiration of a term shall be filled for the remainder of the term by a person appointed by the chairman of the commission provided that the person so appointed shall be one who is enrolled as a student in the same institution represented by his predecessor. The members of the commission shall elect their own chairman by majority vote of the entire membership. The chairman of the commission shall, from time to time, call meetings of the commission. The members of the commission shall serve without compensation except that they shall be reimbursed for necessary expenses incurred in travelling to and from commission meetings.

SECTION 8. There is hereby established an elections committee consisting of seventeen members, to be appointed by the governor, three of whom shall be students enrolled in institutions under the jurisdiction of the board of trustees of state colleges, three of whom shall be students enrolled in institutions under the jurisdiction of the board of regional community colleges, two of whom shall be members of the student bodies of Southeastern Massachusetts University and Lowell Technological Institute and three of whom shall be members of the student bodies at the two campuses of the University of Massachusetts at least one of whom shall be selected from the Boston campus, and six of whom shall be persons with a special interest or background in the field of higher education. In the appointment of student members, due consideration shall be given to the appointment of persons holding elective posts at the several institutions.

The committee shall forthwith promulgate procedures whereby each institution or group of institutions shall elect a student representative under the provisions of this act. The committee shall take into consideration factors which may be unique as to each institution or group of institutions and the procedures promulgated need not be uniform for all institutions. Upon fulfillment of its responsibilities under the provisions of this section, the committee shall be dissolved.

Any new procedure for the election of student representatives under the provision of this act may be established or any procedure in effect at any time may be amended or repealed by a majority vote of the student body of the institution or group of institutions for which the change is proposed. *Approved August 28, 1969.*

Chap. 847. AN ACT AUTHORIZING THE ADAMS-CHESHIRE REGIONAL SCHOOL DISTRICT TO CONVEY CERTAIN SCHOOL LAND IN THE TOWN OF ADAMS AND TO GRANT CERTAIN EASEMENTS ON LAND IN THE TOWNS OF ADAMS AND CHESHIRE TO THE ADAMS FIRE DISTRICT.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the Adams-Cheshire Regional School District, acting by and through the chairman of its regional district school committee, is hereby authorized to grant the easements hereinafter described in parcels 1 to 4, inclusive, and to convey the land hereinafter described in parcel 2 to the Adams Fire District for the purpose of enabling said fire district to maintain the water line leading to the high school and to construct a fire reservoir:

PARCEL 1: A permanent easement lying wholly within the town of Cheshire running easterly, northeasterly and northerly from the vicinity of the Hoosac Valley High School building to Parcel 2 hereinafter described, for purposes of travel and the installation and maintenance of underground piping. This parcel is shown on a plan entitled "Plan of Land & Easement in Adams & Cheshire, Mass., to be conveyed by The Adams-Cheshire Regional School District to Adams Fire District", dated May 1969 and prepared by Henry C. Neff Associates, Civil Engineers & Land Surveyors, and is more particularly described as follows:

Beginning at a point in the center line of a school road or drive passing the Hoosac Valley High School and northerly thereof, said center line being parallel to the northerly end of the school building and lying 72 feet northerly thereof; said point of beginning being located 208.0 feet easterly of a point in said center line lying opposite the most northeasterly corner of said building; thence north 15° 31′ 25″ east 15.0 feet to a point; thence south 74° 28′ 35″ east 448.96 feet to a point; thence north 60° 31′ 25″ east 92.20 feet to a point; thence north 15° 31′ 25″ east 156.67 feet to a point; thence north 74° 28′ 35″ west 50.00 feet to a point; thence north 15° 31′ 25″ east 15.00 feet to a point in the Adams-Cheshire town line, located about 1400 feet easterly of a county highway bound on the east side of Route 116, said point being also the southwesterly corner of Parcel 2 hereinafter described; thence south 74° 28′ 35″ east in said town line 110.00 feet to a point, said point being also the southeasterly corner of Parcel 2, located 76.3 feet westerly from a concrete monument set in the ground in said town line; thence south 15° 31′ 25″ west 45.00 feet to a point; thence north 74° 28′ 35″ west 30.00 feet to a point; thence south 15° 31′ 25″ west 139.11 feet to a point; thence south 60° 31′ 25″ west 117.08 feet to a point; thence north 74° 28′ 35″ west 461.40 feet to a point; thence north 15° 31′ 25″ east 15.0 feet to the place of beginning.

Meaning and intending to describe a strip of land generally 30 feet in width, except as widened adjacent to Parcel 2 to provide turn-around space for vehicles.

Granting also the right of access over and along roads or drives of the Adams-Cheshire Regional School District leading from Route 116 to the point of beginning of said Parcel 1.

PARCEL 2: A plot of land lying wholly within the town of Adams upon which a water reservoir is to be constructed, shown upon the plan

mentioned in the description of Parcel 1 above, and more particularly described as follows:

Beginning at a point in the Adams-Cheshire town line located about 1400 feet easterly of a county highway found on the east side of Route 116, said point being also a northwest corner of Parcel 1; thence north 15° 31′ 25″ east 105.00 feet to a point; thence south 74° 28′ 35″ east 110.00 feet to a point; thence south 15° 31′ 25″ west 105.00 feet to a point in said town line lying 76.3 feet westerly from a concrete monument set in the ground in said town line, said point being also the northeast corner of Parcel 1; thence north 74° 28′ 35″ west 110.00 feet to the place of beginning.

An easement to discharge water from the aforesaid reservoir onto adjoining land of said regional school district lying westerly of the described parcel, at such time or times as it becomes necessary or desirable to lower the reservoir.

A temporary easement for a period of six months for construction purposes fifty feet in width surrounding Parcel 2 above described on all four sides, the limits of which are not delineated upon the aforesaid plan.

A right of access over and along roads or drives of the Adams-Cheshire Regional School District leading from Route 116 to the point of beginning of Parcel 2 described above.

PARCEL 3: A right to maintain in its present location the water pipe line already installed by the regional school district from a point about one hundred feet from Orchard Street, Route 116, to the point of beginning of Parcel 1 above described, together with a right of access thereto over and along roads or drives of the Adams-Cheshire Regional School District leading from Route 116.

PARCEL 4: A right to install and maintain a water pipe line from Orchard Street, Route 116, for a distance of about one hundred feet to connect to the water pipe line already installed by the regional school district as set forth in Parcel 3 above.

If any excavation is made in connection with any of the easements granted above, the land shall be restored by the Adams Fire District to the same condition that it was in prior to such excavation.

Approved August 28, 1969.

Chap. 848. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF MIDDLESEX TO PAY A CERTAIN SUM OF MONEY TO THE WAKEFIELD ITEM COMPANY.

Be it enacted, etc., as follows:

The county commissioners of the county of Middlesex are hereby authorized to pay to the Wakefield Item Company the sum of one thousand and fifty-seven dollars and thirty cents for printing the county treasurer's report for nineteen hundred and sixty-five, notwithstanding the provisions of section seventeen of chapter thirty-four of the General Laws.

Approved August 28, 1969.

Chap. 849. AN ACT TO IMPROVE THE COLLECTION OF PROPERTY TAXES THROUGH CHANGES IN THE FISCAL CYCLES OF COUNTIES, CITIES, TOWNS, AND CERTAIN DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. It is the purpose and intent of this act to change the fiscal year of all counties, cities, towns, and certain districts to conform with the commonwealth's fiscal year, to facilitate the implementation of improved budget and appropriation procedures, and to improve the collection of property taxes.

SECTION 2. Clause (i) of paragraph (c) of subdivision (7) of section 22 of chapter 32 of the General Laws, as appearing in section 1 of chapter 658 of the acts of 1945, is hereby amended by striking out, in lines 8 and 9, the word "January" and inserting in place thereof the word:—July.

SECTION 3. Clause (ii) of said paragraph (c), as appearing in section 1 of chapter 530 of the acts of 1951, is hereby amended by striking out, in line 13, the word "January" and inserting in place thereof the word:—July,—and by striking out, in the last line, the words "or before".

SECTION 4. Section 14 of chapter 35 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the last sentence.

SECTION 5. Said chapter 35 is hereby further amended by striking out section 16, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 16. The fiscal year of each county shall be the year beginning with July first and ending with the following June thirtieth; but the treasurer shall, until July tenth, enter in his books the items for the payment of bills incurred and salaries earned during the previous fiscal year. Immediately after July first, he shall pay to every officer in his county any salary balance remaining due.

SECTION 6. Section 23 of said chapter 35, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—All interest in the custody of any clerk of said courts not directed to be paid, as aforesaid, remaining after payment by order of the court of the principal fund to parties litigant entitled thereto, shall annually be paid, if the court is in Suffolk county, to the collector-treasurer of the city of Boston, or, if the court is in any other county, to the county treasurer of said county, between the first and tenth days of each fiscal year, to be used for general county purposes.

SECTION 7. Section 25 of said chapter 35, as amended by section 1 of chapter 175 of the acts of 1933, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Immediately after July tenth, the county treasurer shall annually prepare a report of the county receipts and expenditures for the preceding fiscal year, stated separately under the heads prescribed by the director of accounts for keeping the treasurer's books.

SECTION 8. Section 26 of said chapter 35, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Immediately after July tenth, the county commissioners shall annu-

ally prepare a report on county affairs, showing their acts during the preceding fiscal year, so as to give the taxpayers of the county a full and clear understanding of its affairs and of the objects and methods of county expenditures.

SECTION 9. Section 27 of said chapter 35, as amended by section 2 of chapter 175 of the acts of 1933, is hereby further amended by inserting before the word "year", in line 6, the word:—fiscal.

SECTION 10. The first sentence of section 28 of chapter 35 of the General Laws, as most recently amended by section 1 of chapter 316 of the acts of 1955, is hereby further amended by inserting before the word "year", in line 3, and also in line 19, and also before the word "years" in line 19, the word:—fiscal.

SECTION 11. The second sentence of said section 28 of said chapter 35, as appearing in section 1 of chapter 481 of the acts of 1949, is hereby amended by inserting before the word "year", in line 7 and in line 11, the word:—fiscal.

SECTION 12. Section 28A of said chapter 35 is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 487 of the acts of 1968, and inserting in place thereof the following sentence:—The county commissioners of each county having a tuberculosis hospital established under sections seventy-eight to ninety, inclusive, of chapter one hundred and eleven, shall, in each year, prepare estimates of receipts of said hospital and of the cost of its care, maintenance and repair for the ensuing fiscal year in the form prescribed by the director of accounts and upon blanks furnished by him.

SECTION 13. Section 29 of said chapter 35, as most recently amended by section 2 of chapter 158 of the acts of 1945, is hereby further amended by striking out, in line 7, the word "January" and inserting in place thereof the word:—July.

SECTION 14. Section 30 of said chapter 35 as most recently amended by section 3 of said chapter 158, is hereby further amended by inserting after the word "previous", in line 10, the word:—fiscal.

SECTION 15. Section 34 of said chapter 35 is hereby amended by striking out the first and second sentences, as appearing in section 4 of said chapter 158.

SECTION 16. Section 34A of said chapter 35, as appearing in chapter 201 of the acts of 1947, is hereby amended by inserting after the word "any", in line 3, the word:—fiscal,—and by striking out, in line 10, the word "calendar" and inserting in place thereof the word:—fiscal.

SECTION 17. Section 36 of said chapter 35, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "each", in line 1, the word:—fiscal.

SECTION 18. Section 37 of said chapter 35, as appearing in chapter 28 of the acts of 1933, is hereby amended by inserting before the word "year", in line 3, in line 17 and in line 26, the word:—fiscal,—and by striking out, in lines 22 and 23, the words "January first and January tenth" and inserting in place thereof the words:—July first and July tenth.

SECTION 19. Said chapter 35 is hereby further amended by striking out section 40, as amended by section 1 of chapter 23 of the acts of 1936, and inserting in place thereof the following section:—

Section 40. The treasurer of each county shall annually, in May, notify all officers required to account for and pay to him any fines, expenses, forfeitures, fees and money, to make the returns thereof, specifying the laws requiring the same. He shall annually, in July, return to the director of accounts a sworn statement of all such items received by him in criminal matters during the preceding fiscal year, from whom received, and the name of each magistrate or officer failing to comply, and what proceedings have been taken by reason thereof. He shall also, annually, on or before July fifteenth, make a return to the commissioner of correction, upon blanks to be provided by said commissioner, of all amounts paid or received by him on account of any jail or house of correction for the fiscal year ending with the preceding June thirtieth.

SECTION 20. The last sentence of section 45 of said chapter 35, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 4, the word "January" and inserting in place thereof the word:—July,—and by inserting after the word "preceding", in line 5, the word:—fiscal.

SECTION 21. Section 46 of said chapter 35, as amended by section 2 of chapter 654 of the acts of 1953, is hereby further amended by striking out, in line 2, the word "February" and inserting in place thereof the word:—August.

SECTION 22. Section 22 of chapter 37 of the General Laws, as amended by section 5 of chapter 180 of the acts of 1932, is hereby amended by striking out, in line 4, the word "December" and inserting in place thereof the word:—June.

SECTION 23. Section 9 of chapter 39 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 2, the words, "or April" and inserting in place thereof the words:—, April or May.

SECTION 24. Section 4 of chapter 40 of the General Laws is hereby amended by striking out the next to the last paragraph, added by section 2 of chapter 798 of the acts of 1951.

SECTION 25. Clause (34) of section 5 of chapter 40 of the General Laws, as most recently amended by chapter 248 of the acts of 1964, is hereby further amended by striking out, in lines 23 and 24, the words "average assessed valuation in a city or town of the three preceding years" and inserting in place thereof the words:—equalized valuation of the city or town as defined in section one of chapter forty-four.

SECTION 26. Clause (37) of said section 5, as most recently amended by chapter 77 of the acts of 1956, is hereby further amended by striking out, in line 6, the words "assessed valuation of the preceding year" and inserting in place thereof the words:—equalized valuation of the city or town as defined in section one of chapter forty-four.

SECTION 27. Clause (42) of said section 5, as appearing in chapter 113 of the acts of 1951, is hereby amended by striking out, in line 8, the words "assessed valuation of the preceding year" and inserting in place thereof the words:—equalized valuation of the city or town as defined in section one of chapter forty-four.

SECTION 28. Clause (43) of said section 5, as appearing in chapter 118 of the acts of 1952, is hereby amended by striking out, in line 8, the words "assessed valuation of the preceding year" and inserting in

place thereof the words:—equalized valuation of the city or town as defined in section one of chapter forty-four.

SECTION 29. The first paragraph of section 5B of said chapter 40, as appearing in section 1 of chapter 404 of the acts of 1957, is hereby amended by striking out, in lines 10 and 11, the words "assessed valuation of real estate and tangible personal property therein in the preceding year" and inserting in place thereof the words:—equalized valuation of the city or town as defined in section one of chapter forty-four.

SECTION 30. Section 6A of said chapter 40, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the words "assessed valuation of the preceding year" and inserting in place thereof the words:—equalized valuation of the city or town as defined in section one of chapter forty-four.

SECTION 31. The last sentence of section 9 of said chapter 40, as appearing in section 1 of chapter 563 of the acts of 1949, is hereby amended by striking out, in line 8, the words "valuation for such year" and inserting in place thereof the words:—equalized valuation as defined in section one of chapter forty-four.

SECTION 32. The first sentence of section 11 of said chapter 40, as appearing in chapter 573 of the acts of 1956, is hereby amended by striking out, in line 4, the word "valuation" and inserting in place thereof the words:—equalized valuation as defined in section one of chapter forty-four.

SECTION 33. The first sentence of section 13A of said chapter 40, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 5, the words "assessed valuation" and inserting in place thereof the words:—equalized valuation as defined in section one of chapter forty-four,—and by striking out, in line 10, the word "assessed" and inserting in place thereof the word:—equalized.

SECTION 34. Section 44H of said chapter 40, as appearing in section 1 of chapter 748 of the acts of 1965, is hereby amended by striking out, in line 3, the word "calendar" and inserting in place thereof the word:—fiscal.

SECTION 35. The first sentence of section 7 of chapter 40B of the General Laws, as appearing in section 2 of chapter 839 of the acts of 1967, is hereby amended by striking out, in line 3, the word "following" and inserting in place thereof the words:—next fiscal.

SECTION 36. The first sentence of section 8 of said chapter 40B, as appearing in section 1 of chapter 173 of the acts of 1967, is hereby amended by inserting after the word "current", in line 3, the word:—fiscal.

SECTION 37. The first paragraph of section 18 of said chapter 40B, as appearing in chapter 663 of the acts of 1968, is hereby amended by striking out, in lines 7 and 12, the word "calendar" and inserting in place thereof in each instance, the word:—fiscal.

SECTION 38. The third paragraph of said section 18 of said chapter 40B, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—The commission shall operate on a fiscal year beginning with July first and ending with the following June thirtieth.

SECTION 39. Said third paragraph of said section 18 of said chapter 40B, as so appearing is hereby further amended by striking out the

fifth sentence and inserting in place thereof the following sentence:—Each city and town treasurer shall pay the amount so apportioned by the district treasurer not later than July tenth of the fiscal year for which the apportionment is made, and shall make such payment from any monies available in the treasury of each such city or town.

SECTION 40. Section 54A of chapter 41 of the General Laws, as amended by chapter 62 of the acts of 1936, is hereby further amended by striking out, in line 5, the words "preceding financial year" and inserting in place thereof the words:—first six months of the current fiscal year and his estimate of the receipts of the last six months of such year.

SECTION 41. Said chapter 41 is hereby amended by striking out section 59, as amended by chapter 94 of the acts of 1936, and inserting in place thereof the following section:—

Section 59. The selectmen and all boards, committees, heads of departments or other officers of a town authorized by law to expend money shall furnish to the town accountant, or, if there is no town accountant, to the appropriation, advisory or finance committee, if any, otherwise to the selectmen, not less than ten days before the end of the calendar year, detailed estimates of the amounts necessary for the proper maintenance of the departments under their jurisdiction for the ensuing fiscal year, with explanatory statements as to any changes from the amounts appropriated for the same purposes in the then current fiscal year, and an estimate of amounts necessary for outlays or permanent improvements. They shall also prepare estimates of any income likely to be received by the town during the ensuing fiscal year in connection with the town's business or property intrusted to their care. The selectmen shall include in their estimates the salaries and expenses connected with their own office, and the salaries of all other town officers shall be included in the estimates for the office, department or branch of the public service of which they are in charge. The treasurer shall, in addition to his estimate of the amount required for the maintenance of his own office, prepare a separate statement indicating the amounts required for the payment of interest on the town debt and for the payment of such portions of the town debt as may become due during the ensuing fiscal year.

SECTION 42. Section 60 of said chapter 41, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—The town accountant shall immediately upon the close of each calendar year compile statements in tabulated form showing the amounts appropriated and the amounts expended from each appropriation during the preceding fiscal year, the amounts appropriated for the current fiscal year and the amounts expended from such appropriations during the first six months of such year and the amounts estimated to be expended from such appropriations during the second six months of such year, and the estimates for the next ensuing fiscal year, and shall forthwith furnish a copy thereof to the selectmen, or to such committee as the town may appoint to consider and report on proposed appropriations.

SECTION 43. The second sentence of said section 60, as so appearing, is hereby amended by inserting after the word "ensuing", in line 3, the word:—fiscal.

SECTION 44. Section 108 of said chapter 41, as appearing in section 1 of chapter 540 of the acts of 1947, is hereby amended by striking out, in lines 3 and 4, the words "and may be made effective from January first if the town so votes" and, in lines 13 and 14, the words "and may make such salary or compensation effective from January first, all".

SECTION 45. Section 108A of said chapter 41 is hereby amended by striking out the last paragraph, added by chapter 87 of the acts of 1960.

SECTION 46. Said chapter 41 is hereby amended by striking out section 120, as amended by section 11 of chapter 45 of the acts of 1967, and inserting in place thereof the following section:—

Section 120. The fiscal year of all districts shall begin with July first and end with the following June thirtieth, notwithstanding the provisions of special laws or district by-laws to the contrary; provided that the district treasurer shall until July tenth enter on his books all items for the payment of bills incurred and salaries and wages earned during the previous fiscal year, and expenditures therefor shall be deemed to be as of the preceding June thirtieth.

SECTION 47. Section 4 of chapter 44 of the General Laws, as most recently amended by section 1 of chapter 73 of the acts of 1967, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Cities, towns and districts may, by a majority vote, incur debt in the fiscal year in which the vote is taken and in the ensuing fiscal year for temporary loans in anticipation of the revenue of the fiscal year in which the debt is incurred, and may issue notes therefor to an amount which for cities and towns shall not exceed in the aggregate the total tax levy of the fiscal year preceding the fiscal year in which the debt is incurred, together with the net amount received during such preceding fiscal year from the excise on motor vehicles and trailers, as provided by chapter sixty A, and the payments made by the commonwealth in lieu of taxes on account of property taken for institutions or for metropolitan district purposes; and for districts shall not exceed the receipt from taxes, rates and services of the fiscal year preceding that in which the debt is incurred, and for newly established districts which have not yet had receipts from taxes, rates and services throughout an entire fiscal year an amount as fixed by vote of the district.

SECTION 48. Sections five, five A, five B, thirteen A, twenty-nine and thirty-four of chapter forty-four of the General Laws are hereby repealed.

SECTION 49. Section 7 of said chapter 44, as appearing in section 1 of chapter 206 of the acts of 1965, is hereby amended by striking out, in line 5, the words "in the year in" and inserting in place thereof the words:—in or for the fiscal year with respect to.

SECTION 50. Said section 7 of said chapter 44, as so appearing, is hereby further amended by striking out clause (11) and inserting in place thereof the following clause:—

(11) For the payment of final judgments rendered after the fixing of the tax rate for the current fiscal year for which other provision has not been made, one year.

SECTION 51. The second paragraph of section 9 of said chapter 44, as amended by section 8 of chapter 23 of the acts of 1968, is hereby

further amended by inserting before the word "year", in line 1, the word:—fiscal.

SECTION 52. Section 13 of said chapter 44 is hereby amended by striking out the first sentence, as appearing in section 17 of chapter 358 of the acts of 1946.

SECTION 53. The second paragraph of said section 13, as amended by chapter 62 of the acts of 1963, is hereby further amended by striking out, in lines 1 and 2, the words "Notwithstanding the foregoing limitations upon the authority of town officers to incur liabilities during said interval, town" and inserting in place thereof the word:—Town,—and by striking out, in line 3 and in line 6, the word "additional".

SECTION 54. Section 16 of said chapter 44, as appearing in chapter 27 of the acts of 1964, is hereby amended by striking out, in line 33, the word "current" and inserting in place thereof the word:—next.

SECTION 55. Section 30 of said chapter 44, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 9, the words "year; but in each" and inserting in place thereof the words:—fiscal year; but in each fiscal,—and by inserting after the word "preceding", in line 11, the word:—fiscal.

SECTION 56. The first paragraph of section 31A of said chapter 44 is hereby amended by striking out all after the word "necessary", in line 9, as appearing in section 1 of chapter 473 of the acts of 1941, and inserting in place thereof the following:—for the next fiscal year for the ordinary maintenance of the office, department or undertaking under his charge or jurisdiction, and for expenditures other than the ordinary maintenance, with the amounts, if any, expended for similar purposes during the preceding fiscal year and during the first four months of the then current fiscal year, and an estimate of the amounts required to be expended for such purposes during the last eight months of the then current fiscal year, giving explanatory statements of any differences between the amount of any estimate for the next fiscal year and the amount expended or estimated to be required as aforesaid.

SECTION 57. The second paragraph of said section 31A of said chapter 44, as so appearing, is hereby amended by striking out, in lines 3 and 4, the words "then ensuing" and inserting in place thereof the words:—next fiscal,—and by striking out, in line 6, the word "current" and inserting in place thereof the word:—fiscal.

SECTION 58. Said section 31A of said chapter 44 is hereby further amended by striking out the fourth paragraph, as so appearing, and inserting in place thereof the following paragraph:—

The city auditor, or officer having similar duties, shall forthwith at the close of each calendar year furnish the mayor with a written report of the money received from estimated receipts applicable to the payment of expenditures of the first six months of the then current fiscal year, with an estimate of such receipts for the last six months of such year and for the next fiscal year.

SECTION 59. The first paragraph of section 32 of said chapter 44, is hereby amended by striking out, in line 1, as appearing in section 2 of said chapter 473, the word "forty-five" and inserting in place thereof the word:—sixty,—by striking out, in line 6, the words "then current"

and inserting in place thereof the words:—next fiscal,—and by inserting before the word "year" in line 11, the words:—next fiscal.

SECTION 60. The fourth paragraph of said section 32 of said chapter 44, as so appearing, is hereby amended by striking out, in line 1, the word "forty-five" and inserting in place thereof the word:—sixty.

SECTION 61. Section 33A of said chapter 44 is hereby amended by striking out the second sentence, as amended by chapter 301 of the acts of 1960, and inserting in place thereof the following sentence:—Notwithstanding any contrary provision of any city charter, no ordinance providing for an increase in the salaries or wages of municipal officers or employees shall be enacted except by a two thirds vote of the city council, nor unless it is to be operative for more than three months during the calendar year in which it is passed.

SECTION 62. Said chapter 44 is hereby amended by striking out section 56, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 56. The fiscal year of all towns of the commonwealth shall begin with July first and end with the following June thirtieth, and the returns made to the director under section forty-three shall show the financial condition of the town at the close of business of June thirtieth; provided, that the treasurer shall, until September first, enter in his books all items for the payment of bills incurred and salaries and wages earned during the previous fiscal year, and expenditures thereof shall be deemed to be as of June thirtieth preceding.

SECTION 63. Said chapter 44 is hereby further amended by striking out section 56A and inserting in place thereof the following section:—

Section 56A. The fiscal year of all cities of the commonwealth shall begin with July first and end with the following June thirtieth, notwithstanding the provisions of their respective charters, and the returns made to the director under section forty-three shall show the financial condition of the city at the close of business on June thirtieth; provided, that the treasurer shall, until September first, enter in the books all items for the payment of bills incurred and the salaries and wages earned during the previous fiscal year, and the expenditures therefor shall be deemed to be as of June thirtieth preceding.

SECTION 64. Paragraph (1) of subsection (b) of section 18A of chapter 58 of the General Laws, as appearing in section 7 of chapter 546 of the acts of 1969, is hereby amended by striking out, in lines 1 and 2, the words "On or before March thirty-first, six million, three hundred and fifty-one thousand, four hundred and fifteen dollars and thirty-four cents" and inserting in place thereof the words:—On or before March thirty-first, and again on or before September thirtieth, three million, one hundred and seventy-five thousand, seven hundred and seven dollars and sixty-seven cents.

SECTION 65. Paragraph (2) of said subsection (*b*) of said section 18A of said chapter 58, as so appearing, is hereby amended by striking out, in lines 1 and 2, the words "On or before March thirty-first, two million, six hundred and fifty-four thousand, eight hundred and seventy-six dollars and fifty-four cents" and inserting in place thereof the words:—On or before March thirty-first, and again on or before September thirtieth, one million, three hundred and twenty-seven thousand, four hundred and thirty-eight dollars and twenty-seven cents.

SECTION 66. Said chapter 58 is hereby further amended by striking out section 25A, as most recently amended by section 8 of chapter 546 of the acts of 1969, and inserting in place thereof the following section:—

Section 25A. Annually on or before February fifteenth, the commission shall ascertain and determine the amount due each city and town under section eighteen A and the commonwealth's share of local reimbursement and assistance programs as authorized by law and the amount appropriated by the general court, including, but not limited to, school building construction, school transportation, school lunches, educational programs, teachers' retirement pensions, veteran's benefits, public health and housing and urban renewal subsidies and shall notify the assessors of each city and town thereof. Annually on or before February first each department, commission, board or other agency of the commonwealth administering any local reimbursement or assistance program included under this section for which the commission is required to estimate the amount to be received by each city or town shall, upon the basis of information then available to it, estimate and certify to the state tax commission the amount each city and town is to receive from the commonwealth under such program during the next fiscal year. Said assessors, in determining the rate of taxation to be levied upon taxable property for the year, shall include in the estimated receipt lawfully applicable to the payment of expenditures the aforesaid amount.

SECTION 67. Section 23 of chapter 59 of the General Laws is hereby amended by striking out the first two paragraphs and inserting in place thereof the following paragraphs:—

The assessors shall annually assess taxes to an amount not less than the aggregate of all amounts appropriated, granted or lawfully expended by their respective towns since the last preceding annual assessment and not provided for therein, of all amounts required by law to be raised by taxation by said towns during said year, of all debt and interest charges matured and maturing during the next fiscal year and not otherwise provided for, of all amounts necessary to satisfy final judgments against said towns, and of all abatements granted on account of the tax assessment of any year in excess of the overlay of that year and not otherwise provided for; but such assessments shall not include liabilities for the payment of which towns have lawfully voted to contract debts. The assessors shall deduct from the amount required to be assessed (*a*) the amount of all estimated receipts of their respective towns lawfully applicable to the payment of the expenditures of the next fiscal year, excluding sums to be received from the commonwealth or county for highway purposes and excluding estimated receipts from loans and taxes, but including estimated receipts from the excise levied under chapter sixty A and receipts estimated by the commission under section twenty-five A of chapter fifty-eight, (*b*) the amount of all appropriations voted from available funds for the purpose of deduction, and (*c*) the amount of all other appropriations voted from available funds. Deductions made by the assessors under any provision of this section shall not be subject to the approval of the commission or commissioner, as the case may be; provided, however, that deductions made under clause (*a*) on account

of estimated receipts, other than those estimated by the commission, shall not exceed twice the aggregate amount of actual receipts received during the first six months of the current fiscal year from the same sources, except with the written approval of the commission; and provided, further, that deductions made under clauses (*b*) and (*c*) shall not exceed the sums certified to the assessors and the commissioner by the director of accounts after such examination of the accounts of the town as he may deem proper, as the amounts of available funds on hand on the preceding July first not otherwise appropriated. Said director shall promulgate and from time to time revise rules and regulations for determining the available funds of a town in accordance with established accounting practices of said bureau of accounts. This section shall not be construed to require any approval for the use, application, transfer, appropriation or expenditure of any funds or accounts provision for which use, application, transfer, appropriation, or expenditure is made under any other general or special law, beyond such approval or approvals as are required by such other general or special law.

In cities in determining the amount of available funds which the assessors may be required to deduct under the provisions of clauses (*b*) and (*c*) of this section such funds shall constitute the amounts certified by the director of accounts as available on July first of the then current fiscal year not otherwise appropriated, in accordance with the provisions of this section, together with the total of the proceeds from the sale of tax title possessions and the receipts from tax title redemptions, in addition to the real and personal taxes of prior years collected or received between said January first and the last day of the month preceding the month in which the tax rate is determined, but in no event later than March thirty-first of the said current year.

SECTION 68. Section 57 of said chapter 59 is hereby amended by striking out the second sentence, as amended by section 1 of chapter 290 of the acts of 1968, and inserting in place thereof the following two sentences:—If any betterment assessment (or apportionment thereof), water rate or annual sewer use charge added to such tax, or more than one half of the balance of any such tax as reduced by any abatement remains unpaid after November first of the year in which it is payable, interest at the rate of eight per cent per annum, computed from October first of such year, shall be paid on so much of the unpaid amount as is in excess of said one half of such balance; and if the whole or any part of any such tax remains unpaid after May first of the next succeeding year, in lieu of interest, as aforesaid, interest at such rate shall be paid thereon, computed from said October first on any betterment assessment (or apportionment thereof), water rate or annual sewer use charge added thereto and not paid by said November first and also on so much of the balance of such tax not so paid as exceeds one half of such tax as reduced by any abatement, and computed from April first of such next succeeding year on the balance of such tax outstanding from time to time. Bills for real estate and personal property taxes remaining unpaid by said November first shall be sent out not later than January fourteenth of each year, and shall be due and payable on February first of each year in every city, town and district in which they are assessed.

SECTION 69. Said section 57 of said chapter 59 is hereby further amended by striking out the fourth and fifth sentences, as appearing in section 1 of chapter 99 of the acts of 1947, and inserting in place thereof the following sentences:—Taxes assessed under section seventy-five or section seventy-six on or before September first shall be due and payable on October first; and taxes so assessed shall bear interest as hereinbefore provided in this section with respect to real estate and personal property taxes generally. Taxes assessed under section seventy-five or seventy-six after September first shall be due and payable on December thirty-first; and if more than one half of any such tax remains unpaid after January thirty-first of the succeeding year, interest at the aforesaid rate, computed from said December thirty-first, shall be paid on so much of such unpaid tax as is in excess of one half of such tax as reduced by any abatement; and if the whole or any part of any such tax remains unpaid after May first of said succeeding year, in lieu of interest, as aforesaid, interest at such rate shall be paid thereon, computed from said December thirty-first on so much of such tax not paid by said January thirty-first as exceeds one half of such tax as reduced by any abatement, and computed from April first of said succeeding year on the balance of such tax outstanding from time to time.

SECTION 70. Section 78 of said chapter 59, as amended by section 5 of chapter 258 of the acts of 1941, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:—Taxes so reassessed shall bear interest as provided in section fifty-seven with respect to real estate and personal property taxes generally.

SECTION 71. Clause (*m*) of section 16 of chapter 71 of the General Laws, as appearing in section 1 of chapter 638 of the acts of 1949, is hereby amended by inserting after the word "budget", in line 2, the words:—for the next fiscal year.

SECTION 72. The first paragraph of section 16B, of said chapter 71, as so appearing, is hereby amended by striking out, in line 4, the words "ensuing calendar" and inserting in place thereof the words:—next fiscal,—and said section 16B is hereby further amended by striking out the second paragraph added by chapter 619 of the acts of 1958.

SECTION 73. Section 28 of chapter 74 of the General Laws, as most recently amended by section 6 of chapter 158 of the acts of 1945, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—On or before December fifteenth the trustees of the schools mentioned in section twenty-five shall, in consultation with and with the approval of the commissioner, prepare estimates of the amounts necessary to equip and maintain their respective schools for the ensuing fiscal year as defined in section sixteen of chapter thirty-five.

SECTION 74. Section 85 of chapter 111 of the General Laws, as most recently amended by section 3 of chapter 608 of the acts of 1961, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:—The commissioners shall annually in July apportion the balance of the cost of maintenance, operation and repair of such hospitals, including the interest

paid or due on temporary notes issued therefor, for the previous fiscal year, as defined by section sixteen of chapter thirty-five, to the cities and towns in the county in accordance with their evaluation as used in assessing the county taxes; and shall issue their warrants against such cities and towns for the amount for which they are assessed.

SECTION 75. Section 44 of chapter 128 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—The trustees shall annually prepare and submit to the county commissioners, not later than the first Wednesday in December, a budget containing detailed estimates of all sums required by them for carrying out sections forty to forty-five, inclusive, during the ensuing fiscal year, as defined in section sixteen of chapter thirty-five.

SECTION 76. Notwithstanding any provisions of general or special law to the contrary, the fiscal year of every county, city, town and district which begins on January first, nineteen hundred and seventy, shall consist of an eighteen month period and shall not end with the following December thirty-first but with June thirtieth, nineteen hundred and seventy-one; and cities, towns and districts may appropriate for said fiscal year for the purposes of clauses (34), (37), (41), (42), (43), (44) and (50) of section five of chapter forty of the General Laws, and for the purposes of sections five B, five C, six, six A, nine, eleven and thirteen of said chapter forty, section eighteen of chapter forty B, and section four of chapter forty-four, of the General Laws, amounts not exceeding one hundred and fifty per cent of the amounts severally authorized by said clauses and sections.

SECTION 77. The estimate required in the year nineteen hundred and seventy by section twenty-eight of chapter thirty-five, by section thirty of chapter thirty-six, by section twenty-five A of chapter fifty-eight, by section twenty-eight of chapter seventy-four, and by section forty-four of chapter one hundred and twenty-eight, of the General Laws shall not be for the ensuing year but for the eighteen month period beginning with January first, nineteen hundred and seventy-one and ending with June thirtieth, nineteen hundred and seventy-two; and the apportionment required by section eighty-five of chapter one hundred and eleven of the General Laws to be made in July, nineteen hundred and seventy-two, respecting the balance of the cost of maintenance, operation and repair of institutions under section eighty-two of said chapter shall not be for the previous year but for said eighteen month period.

SECTION 78. Notwithstanding any contrary provision of general or special law, there shall be two bills for real estate and personal property taxes assessed as of January first, nineteen hundred and seventy-one, as follows:

The first bill shall be for two thirds of the tax and for the full amount of all betterment assessments (or apportionments thereof), water rates, and annual sewer use charges added thereto, shall be sent out not later than June fourteenth, nineteen hundred and seventy-one, and shall be due and payable on July first in said year in every city, town, and district in which the same are assessed.

The second bill shall be for the other third of the tax, shall be sent out not later than January fourteenth, nineteen hundred and seventy-

two, and shall be due and payable on February first in said year in every city, town, and district in which the same are assessed.

Interest shall be paid at the rate of eight per cent on so much of the first billing as remains unpaid after November first, nineteen hundred and seventy-one, computed from October first of said year. Interest shall be paid at the rate of eight per cent on so much of the second billings as remains unpaid after May first, nineteen hundred and seventy-two, computed from April first of said year.

SECTION 79. Section one to seventy-five, inclusive, of this act shall take effect on July first, nineteen hundred and seventy-one.

Approved August 28, 1969.

Chap. 850. AN ACT AUTHORIZING THE TOWN OF BOLTON TO ISSUE ONE RESTAURANT LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of chapter one hundred and thirty-eight of the General Laws to the contrary, the local licensing authority of the town of Bolton, as defined in section one of said chapter one hundred and thirty-eight, may grant one restaurant license under section twelve of said chapter one hundred and thirty-eight to sell all alcoholic beverages during the years nineteen hundred and sixty-nine and nineteen hundred and seventy. Except as herein provided such license shall be subject to the provisions of said chapter one hundred and thirty-eight.

SECTION 2. The state secretary shall cause to be placed on the official ballot to be used in the town of Bolton at each biennial state election the following additional subdivision to the question which he is required under the provisions of section eleven of chapter one hundred and thirty-eight of the General Laws to place on the official ballot in all cities and towns at such elections and the additional subdivision thereof which he is required under the provisions of chapter seven hundred and six of the acts of nineteen hundred and sixty-seven to place on the official ballot in the town of Bolton at such elections, to wit:

F. Shall a restaurant license be granted in the town of Bolton for the sale of all alcoholic beverages?

YES	
NO	

If a majority of votes cast in said town in answer to said subdivision F is in the affirmative, said town shall, irrespective of the results of votes in answer to subdivisions A, B, C, D and E, be taken to have authorized, for the two calendar years next succeeding, the issuance of a restaurant license as defined and limited in section twelve of said chapter one hundred and thirty-eight, for the sale in said town of all alcoholic beverages subject, except as herein otherwise provided, to all other provisions of said chapter one hundred and thirty-eight.

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

Approved August 29, 1969.

Chap. 851. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPDEN COUNTY TO BORROW MONEY FOR THE CONSTRUCTION OF NEW BUILDINGS AND FACILITIES FOR THE COURTS AND VARIOUS DEPARTMENTS OF THE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Hampden county are hereby authorized to acquire by purchase or take by eminent domain, under chapter seventy-nine of the General Laws, sufficient land for the construction of suitable and adequate facilities, including parking facilities, for the superior court, the district court of Springfield, the probate court, the registry of deeds and the registry of probate, and said facilities shall house the offices of the clerk of courts, the register of probate, the clerk of the district court, the district attorney, the probation offices of said courts, the maintenance department, the county treasurer and the county commissioners and shall contain a law library. Said facilities shall be located on all or part of the land bounded by Elm street, Main street, State street and East Columbus avenue in the city of Springfield.

Said county commissioners are further authorized to cause plans and specifications to be prepared for the construction of such facilities; provided, that the total cost of such plans and specifications and the cost of acquisition of such land, including legal and appraisal fees, shall not exceed two million dollars; and provided, further, that such plans and specifications shall be so drawn that the total cost of the project, including the acquisition of land, the preparation of plans and specifications and the construction and originally equipping of said facilities, shall not exceed fourteen million 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, two million dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Hampden County Courthouse and Other Facilities Loan, Act of 1969. 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 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 August 29, 1969.

Chap. 852. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO BORROW MONEY FOR THE PREPARATION OF PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION, EQUIPPING AND FURNISHING OF THREE NEW COURT HOUSES IN SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing suitable and adequate facilities for the first district court of southern Worcester in a location to be determined by the county commissioners of Worcester county, for the first district court of eastern Worcester in the town of Westborough, and for the second district court of eastern Worcester in the town of Clinton, the county commissioners of Worcester county are hereby authorized to cause plans and specifications to be prepared for the construction of such facilities; provided, that the total cost of such plans and specifications shall not exceed fifty thousand dollars and that such plans and specifications shall be so drawn that the same plans may be used for the construction, equipping and furnishing of each court house building; and provided, further, that such plans and specifications shall be so drawn that the total cost of the construction and originally equipping and furnishing of each court house, including the acquisition of land, shall not exceed seven hundred thousand dollars each. 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 Worcester county, with the approval of the county commissioners of said county, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Worcester County District Court Construction Loan, Act of 1969. 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 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 August 29, 1969.

Chap. 853. AN ACT INCREASING THE SALARIES OF THE CLERK AND ASSISTANT CLERKS OF THE BOSTON JUVENILE COURT AND THE CLERK AND ASSISTANT CLERKS OF DISTRICT COURTS OTHER THAN THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to adjust the compensation forthwith of the clerks and assistant clerks of the district courts commensurate with the

responsibility of said offices, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (2) of section 79 of chapter 218 of the General Laws is hereby amended by striking out the salary schedule, as appearing in section 1 of chapter 536 of the acts of 1966, and inserting in place thereof the following schedule: —

COURT CLASS.	Minimum.	Step 2.	Step 3.	Step 4.	Maximum.	Annual Increment.
I	$5,982	$6,243	$6,504	$6,765	$7,026	$261
II	6,682	7,011	7,340	7,669	7,998	329
III	7,972	8,326	8,680	9,034	9,388	354
IV	10,655	11,107	11,560	12,012	12,464	452
V	13,318	13,885	14,451	15,018	15,585	567

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty-nine. *Approved August 29, 1969.*

Chap. 854. AN ACT INCREASING THE SALARIES OF THE CLERKS AND ASSISTANT CLERKS OF THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to adjust the compensation forthwith of the clerks and assistant clerks of the municipal court of the city of Boston commensurate with the responsibility of said offices, 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 218 of the General Laws is hereby amended by striking out section 75A, as most recently amended by section 1 of chapter 539 of the acts of 1966, and inserting in place thereof the following section: —

Section 75A. The salary of the clerk of the municipal court of the city of Boston for civil business and the salary of the clerk of said court for criminal business shall be eighteen thousand four hundred eighty dollars. The salaries of the first assistant clerks of said court shall be thirteen thousand seven hundred seventy-six dollars. The salaries of the other assistant clerks of said court shall be twelve thousand three hundred twenty dollars.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty-nine. *Approved August 29, 1969.*

Chap. 855. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF MIDDLESEX COUNTY, ITS 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 COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Middlesex county, its 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-nine:

MIDDLESEX COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$669,129 75
2.	For reduction of county debt		903,000 00
3.	For county commissioners, salaries and expenses		250,566 22
	1. Personal services	$234,814 22	
	2. Contractual services	3,500 00	
	3. Supplies and materials	6,000 00	
	4. Current charges and obligations	1,000 00	
	5. Equipment	5,252 00	
4.	For transportation and expenses of county and acting commissioners		9,312 00
5.	For clerk of courts, salaries and expenses		572,679 74
	1. Personal services	520,864 74	
	2. Contractual services	13,000 00	
	3. Supplies and materials	27,000 00	
	4. Current charges and obligations	9,135 00	
	5. Equipment	2,680 00	
6.	For county treasurer, salaries and expenses		125,606 42
	1. Personal services	110,612 42	
	2. Contractual services	5,169 00	
	3. Supplies and materials	6,550 00	
	4. Current charges and obligations	2,500 00	
	5. Equipment	775 00	
7.	For sheriff, salary and expenses		13,895 00
	1. Personal services	13,695 00	
	4. Current charges and obligations	200 00	
8.	For registry of deeds, salaries and expenses Northern District		262,206 29
	1. Personal services	215,048 39	
	2. Contractual services	37,727 00	
	3. Supplies and materials	3,151 90	
	4. Current charges and obligations	2,480 00	
	5. Equipment	3,799 00	

Item		Subtotal	Total
	Southern District		$1,098,984 44
	1. Personal services	$917,243 79	
	2. Contractual services	29,920 65	
	3. Supplies and materials	56,300 00	
	4. Current charges and obligations	60,260 00	
	5. Equipment	20,260 00	
	7. Expansion of I.B.M. Coding System	15,000 00	
8a.	For registry of probate, salaries and expenses		67,895 50
	2. Contractual services	39,110 00	
	3. Supplies and materials	22,000 00	
	4. Current charges and obligations	3,639 00	
	5. Equipment	3,146 50	
9.	For law library, salaries and expenses — Cambridge		57,876 44
	1. Personal services	26,576 44	
	2. Contractual services	100 00	
	3. Supplies and materials	1,060 00	
	4. Current charges and obligations	30,140 00	
	For law library, salaries and expenses — Lowell		36,171 10
	1. Personal services	15,496 10	
	2. Contractual services	275 00	
	3. Supplies and materials	200 00	
	4. Current charges and obligations	20,000 00	
	5. Equipment	200 00	
10.	For highways, including state highways, bridges and land damages		1,792,967 03
	1. Personal services	745,504 03	
	2. Contractual services	25,000 00	
	3. Supplies and materials	20,000 00	
	4. Current charges and obligations	1,478 00	
	5. Equipment	20,835 00	
	6. All other	980,150 00	
12.	For criminal costs in superior court		939,487 07
	1. Personal services	372,643 07	
	2. Contractual services	549,525 00	
	3. Supplies and materials	9,295 00	
	4. Current charges and obligations	4,803 00	
	5. Equipment	3,221 00	
13.	For civil expenses in supreme judicial, superior probate and land courts, including auditors, masters and referees		834,396 87
	1. Personal services	381,836 87	
	2. Contractual services	449,675 00	
	3. Supplies and materials	1,950 00	
	4. Current charges and obligations	640 00	
	5. Equipment	295 00	
14.	For district courts, salaries and expenses District Court of Lowell		350,457 17
	1. Personal services	312,611 53	
	2. Contractual services	14,735 00	
	3. Supplies and materials	16,535 00	
	4. Current charges and obligations	2,475 00	
	5. Equipment	4,100 64	

Item		Subtotal	Total
	District Court of Somerville		$416,451 91
1.	Personal services	$372,306 41	
2.	Contractual services	20,665 00	
3.	Supplies and materials	19,950 00	
4.	Current charges and obligations	2,655 00	
5.	Equipment	875 50	
	District Court of Newton		229,751 61
1.	Personal services	207,047 26	
2.	Contractual services	13,100 00	
3.	Supplies and materials	7,875 00	
4.	Current charges and obligations	1,655 00	
5.	Equipment	74 35	
	District Court of Marlborough		147,444 18
1.	Personal services	85,884 68	
2.	Contractual services	2,375 00	
3.	Supplies and materials	4,410 00	
4.	Current charges and obligations	4,274 50	
5.	Equipment	50,500 00	
	District Court of Natick		81,846 99
1.	Personal services	68,602 74	
2.	Contractual services	3,900 00	
3.	Supplies and materials	2,000 00	
4.	Current charges and obligations	6,659 25	
5.	Equipment	685 00	
	First District Court of Eastern Middlesex		385,918 96
1.	Personal services	351,736 96	
2.	Contractual services	17,625 00	
3.	Supplies and materials	12,300 00	
4.	Current charges and obligations	1,900 00	
5.	Equipment	2,357 00	
	Second District Court of Eastern Middlesex		256,849 59
1.	Personal services	230,728 09	
2.	Contractual services	15,400 00	
3.	Supplies and materials	7,300 00	
4.	Current charges and obligations	1,874 00	
5.	Equipment	1,547 50	
	Third District Court of Eastern Middlesex		807,264 68
1.	Personal services	747,839 18	
2.	Contractual services	13,740 00	
3.	Supplies and materials	36,523 00	
4.	Current charges and obligations	1,402 50	
5.	Equipment	7,760 00	
	Fourth District Court of Eastern Middlesex		328,937 42
1.	Personal services	300,369 97	
2.	Contractual services	13,580 00	
3.	Supplies and materials	8,875 00	
4.	Current charges and obligations	2,600 00	
5.	Equipment	3,512 45	
	First District Court of Northern Middlesex		159,596 61
1.	Personal services	140,740 01	
2.	Contractual services	6,400 00	
3.	Supplies and materials	3,800 00	
4.	Current charges and obligations	7,856 60	
5.	Equipment	800 00	

Item		Subtotal	Total
	First District Court of Southern Middlesex		$307,919 45
	1. Personal services	$272,659 45	
	2. Contractual services	20,450 00	
	3. Supplies and materials	10,375 00	
	4. Current charges and obligations	2,275 00	
	5. Equipment	2,160 00	
	District Court of Central Middlesex		135,313 10
	1. Personal services	116,934 25	
	2. Contractual services	5,067 50	
	3. Supplies and materials	5,453 20	
	4. Current charges and obligations	6,127 00	
	5. Equipment	1,731 15	
	District Court — Juvenile Division		99,905 30
	1. Personal services	88,056 80	
	2. Contractual services	7,550 00	
	3. Supplies and materials	1,272 50	
	4. Current charges and obligations	240 00	
	5. Equipment	2,786 00	
	District Court — Appellate Division		4,731 47
	1. Personal services	4,111 47	
	2. Contractual services	210 00	
	3. Supplies and materials	200 00	
	4. Current charges and obligations	210 00	
15.	For medical examiners and commitments of insane		143,650 00
16.	For jail and house of correction, maintenance and operation — Billerica		1,260,789 38
	1. Personal services	750,079 88	
	2. Contractual services	63,000 00	
	3. Supplies and materials	300,000 00	
	4. Current charges and obligations	11,547 00	
	5. Equipment	136,162 50	
	For jail and house of correction, maintenance and operation — Cambridge		569,203 03
	For manufacturing department — Billerica		40,116 60
	1. Personal services	24,741 60	
	2. Contractual services	175 00	
	3. Supplies and materials	15,200 00	
17.	For training school		849,849 53
	1. Personal services	545,721 78	
	2. Contractual services	30,000 00	
	3. Supplies and materials	165,000 00	
	4. Current charges and obligations	20,149 00	
	5. Equipment	88,978 75	
18.	For court houses and registry buildings, maintenance and operation		1,163,891 04
	1. Personal services	920,539 72	
	2. Contractual services	160,490 00	
	3. Supplies and materials	40,925 00	
	4. Current charges and obligations	24,563 32	
	5. Equipment	17,373 00	

Item		Subtotal	Total
20.	For agricultural school or county aid to agriculture, maintenance and operation		$179,225 17
	1. Personal services	$159,833 73	
	2. Contractual services	13,585 00	
	3. Supplies and materials	5,100 00	
	4. Current charges and obligations	524 00	
	5. Equipment	182 44	
21.	For state reservation, maintenance and operation (Walden Pond)		91,352 70
	1. Personal services	82,351 75	
	2. Contractual services	3,585 00	
	3. Supplies and materials	5,200 00	
	4. Current charges and obligations	215 95	
24.	For noncontributory pensions		277,482 92
25.	For contributory retirement system and supervisory expenses		606,852 94
26.	For miscellaneous and contingent expenses		129,534 56
27.	For unpaid bills of previous years		161,829 88
28.	For reserve fund		75,000 00
30.	For forest fire patrol		6,000 00
39.	For group insurance		323,240 24
	Total amount of appropriations		$17,224,580 30
	Less estimated amount available for reduction of county tax		3,303,603 63
	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		$13,920,976 67

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 Middlesex county a certification of the amounts above appropriated as set forth in the approved schedules. 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 the 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", "equipment", "structures

and improvement" or "improvements to land" to another main group nor shall any transfer be made from any other main group into any of the aforementioned main groups.

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.

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.

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; 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 expenses 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-eight.

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. This act shall take effect upon its passage.

Approved August 29, 1969.

Chap. 856. AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO USE THE INSURANCE PROCEEDS FROM A CERTAIN FIRE TO REDUCE THE CURRENT TAX RATE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of law to the contrary, the city of Somerville is hereby authorized, upon the recommendation of the mayor and the approval of a two thirds vote of the board of aldermen, to apply an amount not exceeding six hundred thousand dollars from the insurance proceeds resulting from a fire loss at the Western Junior High School to be used as a credit in the determination of the tax rate of the city of Somerville for the year nineteen hundred and sixty-nine.

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

Approved August 29, 1969.

Chap. 857. AN ACT AUTHORIZING THE CITY OF TAUNTON TO BORROW MONEY FOR A NEW ELECTRIC GENERATING UNIT AND TO MAKE LONG-TERM CONTRACTS FOR THE SALE OF ELECTRICITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing and equipping a new electric generating unit, including transmission and other facilities appurtenant thereto, the city of Taunton may borrow from time to time such sums as may be necessary, not exceeding nineteen million dollars, and may issue bonds or notes of the city therefor which shall bear on their face the words, Taunton Electric Loan, Act of 1969. Each authorized issue shall constitute a separate loan and shall mature serially beginning not later than one year, and ending not later than thirty years, after the date of issue or the date of commencing regular operation of the unit as determined or estimated by the manager of the city's electric department, whichever date is later. The maturities of each issue shall be arranged so that the amounts payable in the several years for principal and interest combined shall be as nearly equal as it is practicable to make them in the opinion of the officers authorized to issue the bonds or notes, or in the alternative in accordance with a schedule providing a more rapid amortization of principal.

SECTION 2. If the city votes to issue bonds or notes hereunder, the officers authorized to issue the same may, in the name of the city, make

temporary loans in anticipation of the money to be derived from the sale of such bonds or notes, and may issue temporary notes therefor. Each such loan shall be payable within one year from its date or from the date of commencing regular operation of the unit as determined or estimated by the manager of the city's electric department, whichever date is later; provided that the time within which the serial bonds or notes shall mature shall not be extended by reason of the making of such temporary loans beyond the time fixed herein or in the vote authorizing the issue of the serial bonds or notes. Temporary notes issued under this section for a shorter period than permitted herein may be refunded by the issue of other temporary notes maturing within the required period; provided that the period from the date of issue of the original loan to the maturity of the refunding loan shall be not more than the period permitted herein.

SECTION 3. Indebtedness incurred under this act shall be in excess of the statutory limits prescribed by clause eight of section eight and by section ten of chapter forty-four of the General Laws, but shall, except as provided herein, be subject to the applicable provision of said chapter forty-four, exclusive of the limitations contained in the first paragraph of section seven thereof. The incurring of indebtedness hereunder shall not be subject to the limitation contained in section fifty-seven of chapter one hundred and sixty-four of the General Laws.

SECTION 4. In addition to other lawful items, the project costs to be financed by the issue of bonds or notes hereunder may include interest up to the date of commencing regular operation of the unit as determined or estimated by the manager of the city's electric department and may also include the cost of training the initial staff and of operations prior to regular operation of the unit, and the cost of an original inventory of fuel, spare parts and spare equipment for the unit.

SECTION 5. In addition to any other power conferred by law, the city of Taunton, acting by vote of its municipal light commission, may contract from time to time for the sale of electricity in bulk to any electric company, railroad, street railway, electric railroad or Massachusetts municipality primarily for consumption, or resale and consumption, within the commonwealth or any designated area thereof, and any such other party may contract from time to time for the purchase of such electricity from the city of Taunton. Any such contract may be for a period extending no later than thirty-one years after the date of the contract or the date of commencing regular operation of the unit financed under this act as determined or estimated by the manager of the city's electric department, whichever is later. Each such contract shall be subject to the approval of the department of public utilities and may contain such provisions as may be agreed upon relating to the disposition of the electricity so purchased, interconnections with other parties, inflows and outflows incidental to the operations of the parties or to pooling arrangements in which they participate, and the facilities to be provided for connecting the parties, and such provisions relating to cooperation between the parties as may be deemed necessary to carry out the purposes of the contract.

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

Approved August 29, 1969.

Chap. 858. AN ACT RELATIVE TO THE SALARIES OF CERTAIN COUNTY EMPLOYEES, INCLUDING COUNTY COMMISSIONERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay additional compensation for certain officers and employees of certain counties, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (1) of section 51B of chapter 35 of the General Laws is hereby amended by striking out the salary schedule, as most recently amended by section 1 of chapter 186 of the acts of 1967, and inserting in place thereof the following schedule: —

SALARY SCHEDULE.

Effective January 1, 1969.

JOB GROUP.	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Increment.
1	$4,594.20	$4,742.40	$4,890.60	$5,038.80	$5,187.00	$5,335.20	$5,483.40	$148.20
2	4,726.80	4,875.00	5,023.20	5,171.40	5,319.60	5,467.80	5,616.00	148.20
3	4,877.60	5,044.00	5,210.40	5,376.80	5,543.20	5,709.60	5,876.00	166.40
4	5,075.20	5,241.60	5,408.00	5,574.40	5,740.80	5,907.20	6,073.60	166.40
5	5,223.40	5,405.40	5,587.40	5,769.40	5,951.40	6,133.40	6,315.40	182.00
6	5,488.60	5,670.60	5,852.60	6,034.60	6,216.60	6,398.60	6,580.60	182.00
7	5,720.00	5,917.60	6,115.20	6,312.80	6,510.40	6,708.00	6,905.60	197.60
8	5,935.80	6,151.60	6,367.40	6,583.20	6,799.00	7,014.80	7,230.60	215.80
9	6,281.60	6,513.00	6,744.40	6,975.80	7,207.20	7,438.60	7,670.00	231.40
10	6,630.00	6,877.00	7,124.00	7,371.00	7,618.00	7,865.00	8,112.00	247.00
11	6,975.80	7,241.00	7,506.20	7,771.40	8,036.60	8,301.80	8,567.00	265.20
12	7,389.20	7,670.00	7,950.80	8,231.60	8,512.40	8,793.20	9,074.00	280.80
13	7,935.20	8,231.60	8,528.00	8,824.40	9,120.80	9,417.20	9,713.60	296.40
14	8,431.80	8,777.60	9,123.40	9,469.20	9,815.00	10,160.80	10,506.60	345.80
15	8,977.80	9,354.80	9,731.80	10,108.80	10,485.80	10,862.80	11,239.80	377.00
16	9,539.40	9,963.20	10,387.00	10,810.80	11,234.60	11,658.40	12,082.20	423.80
17	10,202.40	10,647.00	11,091.60	11,536.20	11,980.80	12,425.40	12,870.00	444.60
18	10,758.80	11,239.80	11,720.80	12,201.80	12,682.80	13,163.80	13,644.80	481.00
19	11,388.00	11,905.40	12,422.80	12,940.20	13,457.60	13,975.00	14,492.40	517.40
20	12,077.00	12,612.60	13,148.20	13,683.80	14,219.40	14,755.00	15,290.60	535.60
21	12,706.20	13,280.80	13,855.40	14,430.00	15,004.60	15,579.20	16,153.80	574.60
22	13,410.80	14,021.80	14,632.80	15,243.80	15,854.80	16,465.80	17,076.80	611.00

SECTION 2. The salary of each officer and employee in the service of the various counties, except Suffolk, and paid from the treasury thereof, other than an officer or employee with a salary fixed by statute, but including official stenographers whose salaries are fixed under the provisions of chapter six hundred and fifty-two of the acts of nineteen hundred and sixty-six, or an employee whose salary is increased by section one of this act, shall be increased over the rate paid December thirty-first, nineteen hundred and sixty-eight by twenty dollars a week or twelve per cent, whichever is greater; provided, that in the case of an officer or employee who has received a salary increase after December thirty-first, nineteen hundred and sixty-eight, no increase, other than

an increment step, shall be payable under this section which would increase the salary of such officer or employee to an amount greater than his salary on December thirty-first, nineteen hundred and sixty-eight, plus twelve per cent or twenty dollars, whichever is the greater.

SECTION 2A. Section 5 of chapter 34 of the General Laws is hereby amended by striking out the schedule, as appearing in section 2 of chapter 186 of the acts of 1967, and inserting in place thereof the following: —

Middlesex	$9,505.16
Essex	8,799.73
Norfolk	8,799.73
Worcester	8,799.73
Bristol	7,388.87
Hampden	7,388.87
Barnstable	6,683.44
Berkshire	6,683.44
Plymouth	6,683.44
Franklin	5,272.58
Hampshire	5,272.58
Dukes	2,963.90

SECTION 3. The county personnel board, beginning in the year nineteen hundred and seventy-one, shall annually in the month of January determine the percentum change in the cost-of-living for the previous year as shown by the United States Consumer Price Index for such year as compared with the average as shown by such index for the year nineteen hundred and sixty-nine or the last previous year which was the basis for an increase or decrease as provided herein, or in any case where a salary payable to a county officer or employee under the provisions of sections forty-eight to fifty-six, inclusive, of chapter thirty-five of the General Laws became effective subsequent to the last previous year in which an increase or decrease as provided for herein became effective, for the year in which such salary became effective, and whenever such determination indicates an upward or downward change of at least three percentum, a corresponding percentum increase or decrease shall be made in the amount of every salary under said provisions of sections forty-eight to fifty-six, inclusive; provided that no decrease shall be made which would reduce any salary to an amount less than the original amount of such salary nor shall any decrease be made which would reduce the amount of any salary to an amount less than the amount fixed for such salary as of December thirty-first, nineteen hundred and sixty-nine. Any increase provided for in this section shall become due and payable on January first of each year during the continuance of such salary; subject, however, to any future increase or decrease as provided for in this section, and shall be paid only to such officers and employees as had received their full regular salary for the month of November in each such year.

SECTION 4. This act shall take effect as of January first, nineteen hundred and sixty-nine. *Approved August 29, 1969.*

Chap. 859. AN ACT PROVIDING FOR THE ESTABLISHMENT OF JUVENILE COURTS IN THE CITIES OF WORCESTER AND SPRINGFIELD AND ESTABLISHING A STATE COUNCIL ON JUVENILE BEHAVIOR.

Be it enacted, etc., as follows:

SECTION 1. Juvenile courts are hereby established in the cities of Worcester and Springfield, to be known as the Worcester juvenile court and the Springfield juvenile court, respectively.

SECTION 2. Suitable rooms for the sittings of the Worcester juvenile court and for the officers thereof shall be provided in the courthouse of the central district court of Worcester, or at such other place in the city of Worcester as the county commissioners of the county of Worcester may determine. Suitable rooms for the Springfield juvenile court and for the officers thereof shall be provided in the courthouse of the district court of Springfield.

SECTION 3. Section 49 of chapter 35 of the General Laws, as most recently amended by section 1 of chapter 463 of the acts of 1966, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Every office and position whereof the salary is wholly payable from the treasury of one or more counties, or from funds administered by and through county officials, excluding the offices of county commissioners, the clerk and the assistant clerks of the superior court for civil business in the county of Suffolk, the clerk and assistant clerks of the superior court for criminal business in the county of Suffolk, clerks and assistant clerks of the courts, the assistant clerk and second assistant clerk of the supreme judicial court for the county of Suffolk, the register of deeds and the assistant registers of deeds for the county of Suffolk, the sheriff of the county of Suffolk, the assistant registers of deeds for the southern district of Middlesex, official stenographers, additional stenographers and temporary stenographers of the superior court in the county of Suffolk, justices and special justices of the district courts, the messenger of the superior court in the county of Suffolk, the secretary and assistant secretary of the municipal court of the city of Boston, clerks and assistant clerks of the district courts, and the Boston, Worcester and Springfield juvenile courts, and excluding other offices and positions filled by appointment of the governor with the advice and consent of the council, court officers appointed in Suffolk county under section seventy of chapter two hundred and twenty-one, court officers in attendance upon the municipal court of the city of Boston, court officers in attendance upon the probate court in the county of Essex, and probation officers, but including the officer described in the first sentence of section seventy-six of said chapter two hundred and twenty-one, shall be classified by the board in the manner provided by sections forty-eight to fifty-six, inclusive, and every such office and position, now existing or hereafter established, shall be allocated by the board to its proper place in such classification.

SECTION 4. The first paragraph of section 65A of chapter 32 of the General Laws, as appearing in section 1 of chapter 341 of the acts of 1958, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—A chief justice or any associate justice of the supreme judicial court, the superior court

or the municipal court of the city of Boston, any judge or associate judge of the land court, any judge of probate and insolvency, a justice of any district court other than the municipal court of the city of Boston, or a justice of the Boston juvenile court, the Worcester or the Springfield juvenile court, who shall be retired under Article LVIII of the Amendments to the Constitution shall thereupon be entitled to receive a pension for life at an annual rate equal to three fourths of the annual rate of salary payable to him at the time of such retirement, to be paid from the same source and in the same manner as the salaries of like judicial officers of his court are paid.

SECTION 5. Section 2 of chapter 76 of the General Laws, as most recently amended by section 1 of chapter 659 of the acts of 1965, is hereby further amended by inserting after the third sentence the following two sentences:—The Worcester juvenile court shall have jurisdiction, concurrent with the central district court of Worcester, of complaints hereunder. The Springfield juvenile court shall have jurisdiction, concurrent with the district court of Springfield, of complaints hereunder.

SECTION 6. Section 11 of chapter 77 of the General Laws, as amended by section 4 of chapter 573 of the acts of 1948, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—The Boston juvenile court, the Worcester juvenile court and the Springfield juvenile court and the district courts, except the municipal and district courts located within the territorial limits of said juvenile courts, shall have jurisdiction of offenses arising under section one of chapter seventy-six and under this chapter.

SECTION 7. Section 23 of chapter 119 of the General Laws is hereby amended by striking out subsection D, as appearing in section 1 of chapter 646 of the acts of 1954, and inserting in place thereof the following subsection:—

D. The department shall accept on commitment from the Boston juvenile court, the Worcester juvenile court and the Springfield juvenile court and from any juvenile session of a district court of the commonwealth or from any superior civil court of the commonwealth any child under sixteen years of age declared in need of foster care under section twenty-six.

SECTION 8. Section 24 of said chapter 119, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—

The Boston juvenile court, the Worcester juvenile court and the Springfield juvenile court or the juvenile sessions of any district court of the commonwealth, except the municipal and district courts located within the territorial limits of said juvenile courts, upon the petition of any person alleging on behalf of a child under the age of sixteen years within the jurisdiction of said court that said child is without necessary and proper physical, educational or moral care and discipline, or is growing up under conditions or circumstances damaging to a child's sound character development, or who lacks proper attention of parent, guardian with care and custody, or custodian, and whose parents or guardian are unwilling, incompetent or unavailable to provide such care, may issue a precept to bring such child before said court, shall issue a notice to the department, and shall issue summons

to both parents of the child to show cause why the child should not be committed to the custody of the department of public welfare or other appropriate order made.

SECTION 9. Section 52 of said chapter 119 is hereby amended by striking out the definition of "Court", as amended by section 2 of chapter 659 of the acts of 1965, and inserting in place thereof the following definition:—"Court", the Boston juvenile court, the Worcester juvenile court, the Springfield juvenile court or a district court, except the municipal court of the city of Boston, the municipal court of the Roxbury district, the central district court of Worcester and the district court of Springfield.

SECTION 10. Section 58 of said chapter 119 is hereby amended by striking out the fourth paragraph, as appearing in section 4 of chapter 385 of the acts of 1948, and inserting in place thereof the following paragraph:—

If a child adjudged a wayward child or delinquent child is placed on probation by the superior court, he may be placed in the care of a probation officer of the district court, including in that term the Boston, the Worcester and the Springfield juvenile courts, within the judicial district in which such child resides.

SECTION 11. Section 63 of said chapter 119, as most recently amended by section 3 of chapter 659 of the acts of 1965, is hereby further amended by adding the following two sentences:—The Worcester juvenile court shall have jurisdiction, concurrent with the central district court of Worcester, of complaints hereunder. The Springfield juvenile court shall have jurisdiction, concurrent with the district court of Springfield, of complaints hereunder.

SECTION 12. Section 68 of said chapter 119 is hereby amended by striking out the third paragraph, as appearing in section 18 of chapter 838 of the acts of 1969, and inserting in place thereof the following paragraph:—

A child between seven and seventeen years of age so committed by the court to jail or to the youth service board to await further examination or trial by the Boston juvenile court, the Worcester juvenile court, the Springfield juvenile court, a district court of the superior court shall be returned thereto within fifteen days after the date of the order of such commitment, and final disposition of the case shall thereupon be made by adjudication or otherwise, unless, in the opinion of the court, the interest of the child and the public otherwise require.

SECTION 13. Section 1 of chapter 218 of the General Laws is hereby amended by striking out the first paragraph under the caption "*Worcester*", as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph:—

The central district court of Worcester, held at Worcester; Worcester, Millbury, Sutton, Auburn, Leicester, Paxton, West Boylston, Holden, Shrewsbury, Rutland, Barre, Princeton and Oakham; excepting cases of juvenile offenders under seventeen and cases of neglected, wayward, or delinquent children.

SECTION 14. Said section 1 of said chapter 218 is hereby further amended by striking out the fifth paragraph under the caption "*Hampden*", as amended by section 2 of chapter 440 of the acts of 1965, 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; excepting cases of juvenile offenders under seventeen and cases of neglected, wayward or delinquent children.

SECTION 14A. The caption preceding section 57 of said chapter 218 is hereby stricken out and the following caption inserted in place thereof:—SPECIAL PROVISIONS RELATIVE TO THE BOSTON JUVENILE COURT, THE WORCESTER JUVENILE COURT AND THE SPRINGFIELD JUVENILE COURT.

SECTION 15. Section 57 of said chapter 218, as amended by section 5 of chapter 659 of the acts of 1965, is hereby further amended by adding the following two sentences:—The Worcester juvenile court shall exercise jurisdiction within the same territorial limits as are prescribed for the criminal jurisdiction of the central district court of Worcester. The Springfield juvenile court shall exercise jurisdiction within the same territorial limits as are now prescribed for the criminal jurisdiction of the district court of Springfield.

SECTION 16. Said chapter 218 is hereby further amended by striking out section 58, as most recently amended by section 10 of chapter 810 of the acts of 1963, and inserting in place thereof the following section:—

Section 58. The Boston juvenile court, the Worcester juvenile court and the Springfield juvenile court shall each consist of one justice who shall be a member of the bar and shall devote his entire time during ordinary business hours to his duties and shall not, directly or indirectly, engage in the practice of law. Each court shall have a clerk, who shall be appointed by the governor, with the advice and consent of the council and shall hold office during good behaviour, but subject, however, to retirement under the provisions of any applicable general or special law relative to retirement systems. Each court shall have an assistant clerk, who shall be appointed by the clerk, subject to the approval of the justice.

The chief justice of the district courts may upon request of the justice of the Boston, the Worcester or the Springfield juvenile court, or in his absence, of the clerk of said court, assign a justice of any district court, other than the municipal or district courts located within the territorial jurisdiction of said juvenile courts, to sit in said juvenile court.

SECTION 16A. Said chapter 218 is hereby further amended by striking out section 59, as amended by section 1 of chapter 248 of the acts of 1948, and inserting in place thereof the following section:—

Section 59. Except as otherwise provided by law said courts shall have and exercise, within their respective jurisdictions, the same powers, duties and procedure as district courts; and all laws relating to district courts or municipal courts in their respective counties or officials thereof or proceedings therein, shall, so far as applicable, apply to said courts.

The justice of each of said courts, or in case of his death, illness, absence or incapacity the justice assigned to sit in such court under the provisions of section fifty-eight, if in his opinion the public business so requires, may provide for additional sessions of said court.

SECTION 17. Said chapter 218 is hereby further amended by striking out section 60, as most recently amended by section 6 of chapter 659

of the acts of 1965, and inserting in place thereof the following section:—

Section 60. Within the territorial limits prescribed in section fifty-seven, said courts shall have and exercise jurisdiction, exclusive of the municipal and district courts located within the territorial limits of said courts, 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 courts may, from time to time, make general rules in reference to, and provide forms of, procedure.

SECTION 18. Section 70 of said chapter 218 of the General Laws is hereby amended by adding the following sentence:—The clerk of Worcester juvenile court and the clerk of the Springfield juvenile court shall be allowed annually for clerical assistance such amount as the county commissioners may approve.

SECTION 19. Said chapter 218 is hereby further amended by inserting after section 76 the following section:—

Section 76A. The salary of the justices of the Worcester juvenile court and the Springfield juvenile court shall be twenty-two thousand dollars.

SECTION 20. Section 79 of said chapter 218 is hereby amended by striking out the definition of "Court Class", as most recently amended by section 1 of chapter 841 of the acts of 1963, and inserting in place thereof:—"Court Class" the classification of district courts and the Boston, Worcester and Springfield juvenile courts for the purpose of establishing salaries of the clerks.

SECTION 21. Said section 79 of said chapter 218 is hereby further amended in class V by inserting after the first line the following two lines—

Worcester juvenile court,
Springfield juvenile court,.

SECTION 22. Section 53A of chapter 262 of the General Laws, as most recently amended by chapter 753 of the acts of 1963, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Any police officer named in section fifty and section fifty-three who attends as a witness at a place other than his residence in a criminal case pending in a district court, including the municipal court of the city of Boston, or in a juvenile court, or in the superior court shall be paid eight cents a mile for travel out and home for each day's attendance, except that travel allowance shall not be allowed when such travel is made in municipally-owned vehicles.

SECTION 23. Section 53B of said chapter 262, as most recently amended by chapter 567 of the acts of 1959, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Any officer of the division of state police in the department of public safety, appointed under section six or nine A of chapter twenty-two, on duty at night, or on vacation or furlough, or on a day off, who attends as a witness in a civil or criminal suit pending in a district court or in a juvenile court or in the superior court shall be allowed a witness fee in the amount of three dollars for each day's attendance including his first day's attendance as arresting officer.

SECTION 24. Chapter 273 of the General Laws is hereby amended by striking out section 2, as most recently amended by chapter 200 of the acts of 1958, and inserting in place thereof the following section:—

Section 2. Proceedings under section one shall be begun if in the superior court, in the county in which is situated the place where the husband and wife last lived together or where the husband or wife or parent of the child is living, and, if begun in a district court, in the court having such place within its judicial district; provided, that such a proceeding for an offense committed within the territorial limits of the Boston, the Worcester or the Springfield juvenile court, as designated by section fifty-seven of chapter two hundred and eighteen, if founded upon the same allegations as a proceeding under sections twenty-four to twenty-seven, inclusive, of chapter one hundred and nineteen, may be brought, heard and disposed of in said juvenile courts. Such a proceeding for an offense committed within the territorial limits prescribed for the criminal jurisdiction of any court other than the courts within the territorial limits of the Boston, the Worcester and the Springfield juvenile courts, if founded upon the same allegations as a proceeding under said sections twenty-four to twenty-seven, inclusive, of chapter one hundred and nineteen, may be heard and disposed of in the juvenile session of the court. Any parent placed on probation in such a proceeding in any of said juvenile courts shall at the request of the justice thereof be supervised by the probation officers of the municipal or district courts located within the territorial limits of that juvenile court.

SECTION 25. The first paragraph of section 83 of chapter 276 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 771 of the acts of 1969, and inserting in place thereof the following sentence:—The superior court, the chief justice of the municipal court of the city of Boston, subject to the approval of the associate justices thereof, and the justice of each other district court and of the Boston juvenile court, the Worcester juvenile court and the Springfield juvenile court may appoint such male and female probation officers as they may respectively from time to time deem necessary for their respective courts; provided, that no person shall be appointed until his or her qualifications have been examined by the commissioner of probation and approved by him as meeting the standards established by the committee on probation as provided in section ninety-nine A.

SECTION 26. The second paragraph of said section 83 of said chapter 276, as appearing in section 13A of said chapter 731, is hereby amended by striking out the third and fourth sentences and inserting in place thereof the following sentences:—The compensation of probation officers in district courts, in the municipal court of the city of Boston and in the Boston juvenile court, the Worcester juvenile court and the Springfield juvenile court shall be paid by the county on vouchers approved respectively by the justice of such district court, by the chief justice of the municipal court of the city of Boston or by the respective justices of said juvenile courts.

The justices of the Worcester and the Springfield juvenile courts and the justices of the district courts, other than the district courts in Suffolk county, the municipal court of the city of Boston and the Boston juvenile court, shall, annually, not later than the first

Wednesday of December, submit to the county commissioners of their respective counties estimates of the amounts necessary to pay the compensation for the ensuing year of the probation officers appointed under this section, and said county commissioners shall include such estimates in the estimates required by section twenty-eight of chapter thirty-five.

SECTION 27. Said chapter 276 is hereby further amended by striking out section 87, as most recently amended by section 1 of chapter 763 of the acts of 1955, and inserting in place thereof the following section:—

Section 87. The superior court may place upon probation under any of its probation officers any person before it charged with crime and any court may place any person convicted before it in the care of its probation officer for such time and upon such conditions as it deems proper; provided, that no person convicted of a felony by a district court shall be placed on probation by said court in such case if it shall appear that he has been previously convicted on any felony; and provided, further, that in the case of any child under the age of seventeen placed upon probation by the superior court, he may be placed in the care of a probation officer of the district court, including in such term the Boston juvenile court, the Worcester juvenile court and the Springfield juvenile court, within the judicial district of which such child resides; and provided, further, that no person convicted under section twenty-two A or twenty-four A of chapter two hundred and sixty-five, or section thirty-five A of chapter two hundred and seventy-two shall, if it appears that he has previously been convicted under said sections and was over twenty-one years of age at the time of committing the offense for which he was so convicted, be released on parole or probation prior to the completion of five years of his sentence.

SECTION 28. The second paragraph of section 88 of said chapter 276, added by section 16 of chapter 731 of the acts of 1956, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—The administrative committee of the district courts, in consultation with the commissioner of probation, may designate and redesignate such district courts, including in such term the Worcester juvenile court and the Springfield juvenile court, within each of the counties of the commonwealth as in the opinion of said committee should join in the establishment of a probation district office for the clerical service of the probation officers of the district courts so designated or redesignated, and the district courts so designated or redesignated shall thereupon consult with the commissioner of probation as to the establishment of such a probation district office, and shall join in the employment of such clerical assistance as is necessary to keep, index and consolidate the records in such form as may be required by the commissioner of probation in connection with the probation service of the said courts.

SECTION 29. Section 89 of said chapter 276 is hereby amended by striking out the first sentence, as amended by chapter 87 of the acts of 1969, and inserting in place thereof the following sentence:—The superior court or the justice of a district court, including in such term the Worcester juvenile court and the Springfield juvenile court, may, in the case of a vacancy in the position of probation officer or in the

absence of a probation officer, appoint a temporary probation officer, who shall have the powers and perform the duties of such probation officer and shall receive as compensation for each day's service an amount equal to the rate by the day of the minimum compensation of a regular probation officer according to the salary schedule established by the committee on probation. Compensation so paid to a temporary probation officer for service rendered in the absence of a probation officer, in excess of thirty days in any one year, shall be deducted from the compensation of the probation officer in whose place such service is rendered; provided, however, that if a probation officer is absent, due to his illness or physical disability, for a period not exceeding thirty days in any year, in addition to said thirty days, he shall be deemed to be on sick leave and no such deduction shall be made.

SECTION 30. Section 94 of said chapter 276 is hereby amended by striking out the fifth sentence, as amended by chapter 82 of the acts of 1947, and inserting in place thereof the following sentence:— Subject to section eighty-one of chapter two hundred and eighteen, probation officers of district courts and of the Boston, Worcester and Springfield juvenile courts shall be reimbursed by the county for their actual disbursements for necessary expenses incurred while in the performance of their duties, including their reasonable traveling expenses in attending conferences authorized by section ninety-nine, not exceeding four hundred dollars to each in any one year, upon vouchers approved by the court by which they are appointed.

SECTION 31. Section 95 of said chapter 276, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—The superior courts or the Boston, Springfield and Worcester juvenile courts or a district court, except the municipal court of the city of Boston, may authorize a probation officer to expend such amount as the court considers expedient for the temporary support or transportation, or both, of a person placed on probation.

SECTION 32. Upon the establishment of the Worcester juvenile court and the Springfield juvenile court as provided in section one of this act the justice of the Worcester juvenile court shall appoint eight probation officers to serve in that court, and the justice of the Springfield juvenile court shall appoint seven probation officers to serve in that court.

SECTION 32A. Section 17 of chapter 6 of the General Laws is hereby amended by inserting after the words "advisory council on home and family", inserted by section 1 of chapter 624 of the acts of 1966, the words:—, state council on juvenile behavior.

SECTION 32B. Said chapter 6 is hereby further amended by adding the following three sections:—

Section 159. There shall be a state council on juvenile behavior in this section and in section one hundred and sixty called the council, to consist of the attorney general or his designee, the commissioner of youth services and thirteen persons to be appointed by the governor, one of said appointees shall be experienced in law enforcement in the field of juvenile delinquency, one shall be trained in child psychology, one in the education of delinquent children, one in social welfare, families and juvenile problems, one shall be a psychiatrist with a knowledge of the juvenile and adolescent mind, one shall represent the

juvenile courts, one shall represent the federal office of economic opportunity as it affects juveniles and adolescents, one shall represent public child welfare agencies, one shall represent private child welfare agencies, and one shall be a member of the bar experienced in the law and court procedures relating to juvenile delinquency or juvenile behavioral problems. The governor shall designate one of the appointive members as chairman of the council. Upon the expiration of the term of an appointive member his successor shall be appointed for a term of five years. The council shall appoint an executive secretary who shall have had at least ten years' experience in juvenile delinquency work. The executive secretary shall receive a salary of sixteen thousand dollars.

Section 160. The council shall from time to time examine the laws and procedures relating to the correction and prevention of juvenile delinquency and the degree of rehabilitation of juvenile offenders, with a view to advising the justices of the juvenile courts of matters affecting juvenile behavior, and to revising the laws relative to the treatment and disposition of juvenile offenders. Said council shall be provided with quarters in the state house or in the state office building, and may appoint such clerical assistants as may be necessary.

Section 161. The council shall annually, not later than the fourth Wednesday of April, file a written report with the respective clerks of the senate and house of representatives which shall contain a reporting and analysis of the incidence and disposition of juvenile offenses during the preceding calendar year in every court in the commonwealth in which said matters are heard. Said report shall indicate the types of offenses charged together with the number of each such offenses heard in each of the several courts, with particular emphasis on providing data for the determination of the need for the establishment of additional juvenile courts and any changes in the needs of those juvenile courts already in existence.

SECTION 32C. Of the first appointed members to the state council on juvenile behavior, established by section one hundred and fifty-nine of chapter six of the General Laws, as appearing in section thirty-two B of this act, four shall be appointed for terms of three years, four for terms of four years, and five for terms of five years, as the governor may designate. Thereafter, upon the expiration of the term of any such member, his successor shall be appointed for a term of five years, as provided in said section one hundred and fifty-nine.

SECTION 33. This act shall take effect upon its passage, so far as the appointing, commissioning and qualifying of the justices and the clerks of the courts hereby established, and probation officers are concerned; and it shall be in full force and effect, and the authority and jurisdiction of the courts hereby established and of the probation officers thereof shall begin on the first day of September in the year nineteen hundred and sixty-nine, except that the district court of Springfield, and the central district court shall retain jurisdiction of all cases of juvenile offenders under seventeen and cases of neglected, wayward or delinquent children which are pending therein on said first day of September or upon the qualification of the justice of each court, whichever is later, until final disposition thereof.

Approved August 29, 1969.

Chap. 860. AN ACT PROVIDING FOR ADDITIONAL ASSISTANT CLERKS IN CERTAIN DISTRICT COURTS, AND INCREASING THE SALARIES OF THE CLERKS OF CERTAIN DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 218 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by section 2 of chapter 812 of the acts of 1967, and inserting in place thereof the following paragraph: —

Third assistant clerks with salaries payable by the county may be appointed in the municipal court of the Roxbury district, the municipal court of the Brighton district, the municipal court of the Charlestown district, the municipal court of the Dorchester district, the municipal court of the South Boston district, the municipal court of the West Roxbury district and, subject to the approval of the county commissioners, in the first district court of eastern Middlesex, the first district court of southern Middlesex, the district court of Springfield, the third district court of eastern Middlesex, the district court of East Norfolk, the district court of southern Essex, the district court of Somerville and the central district court of Worcester.

SECTION 2. Said section 10 of said chapter 218 is hereby further amended by striking out the third paragraph, as most recently amended by chapter 667 of the acts of 1968, and inserting in place thereof the following paragraph: —

Fourth assistant clerks with salaries payable by the county may be appointed in the municipal court of the Dorchester district, in the municipal court of the South Boston district and in the municipal court of the West Roxbury district and, subject to the approval of the county commissioners, in the district court of East Norfolk, and in the district court of southern Essex.

SECTION 2A. Said section 10 of said chapter 218 is hereby further amended by striking out the fifth paragraph, as most recently amended by chapter 481 of the acts of 1968, and inserting in place thereof the following paragraph: —

A fourth, fifth, sixth, seventh, eighth and ninth assistant clerk with salaries payable by the county may be appointed in the municipal court of the Roxbury district.

SECTION 3. Said section 10 of said chapter 218 is hereby further amended by striking out the eighth paragraph, added by section 3 of chapter 548 of the acts of 1967, and inserting in place thereof the following paragraph: —

A sixth assistant clerk with salary payable by the county may be appointed in the third district court of eastern Middlesex.

SECTION 4. The first paragraph of section 58 of said chapter 218, as appearing in section 10 of chapter 810 of the acts of 1963, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — It shall have an assistant clerk and a second assistant clerk, who shall be appointed by the clerk, subject to the approval of the justice.

SECTION 5. *Class I* of paragraph (1) of section 79 of said chapter 218 is hereby amended by striking out the lines reading "second district court of Essex," and "district court of Nantucket,", respectively.

SECTION 6. Said paragraph (1) of said section 79 of said chapter 218 is hereby further amended by striking out *Classes II, III, IV* and *V* and inserting in place thereof the following: —

Class II. — The district court of Chicopee,
district court of eastern Essex,
second district court of Essex,
district court of Nantucket,
district court of Natick,
district court of Newburyport,
fourth district court of Plymouth, and
second district court of eastern Worcester.

Class III. — The district court of Franklin,
third district court of Plymouth, and
third district court of southern Worcester.

Class IV. — The second district court of Barnstable,
district court of central Berkshire,
fourth district court of Bristol,
district court of Brockton,
central district court of northern Essex,
district court of Fitchburg,
district court of western Hampden,
district court of Hampshire,
district court of Holyoke,
district court of Marlborough,
fourth district court of eastern Middlesex,
first district court of northern Middlesex,
district court of northern Middlesex,
district court of northern Norfolk,
district court of southern Norfolk,
district court of western Norfolk,
district court of Peabody,
second district court of Plymouth,
first district court of northern Worcester, and
first district court of southern Worcester.

Class V. — The first district court of Barnstable,
Boston juvenile court,
first district court of Bristol,
second district court of Bristol,
third district court of Bristol,
municipal court of Brookline,
district court of Chelsea,
first district court of Essex,
district court of southern Essex,
district court of Lawrence,
district court of Lowell,
district court of central Middlesex,
first district court of eastern Middlesex,
second district court of eastern Middlesex,
third district court of eastern Middlesex,
first district court of southern Middlesex,
district court of Newton,
district court of East Norfolk,

municipal court of the Brighton district,
municipal court of the Charlestown district,
municipal court of the Dorchester district,
municipal court of the East Boston district,
municipal court of the Roxbury district,
municipal court of the South Boston district,
municipal court of the West Roxbury district,
district court of Somerville,
district court of Springfield,
first district court of eastern Worcester,
second district court of southern Worcester, and
central district court of Worcester.

SECTION 7. Notwithstanding any provision of law to the contrary, service as a member of the general court shall be credited to the incumbent of the office of clerk of the district court of Peabody in determining the step-in-range of said incumbent.

SECTION 8. This act shall take effect upon its passage.

Approved August 29, 1969.

Chap. 861. AN ACT CHANGING PART OF THE BOUNDARY LINE BETWEEN THE CITIES OF MALDEN AND MEDFORD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the boundary line between the cities of Malden and Medford is hereby changed and established as follows: Said boundary line shall be the southerly side line of the drainage easement from east of the Boston & Maine Railroad to the center line of Wellington Street (so-called) a private way as shown on the Commonwealth of Massachusetts, Metropolitan District Commission, Construction Division, Malden-Medford Line Brook Flood Control Project, Land Taking Plans No. MMLB 1 & 2 dated April 8, 1966 and recorded in the Middlesex South Registry of Deeds Book No. 11240 Page 88; Thence continuing in a Northwesterly direction on a line 15′ south and parallel to the center line of the M.D.C. conduit to the intersection of the 60″ drain constructed by Malden and Medford in 1949; Thence continuing along the center line of the drainage system constructed by Malden and Medford in 1949 and 1935 to the City Bound, Malden Corner #4 and Medford Corner #29 as shown on the Plan prepared for the Proposed Change in the Malden-Medford City Line dated March 1, 1937. The area of land transferred between cities shall be equalized within 1,000 square feet more or less.

SECTION 2. The city of Malden shall contract for a definitive survey of the area for the preparation of a detailed plan by metes and bounds showing the proposed city line and its relation to the existing city line. All survey work shall be in accordance with instructions of the Land Court.

SECTION 3. The department of public works shall locate and define the change in the city boundaries set forth in section one in the manner provided in section seven of chapter forty-two of the General Laws.

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

Approved August 29, 1969.

Chap. 862. AN ACT PROVIDING FOR THE ASSESSMENT OF CERTAIN INHABITANTS OF THE TOWN OF PALMER FOR CERTAIN SERVICES PROVIDED BY THE BONDSVILLE FIRE DISTRICT IN THE CURRENT YEAR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding that the Bondsville Fire District was dissolved as of July twenty-sixth, nineteen hundred and sixty-nine under the provisions of chapter three hundred and two of the acts of nineteen hundred and sixty-nine, the board of assessors of the town of Palmer are hereby authorized to establish a tax rate on account of the operations of said district for the period beginning January first, nineteen hundred and sixty-nine up to and including December thirty-first, nineteen hundred and sixty-nine. After the establishment of said tax rate, said assessors shall commit the tax list therefor for charges against the owners of record as of January first, nineteen hundred and sixty-nine of property within the territory of said district on that date to the tax collector of the town of Palmer, who shall issue bills therefor and collect such taxes as if said district had not been dissolved and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. All pertinent provisions of chapter sixty of the General Laws shall apply to any taxes committed hereunder.

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

Approved August 29, 1969.

Chap. 863. AN ACT INCREASING THE MAINTENANCE ALLOWANCE FOR CERTAIN INJURED PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

The second sentence of the first paragraph of section 69 of chapter 152 of the General Laws, as appearing in chapter 555 of the acts of 1959, is hereby amended by striking out, in line 6 and 7, the words "thirteen dollars and fifty cents" and inserting in place thereof the words:—thirty dollars. *Approved August 29, 1969.*

Chap. 864. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO PARTICIPATE WITH THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY AND THE CITY OF QUINCY IN THE RECONSTRUCTION OF THE SCHOOL STREET BRIDGE IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, hereinafter called the department, is hereby authorized and directed to participate with the Massachusetts Bay Transportation Authority and the city of Quincy in the reconstruction of the School street bridge and approaches thereto, over the New York, New Haven and Hartford railroad tracks in said city. Said reconstruction shall be performed by the Massachusetts Bay Transportation Authority.

SECTION 2. To carry out the provisions contained in section one, the department is hereby authorized to expend, from accelerated highway program funds, a sum not to exceed one hundred and fifty thousand dollars.

SECTION 3. The sum authorized in section two of this act shall be expended by the department to provide for payment of not more than one third of the total cost of right-of-way acquisition and reconstruction of said bridge. The remaining two thirds of said cost shall be borne jointly by the Massachusetts Bay Transportation Authority and the city of Quincy. *Approved August 29, 1969.*

Chap. 865. AN ACT DIRECTING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO CONSTRUCT AND EQUIP A NEW COURT HOUSE FOR THE SECOND DISTRICT COURT OF EASTERN WORCESTER.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Worcester county are hereby authorized and directed to construct and originally equip a court house to provide suitable and adequate facilities for the second district court of eastern Worcester. Said commissioners may take by eminent domain 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 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, one million 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 million dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Second District Court of Eastern Worcester Court House Loan, Act of 1969. Each authorized issue shall constitute a separate loan and such loans shall be payable 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 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 metropolitan district commission, acting on behalf of the commonwealth, shall sell and convey to the county of Worcester for the purposes of section one a certain parcel of land situated on the easterly side of Boylston street (route 70) in the town of Clinton bounded and described as follows: — Beginning at a point located approximately 1000 feet Southerly of the entrance to the Wachusett Dam and approximately 80 feet Southerly of Bound #Sm 34, thence running 400 feet more or less along a line approximate bearing South 17° East, thence turning and running 650 feet more or less along a line approximate bearing North 73° East, thence turning and running 400 feet more or less along a line approximate bearing North 17° West, thence turning and running 650 feet more or less along a line approximate bearing South 73° West to the point of beginning. *Approved August 29, 1969.*

Chap. 866. AN ACT REPEALING CERTAIN PROVISIONS OF LAW RELATIVE TO THE POWER OF THE BOARD OF REGIONAL COMMUNITY COLLEGES AND LOCAL SCHOOL COMMITTEES TO CHANGE OR DISCONTINUE AGREEMENTS FOR THE USE OF LOCAL FACILITIES BY SAID BOARD.

Be it enacted, etc., as follows:

The second paragraph of section 28 of chapter 15 of the General Laws is hereby further amended by striking out the fifth and sixth sentences, as appearing in section 1 of chapter 572 of the acts of 1965.

Approved August 29, 1969.

Chap. 867. AN ACT PROVIDING THAT THE SALARIES OF COURT OFFICERS IN THE MUNICIPAL COURT OF THE CITY OF BOSTON SHALL BE ESTABLISHED UNDER THE SUFFOLK COUNTY COMPENSATION AND PAY PLAN.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 49 of chapter 35 of the General Laws, as appearing in section 1 of chapter 841 of the acts of 1963, is hereby amended by striking out, in lines 20 and 21, the words "court officers in attendance upon the municipal court of the city of Boston,".

SECTION 2. Section eighty-two A of chapter two hundred and eighteen of the General Laws is hereby repealed.

SECTION 3. This act shall take effect upon its acceptance by the city of Boston.

Approved August 29, 1969.

Chap. 868. AN ACT TO AUTHORIZE STATE DEPARTMENTS AND AGENCIES TO MAKE EQUITABLE ADJUSTMENTS IN CONTRACTS ENTERED INTO ON A UNIT PRICE BASIS.

Be it enacted, etc., as follows:

Section 20A of chapter 29 of the General Laws, as amended by chapter 509 of the acts of 1967, is hereby further amended by adding the following paragraph:—

In construction contracts entered into on behalf of the commonwealth by any official, board, department, commission or agency thereof which provide that payments for the work be made on a unit price basis, if it is discovered by the contractor or the contracting authority while the work is in progress that the actual subsurface or latent physical conditions encountered at the site differ substantially and materially from those shown on the plans or indicated in the contract documents, either the contractor or the contracting authority may request an equitable adjustment in the unit prices of the contract applying to items of work affected by the differing site conditions. A request for such an adjustment shall be in writing and shall be delivered by the party making such claim to the other party as soon as possible after such conditions are discovered. Upon receipt of such a claim from a contractor, or upon its own initiative, the contracting authority shall make an investigation of such physical conditions, and

if they differ materially and substantially from those shown on the plans or indicated in the contract documents and are of such a nature as to cause an increase or decrease in the cost of performance of the work, or a change in the construction methods required for performance of the work which results in an increase or decrease in the cost of the work, said contracting authority shall make an equitable adjustment in the unit prices and the contract shall be modified in writing accordingly. Any such contracting authority which awards contracts on a unit price basis may adopt reasonable rules or regulations in conformity with this section concerning the filing, investigation and settlement of such claims, subject to the approval of the commissioner of administration. *Approved August 29, 1969.*

Chap. 869. AN ACT FURTHER FACILITATING THE FINANCING OF THE PROJECTS OF THE MASSACHUSETTS PORT AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 465 of the acts of 1956, as amended by section 2 of chapter 449 of the acts of 1968, is hereby further amended by striking out section 9 and inserting in place thereof the following section:

Section 9. Additional Revenue Bonds. In addition to the bonds issued under the provisions of section eight, the Authority is authorized and empowered, subject to such conditions, limitations and restrictions as may be set forth in the trust agreement, to provide by resolution for the issuance at one time or from time to time of revenue bonds of the Authority or the borrowing of money in anticipation of the issuance of such revenue bonds for the purpose of providing funds for paying the cost of acquiring or constructing any additional revenue producing facility, the acquisition or construction and the financing of which by the Authority under the provisions of this act may hereafter be authorized by the general court (any such facility being herein called "additional facility"), or of acquiring or constructing any extensions, enlargements or improvements of any project then under the control of the Authority or, in the case of revenue bonds, of paying and discharging notes theretofore issued in anticipation of the issuance of such bonds, or any combination of the foregoing; provided, however, that no such additional facility, extension or enlargement shall be constructed which will impair the revenues to be derived from facilities constructed pursuant to chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two, as from time to time amended.

SECTION 2. Section 10 of said chapter 465 is hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence:—Notwithstanding any other provision of this act or any recitals in any bonds issued under the provisions of this act, all such bonds shall be deemed to be negotiable instruments under the laws of the commonwealth, subject only to any provisions for registration contained in any such bond.

SECTION 3. Said chapter 465 is hereby further amended by striking out section 10A, inserted by section 5 of chapter 449 of the acts of 1968, and inserting in place thereof the following section:—

Section 10A. Provisions Applicable to Money Borrowed. Money borrowed by the Authority in anticipation of the issuance or revenue bonds shall be evidenced by notes or other obligations of the Authority. The aggregate principal amount so borrowed by the Authority and evidenced by such notes or other obligations (but excluding the aggregate principal amount borrowed which is contemporaneously to be repaid from the proceeds of notes then to be issued) shall not exceed ten per centum of the aggregate principal amount of revenue bonds of the Authority outstanding at the time such borrowing is made. The principal and interest of all notes or other obligations of the Authority so issued under the provisions of this act shall be payable no later than the fourth anniversary of the date of issue thereof, shall in no event, except as herein specifically provided, be payable from revenues of the Authority but shall be payable solely (i) from the proceeds of revenue bonds subsequently issued, or (ii) from the proceeds of subsequent borrowings which comply with the provisions hereof, or (iii), if the notes or other obligations evidencing such borrowings so provide, from moneys held for the credit of the maintenance reserve fund or the improvement and extension fund established by the trust agreement dated as of July first, nineteen hundred and sixty-four relating to revenue bonds of the Authority or any similar fund or funds established in any subsequent trust agreement, if such moneys, to the extent permitted thereby, are pledged by the Authority to the payment of the principal of and interest on such notes or other obligations and if such notes or other obligations were issued by the Authority for any purpose for which the moneys held for the credit of such fund or funds may be disbursed, or (iv) from revenues but only to the extent of the claim or charge provided in the following sentence. If and to the extent then permitted by any trust agreement relating to revenue bonds of the Authority and to the extent set forth in such notes or other obligations or the resolutions of the Authority authorizing the same, such notes may be secured by a claim or charge upon the revenues of the Authority which may be equal and proportionate with, but not superior to, that securing all bonds then outstanding or subsequently issued under said trust agreement. Notwithstanding any other provisions of this act or any recitals in any notes issued under the provisions of this act, all such notes shall be deemed to be negotiable instruments under the laws of the commonwealth, subject only to any provisions for registration contained in any such notes. Such notes or other obligations or any issue thereof shall be in such form and contain such other provisions as the Authority may determine and such notes or other obligations or any issue thereof and any resolution or resolutions authorizing such notes or other obligations or any issue thereof may contain, in addition to any provisions, conditions, covenants or limitations authorized by this act, any provisions, conditions, covenants or limitations which the Authority is authorized to include in any resolution or resolutions authorizing revenue bonds of the Authority, in such bonds or in the trust agreement relating thereto. The Authority may issue such notes or other obligations in such manner either publicly or privately and on such terms as it may determine to be in the best interests of the Authority. Such notes or other obligations may be issued by the Authority under the provisions

of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth or the city and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this act.

SECTION 4. Section 14 of said chapter 465 is hereby amended by adding the following paragraph:

The word "bonds" as used in this section and in sections fourteen, sixteen, seventeen, eighteen and twenty-five shall be deemed to include all obligations of the Authority issued under the provisions of this act, including, without limitation, notes of the Authority.

Approved August 29, 1969.

Chap. 870. AN ACT RELATING TO THE TIME WITHIN WHICH A ZONING BOARD OF APPEALS SHALL RENDER ITS DECISION.

Be it enacted, etc., as follows:

SECTION 1. Section 18 of chapter 40A of the General Laws is hereby amended by striking out the fifth sentence, as amended by chapter 387 of the acts of 1962, and inserting in place thereof the following sentence:— The decision of the board shall be made within sixty days after the date of the filing of an appeal, application or petition.

SECTION 2. Section 20 of said chapter 40A, as appearing in section 2 of chapter 368 of the acts of 1954, is hereby amended by inserting after the word "board", in line 13, the words: — ; provided, however, that an annulment of a favorable decision of said board by the court pursuant to the authorization contained in section twenty-one shall not constitute unfavorable action within the meaning of this section.

Approved August 29, 1969.

Chap. 871. AN ACT ALLOWING CREDIT UNDER THE STATE CONTRIBUTORY RETIREMENT SYSTEM TO BETTY COLE SMITH FOR CERTAIN SERVICE RENDERED BY HER TO THE STATE OF MINNESOTA.

Be it enacted, etc., as follows:

Betty Cole Smith, superintendent of the Massachusetts Correctional Institution, Framingham, and a member of the state retirement system, shall be entitled to count as creditable service for purposes of retirement, as a member of said system, the time spent by her as superintendent of the State School for Girls in Minnesota, during the period from February first, nineteen hundred and fifty-two to March first, nineteen hundred and fifty-eight; provided, that before the date any retirement allowance becomes effective for her, she pays into the annuity savings fund of the state retirement system such amount as the state retirement board may determine as being equal to that which she would have paid into said fund had her period of service as superintendent of the State School for Girls in Minnesota been creditable service under the state retirement system, with interest thereon.

Approved August 29, 1969.

Chap. 872. AN ACT RELATIVE TO COMPENSATION FOR OVERTIME SERVICE BY REGULAR POLICE OFFICERS OF CITIES AND TOWNS AND MEMBERS OF THE POLICE FORCE OF THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 147 of the General Laws is hereby amended by inserting after section 17F the following section:—

Section 17G. Notwithstanding the provisions of any general or special law to the contrary, the services of all regular or permanent police officers of every city and town which accepts this section shall be restricted to five days and to forty hours in any one week; provided, that service in excess of the aforesaid days and hours may be authorized by the police commissioner, chief, superintendent or other officer or board at the head of the police department of any such city or town and the officer performing such additional service shall be compensated at an hourly rate equal to one and one half times the hourly rate of his regular compensation for his average weekly hours of regular duty or such higher rate as may be determined by the person or persons authorized to establish pay scales in the respective police departments. The compensation payable to any such police officer shall not be reduced by reason of the acceptance of this section. This section shall take effect in a city having a Plan E or Plan D charter when accepted by the affirmative vote of a majority of the city council and in the case of other cities by vote of the city council, subject to the provisions of its charter, and in a town by a majority vote at the annual town meeting.

SECTION 2. Section 17C of said chapter 147, as appearing in chapter 349 of the acts of 1956, is hereby amended by striking out, in line 10, the words "the hourly rate" and inserting in place thereof the words:—one and one half times the hourly rate.

SECTION 3. Chapter 92 of the General Laws is hereby amended by striking out section 62B and inserting in place thereof the following section:—

Section 62B. Notwithstanding any other provision of law, members of the police force of the commission who perform service beyond their regular hours of service shall be compensated therefor as overtime service, at an hourly rate equal to one and one half times the hourly rate of their regular compensation for their average weekly hours of regular duty. *Approved August 29, 1969.*

Chap. 873. AN ACT RELATIVE TO THE CLASSIFICATION OF FOREST LANDS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 61 of the General Laws is hereby amended by striking out sections 1 and 2 and inserting in place thereof the following two sections:—

Section 1. Except as otherwise hereinafter provided, all forest land, having a value not in excess of four hundred dollars per acre for land and growth thereon and existing in parcels of not less than ten contiguous acres in area, not used for purposes incompatible with forest

production shall be listed by the assessors as classified forest land upon written application of the owner which shall include a description of the area to be classified sufficient for identification and a certification by the state forester that such land is being managed under a planned program to improve the quantity and quality of a continuous forest crop. Once such land has been so classified, it shall remain listed as classified forest land, regardless of change in ownership, until December thirty-first of the year in which the owner requests in writing that the assessors remove it from such listing or in which it is removed from classification in accordance with other provisions of this chapter. Land shall be removed from classification unless, at least every five years, the owner files with the assessors a certification by the state forester that said land is continuing to be so managed, provided that the assessors or the state forester shall have notified the owner of his failure to file and the owner shall not have submitted such certification within sixty days thereafter. The state forester or his designee shall have the authority to enter on private lands for the purpose of making investigations to assure compliance with this chapter. Classified forest land shall be exempt from taxation under chapter fifty-nine but shall be subject to the taxes provided in section two of this chapter. Buildings and other structures, and the land on which they are erected and which is necessary for their use, shall not be entitled to be classified.

If a single parcel or tract of land consists in part of forest land and in part of other land, the portion consisting of forest land, if said portion comprises at least ten contiguous acres in area and otherwise conforms to the requirements of this section, shall be listed as classified forest land upon application as hereinbefore provided.

An application to have forest land listed as classified forest land may be submitted to the assessors at any time prior to September first in any year; however, such listing shall take effect on January first of the year following application or following the final determination of any appeal therefrom.

When in the judgment of the assessors land, which is classified or which is the subject of an application, is not being managed under such a program or is being used for purposes incompatible with forest product production or does not otherwise qualify under this chapter, the assessors may on or before October first in any year appeal to the state forester to deny the owner's application or, in the case of land already classified, to remove the land from classification, stating their reasons and at the same time sending a copy of the appeal to the owner of such land. The state forester may on his own motion initiate on or before October first in any year a proceeding to remove land from classification, sending notice of his action to the assessors and the owner. The state forester shall investigate the matter and hold a hearing thereon, if requested by the assessors or the owner within two weeks after receiving notice of the proceeding. The state forester may deny the owner's application, may withdraw all or part of the land from classification, or may grant the application, imposing such terms and conditions as he deems reasonable to carry out the purposes of this chapter, and shall notify the assessors and the owner of his decision no later than December first. If the owner or the assessors are aggrieved by the decision, they may prior to December fifteenth petition the superior court in the county in which the land is located for a review under the provisions of chapter

thirty A of the General Laws, and said land shall not be classified or withdrawn from classification until the final determination of any such petition. The state forester may, with the approval of the commissioner of natural resources, adopt such regulations as may be necessary to carry out his responsibilities under this chapter.

Section 2. The following terms shall have the following meanings when used in this chapter: "forest products" — wood, timber, Christmas trees, and all other tree or forest growth; "stumpage value" — fair market value immediately prior to severance; "cut" — severed or taken from the soil.

The owner of classified forest land shall pay a products tax equal to eight per cent of the stumpage value of all forest products cut therefrom; provided, that the owner may annually cut, free of the products tax, forest products from such land for his own use or for the use of a tenant of said land, not exceeding one hundred dollars in stumpage value.

The owner shall annually before May first make a return, in such form as shall be approved by the state forester, setting forth the amount of forest products cut from classified forest land during the preceding calendar year and such other information as may be required for assessment of the products tax. The assessors shall annually on or before April first give written notice to each owner of record of classified forest land that he is required to make such return. On the basis of such return or any other available information the assessors shall assess such products tax.

The owner shall also pay annually a land tax on the bare land, based upon a valuation of not more than ten dollars per acre, at the rate determined for the taxation of property under chapter fifty-nine, said land tax to be assessed annually by the assessors.

Both the products tax and the land tax shall be committed to the collector for collection in the same manner as taxes assessed under chapter fifty-nine. The collector shall notify the person assessed of the amount of the tax in the manner provided in section three of chapter sixty for notification of local taxes, and in the collection of taxes under this chapter the collector shall have all the remedies provided by chapter sixty for the collection of taxes upon real estate. Taxes so assessed shall be due and payable October first of the year in which the return is required to be made, and if not paid on or before November first of the year of assessment shall bear interest at the rate of six per cent per annum from the due date to the date of payment. Any person aggrieved by the assessment of a tax under this section may within sixty days of the date of notice of the tax apply in writing to the assessors, upon a form approved by the commissioner of corporations and taxation, for abatement thereof, and if the assessors, after hearing, find the tax is excessive, they shall abate it in whole or in part accordingly. If the tax has been paid, the town treasurer shall repay to the person assessed the amount of such abatement, with interest thereon at the rate of six per cent per annum, from the time when it was paid. Any person aggrieved by the refusal of the assessors to abate a tax in whole or in part under this section or by their failure to act upon such an application may appeal to the appellate tax board within thirty days after the date of notice of their decision or within three months of the date of the application for abatement, whichever date is later. Any overpayment on tax determined

by decision of said appellate tax board shall be reimbursed by the town treasurer with interest at the rate of six per cent per annum from time of payment.

SECTION 2. Said chapter 61 is hereby further amended by striking out section 4 and inserting in place thereof the following section: —

Section 4. Classified forest land shall not be included in the town valuation in apportioning the state and county taxes. Classified forest land shall be subject to special assessments and betterment assessments; provided, however, that such assessments, if for purposes other than the installation of water pipes, shall become due and payable at the time when said land is removed from classification.

SECTION 3. Section 5 of said chapter 61, as appearing in section 1 of chapter 652 of the acts of 1941, is hereby amended by striking out, in line 2, the word "one" and inserting in place thereof the word: — two.

SECTION 4. Said chapter 61 is hereby further amended by striking out section 6 and inserting in place thereof the following section: —

Section 6. When the owner of classified forest land voluntarily withdraws such land from classification or upon a final determination that said land should be withdrawn from classification, the owner shall pay to the city or town in which the land is located an amount determined by the assessors to equal the difference between the amount of taxes which would have been paid under chapter fifty-nine and the taxes actually paid under this chapter from the date of classification to the date of withdrawal plus interest thereon at the rate of eight per cent per annum or two hundred dollars per acre, whichever is smaller. The withdrawal tax imposed by this section shall be committed to the tax collector of the city or town for collection in the same manner as taxes assessed under chapter fifty-nine.

SECTION 5. Any land listed by the assessors prior to the effective date of this act as classified forest land shall continue to be so listed, subject to the provisions of chapter sixty-one of the General Laws, as amended by this act. The owner of such land shall, no later than September first, nineteen hundred and seventy, file with the assessors the description and certification by the state forester required under section one of said chapter sixty-one and thereafter shall file said certification of the state forester every five years as required under said section one. The provisions of section two of said chapter sixty-one in effect immediately prior to the effective date of this act shall remain in effect only as to such previously listed classified forest lands until December thirty-first, nineteen hundred and seventy. The provisions of section two of said chapter sixty-one, as amended by section one of this act, shall become effective against such lands on January first, nineteen hundred and seventy-one. *Approved August 29, 1969.*

Chap. 874. AN ACT FURTHER REGULATING NONPROFIT HOSPITAL SERVICE CORPORATIONS AND RATES OF PAYMENT TO PROVIDERS OF HEALTH SERVICES.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 176A of the General Laws is hereby amended by striking out all after the third paragraph and inserting in place thereof the following twelve paragraphs: —

In providing reimbursement for health services other than hospital services, any hospital service corporation may enter into contracts for the furnishing of such health services with providers thereof. All rates of payment to providers of other health services made by such corporation, under such contracts, shall be approved in advance by the rate setting commission established under section thirty L of chapter seven, in this section called the commission. Any such approval may be withdrawn by the commission at any time as hereinafter provided. No rates of payment under any such contract with a provider of other health services shall be approved nor their continuance be permitted by the commission, unless such rates are not excessive, not inadequate and not unfairly discriminatory in relation to other such providers who have entered into such contracts with such corporation.

Every contract made by such corporation with a participating hospital or provider of other health services shall contain a provision whereby such hospital or provider of other health services guarantees to subscribers or their dependents or employees, or dependents of employees of employers who contribute the subscription fees in whole or in part the benefits of the subscriber's certificate in effect at the time such services are provided notwithstanding the ability of such corporation to pay therefor. Officers of the commonwealth and of counties, cities and towns within the commonwealth are authorized to execute contracts containing such provision.

All rates of payment to hospitals made by such corporation, under such contracts, shall be approved in advance by the rate setting commission established under section thirty L of chapter seven. Any such approval may be withdrawn by the commission at any time as hereinafter provided. No rates of payment shall be approved, nor their continuance be permitted by the commission, unless such rates reflect reasonable costs or are based on charges made to the general public, whichever is lower. The commission in determining reasonable cost shall give consideration to services provided by the hospital and the costs of comparable hospitals, and may give consideration to depreciation, amortization, interest, occupancy, individual services which are rendered for partial or no payment and principles of reimbursement for provider costs in effect from time to time under Titles XVIII and XIX of the Social Security Act.

Other requirements of this section notwithstanding, the commission may approve any rate of payment to any provider or class of providers if such rate, in the opinion of the commission, contains an incentive to achieve greater efficiency and economy in the manner of providing health care services without adversely affecting the quality of such services.

A hospital, provider of other health services or nonprofit hospital service corporation shall file with the commission in accordance with regulations adopted after public hearing such data, statistics, schedules or other information as the commission may reasonably require to enable it to approve or disapprove contracts with or rates of payments to hospitals and providers of other health services. For the purpose of approving, disapproving, or permitting the continuance of all rates or payment under such contracts, the commission may require an examination of the books of account and statistical records of each hospital,

provider of other health services and nonprofit hospital service corporation, and such examination shall be made under the direction and supervision of the commission. The commission may enter into an annual agreement with a nonprofit hospital service corporation for the services of such auditors or accountants as may be required in any such examination; provided, that the entire costs of such salaries of auditors or accountants and necessary expenses connected therewith, including related expenses of the commission, shall be borne by such corporation. The commission may also enter into an annual agreement with a nonprofit hospital service corporation for such health care specialists, statisticians and other personnel as may be required by the commission in performing its duties under this chapter. Expenses incurred in connection with any agreement authorized under this paragraph shall be treated as part of the cost of benefits furnished by said corporation.

Within thirty days of the filing of any proposed contract or rate of payment between a nonprofit hospital service corporation and a hospital or provider of other health services, the commission shall either (1) approve the contract or rate of payment without holding a public hearing; or (2) disapprove the contract or rate of payment without holding a public hearing, filing in its office a statement setting forth its reasons for its disapproval; or (3) hold a public hearing on all or such portion of said proposed contract or rate of payment as it shall designate in the notice of hearing which it shall file in its office.

If the commission disapproves a proposed contract or rate of payment, it shall promptly notify, in writing, such corporation and each interested hospital or provider of other health services of its disapproval. The disapproval shall be final unless, within ten days of the filing of its statement of disapproval, such corporation or any interested hospital or provider of other health services shall file with the commission a written request for a public hearing on the disapproval. The public hearing, at which such corporation and each interested hospital and provider of other health services shall be entitled to appear, shall be held within fourteen days of the filing of the request for such hearing with the commission, and the decision thereon shall be made within twenty-eight days of the date of the filing of such request, unless the corporation, each interested hospital and provider of other health services involved agree, in writing, to an extension of either date.

If the commission decides to hold a public hearing without prior acting on the proposed contract or rate of payment, it shall promptly notify, in writing, such corporation, each interested hospital and provider of its decision. The public hearing, at which such corporation, each interested hospital and provider of other health services shall be entitled to appear, shall be held within twenty-one days of filing of the notice thereof in its office. The decision thereon shall be made within twenty-one days of the commencement of the hearing, unless such corporation, each interested hospital and provider of other health services involved agree, in writing, on an extension of the date.

If the commission disapproves of a previously approved contract or rate of payment, it shall file in its office a statement setting forth its reasons for its disapproval, and it shall promptly notify, in writing, such corporation and each interested hospital or provider of other health services of such disapproval. Such notice of disapproval shall

state the effective date of the disapproval which shall not be sooner than sixty days from the date of the filing of such disapproval in its office. The disapproval shall be final on the date indicated in said notice unless, within ten days of the filing of its statement of disapproval, such corporation, any interested hospital or provider of other health services shall file with the commission a written request for a public hearing on the disapproval. The public hearing, at which such corporation, each interested hospital and provider of other health services shall be entitled to appear, shall be held within fourteen days of the filing of the request for a hearing with the commission, and the decision thereon shall be made within twenty-eight days of the date of the filing of such request, unless the corporation, each hospital and provider of other health services involved agree, in writing, on an extension of either date.

Any nonprofit hospital service corporation, hospital or provider of other health services aggrieved by any order, finding, decision or other action made or taken under this section by the commission may, within twenty days of the filing thereof by the commission in its office as a public record, file a petition in the supreme judicial court for the county of Suffolk for a review of such order, finding, decision or other action. In the event that there is an appeal from an order of the commission disapproving a rate of payment between a nonprofit hospital service corporation and a hospital or provider of other health services, any level of payment which the commission did approve shall be used pending the determination of the appeal and any difference in the rate established as a result of the appeal and the interim rate shall be adjusted, as the court may determine.

Upon the filing of a petition for review under this section, an order of notice returnable not later than twenty days from the filing of such petition shall forthwith issue and be served upon the commission. Within ten days after service of a copy of the petition for review upon the commission or within such further time as the court may allow, the commission shall file in the court the original or a certified copy of the records of the proceeding under review. The review shall be governed by paragraphs (2), (3), (4) with the exception of the first sentence thereof, (5), (6), (7) and (8) of section fourteen of chapter thirty A, and review by the supreme judicial court shall be governed by section fifteen of said chapter thirty A.

The commissioner of insurance shall on December thirty-first, nineteen hundred and seventy and annually thereafter require a statement from any nonprofit hospital service corporation relative to the number and type of contracts written hereunder, utilization of extended care facilities and other health services, and such other information, and in the form, as he may require.

SECTION 2. The first paragraph of section 8 of chapter 176A of the General Laws is hereby further amended by inserting before the first sentence the following sentence: —

No contract between the subscriber and the corporation shall be issued or delivered in the commonwealth which provides full room and board benefits in an extended care facility for other than the period of hospitalization coverage provided, or which provides benefits for any service which is not medically necessary. *Approved August 29, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, October 1, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 health and convenience requires that the law being Chapter 874 of the Acts of 1969, entitled "AN ACT FURTHER REGULATING NONPROFIT HOSPITAL SERVICE CORPORATIONS AND RATES OF PAYMENT TO PROVIDERS OF HEALTH SERVICES" and the enactment of which received my approval on August 29, 1969, 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 permit the Rate Setting Commission authoritatively to consider the extension of its approval to new methods of payment by nonprofit hospital service corporations to certain providers of health services, and to permit any such new methods, if so approved, to take effect October 1, 1969, it is necessary that this law take effect immediately.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, October 1, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at two o'clock and thirty minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter eight hundred and seventy-four of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 875. AN ACT RELATIVE TO THE CONSTRUCTION BY THE METROPOLITAN DISTRICT COMMISSION OF A RELIEF SEWER IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 478 of the acts of 1966 is hereby amended by striking out the last sentence.

SECTION 2. Said chapter 478 is hereby further amended by inserting after section 2 the following section: —

Section 3. The interest and serial bond requirements on account of the moneys expended in constructing the projects authorized by section one shall be deemed to be, and shall be paid as, a part of the interest, sinking fund or serial bond requirements and costs, and shall be apportioned and assessed on the entire metropolitan sewerage district, not-

withstanding the provisions of the first sentence of section five B of chapter ninety-two of the General Laws.

SECTION 3. Section 2 of chapter 526 of the acts of 1969 is hereby amended by striking out the last sentence.

SECTION 4. Said chapter 526 is hereby further amended by inserting after section 2 the following section: —

Section 2A. The interest and serial bond requirements on account of the moneys expended in constructing the projects authorized by section one shall be deemed to be, and shall be paid as, a part of the interest, sinking fund or serial bond requirements and costs, and shall be apportioned and assessed on the entire metropolitan sewerage district, notwithstanding the provisions of the first sentence of section five B of chapter ninety-two of the General Laws.

Approved August 29, 1969.

Chap. 876. AN ACT RELATIVE TO THE COMPENSATION OF COURT OFFICERS IN CERTAIN DISTRICT COURTS OF SUFFOLK COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any other provisions 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 of Suffolk county, other than the municipal court of the city of Boston, shall be as follows:—Chief court officers, compensation Grade DC16, other court officers, compensation Grade DC14.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved August 29, 1969.*

Chap. 877. AN ACT PROVIDING FOR THE ESTABLISHMENT OF AN OFFICE OF THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION IN THE CITY OF WORCESTER.

Be it enacted, etc., as follows:

Subsection 1 of section 3 of chapter 151B of the General Laws, as appearing in section 4 of chapter 368 of the acts of 1946, is hereby amended by inserting, in line 2, after the word "Boston" the words:— , an office in the city of Worcester. *Approved August 29, 1969.*

Chap. 878. AN ACT AUTHORIZING THE ESTABLISHMENT OF REGIONAL POLICE DISTRICTS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 99A the following ten sections under the caption REGIONAL POLICE DISTRICTS:—

Section 99B. The purpose of this and the nine following sections, which shall be designated and may be known as "The regional police district law", is to permit two or more contiguous towns to establish a regional police district and organize a common police department to serve and protect the inhabitants of said towns.

Sections ninety-nine B to ninety-nine K, inclusive, shall not apply to any town in which the provisions of chapter thirty-one are in effect with respect to the members of the police force or the chief of police.

Section 99C. Any group of contiguous towns may, by vote of their respective registered voters, vote to establish a regional police district, the area of jurisdiction of which shall be the combined corporate limits of the member towns.

Section 99D. In towns using official ballots at town elections, acceptance of the provisions of the regional police district law shall be by vote in answer to the following questions to be placed on the official ballot at an annual town election as hereinafter provided, and in towns not using official ballots at town elections such acceptance shall be by vote at an annual town meeting. Upon the filing, with the clerk of any town using official ballots at town elections, of a petition signed by the board of selectmen requesting that the question of accepting the provisions of the regional police district law be placed upon the official ballot, the clerk shall place such questions on the official ballot for the next town election occurring more than thirty days after the filing of such petition. The questions to be voted on shall be:—

A. Shall the town accept the provisions of sections ninety-nine B to ninety-nine K, inclusive, of chapter forty-one of the General Laws, providing for the establishment of a regional police district, together with the town (towns) of ?

YES.	
NO.	

B. Shall the police department provided for in question A be under the control and supervision of the regional police district commission and otherwise be governed by section ninety-seven of chapter forty-one of the General Laws governing local police department?

YES	
NO	

C. Shall the police department provided for in question A be under the sole control and supervision of the chief of police appointed by the regional police district commission and otherwise be governed by section ninety-seven A of chapter forty-one of the General Laws governing local police departments?

YES.	
NO.	

If a majority of the voters in each town voting on question A is in the affirmative, the proposed regional police district shall be deemed to be established.

If a majority of all the votes cast in the affirmative in the towns voting on question B is greater than the majority voting in the affirmative on question C, then the police department so established will be governed by section ninety-seven of said chapter forty-one; however, if a majority of all the votes cast in the affirmative in the towns voting on question C is greater than the majority voting in the affirmative on question B, the police department so established will be governed by the provisions of section ninety-seven A of said chapter forty-one.

Section 99E. A regional police district established under section ninety-nine D shall be a body politic and corporate with all the powers and duties conferred by law upon police departments, 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 town may sue or be sued.

(*c*) To acquire property within the towns comprising the district under the provisions of chapter seventy-nine and section fourteen of chapter forty for the purposes of the district, and to construct, reconstruct, add to, remodel, make extraordinary repairs to, equip, organize and operate a police facility or facilities for the benefit of the towns 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 police building or buildings for a term of not exceeding twenty years or for the purpose of remodeling and making extraordinary repairs to a police building or buildings for a term not exceeding ten years; provided, however, that any indebtedness so incurred shall not exceed an amount approved by the emergency finance board; and provided, further, that written notice of the amount of the debt and of the general purposes for which it was authorized shall be given to the board of selectmen in each of the towns comprising the district not later than seven days after the date on which said debt was authorized by the district commission; 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 police district may hold a town meeting for the purpose of expressing disapproval of the amount of debt authorized by the district commission, and if at such meeting a majority of the voters present and voting thereon express disapproval of the amount authorized by the district commission, said debt shall not be incurred and the district police commission 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 regional police district commission, 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 towns.

(*h*) To assess member towns for any expenses of the district.

(*i*) To receive any grants or gifts for the purposes of the regional district police.

(*j*) To engage legal counsel.

(*k*) To submit an annual report to each of the member towns, containing a detailed financial statement, and a statement showing the method by which the annual charges assessed against each town were computed, together with such additional information relating to the operation and maintenance of such police protection as may be deemed necessary by the district police commission or by the selectmen of any member town.

(*l*) To employ a chief of police who shall have all the powers and duties imposed upon chiefs of police by law.

(*m*) To adopt an annual operating and maintenance budget, not later than December first.

Section 99F. The powers, duties and liabilities of a regional police district shall be vested in and exercised by a regional police district commission organized by the boards of selectmen of the member towns. Each said board shall appoint two members of the commission within three months of the adoption of the regional police district law, for terms of such length and so arranged that the term of one appointee will expire each year, and their successors shall be appointed in a like manner for terms of two years. Vacancies shall be filled in a like manner for the unexpired term. All members shall serve without compensation but may be reimbursed for expenses actually incurred in the transaction of the business of the commission. The commission shall choose annually 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 commission. 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 commission. The commission may appoint an assistant treasurer who need not be a member of the commission, 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 commission, be compensated for their services. The treasurer and assistant treasurer of said district shall be subject to the provisions of sections thirty-five, fifty-two and one hundred and nine A of chapter forty-one, to the extent applicable. If the office of secretary is vacant or if the secretary is absent or is unable to perform his duties because of disability, the commission may appoint a temporary secretary to hold such office and exercise the powers and perform the duties thereof until a secretary is duly appointed or the secretary who was disabled or absent resumes his duties.

Section 99G. The regional police district commission shall annually determine the amounts necessary to be raised to maintain and operate the district police during the ensuing calendar year, and the amounts required for payment of debt and interest incurred by the district which will be due in said year, and shall apportion the amount so determined among the member towns in accordance with the provisions of section ninety-nine I. The amounts so apportioned for each town shall, prior to December thirty-first in each year, be certified by the regional police district treasurer to the treasurers of the member

towns. Each town shall, at the next annual town meeting, appropriate the amounts so certified and the town treasurer shall pay the amount so appropriated to said district forthwith.

The treasurer of any member town of a regional police district with the approval of the board of selectmen may, during the interval between January first and the date when such town makes the annual appropriation of the amount apportioned to it as provided in the first paragraph, make payments to the regional police district from the treasury of such town from any funds available therein. Such payments shall not exceed in the aggregate one third of the amount so apportioned and shall be charged against such appropriation.

For the purpose of organizing a department as provided in section ninety-nine J, the treasurer of any member town of a regional police district with the approval of the board of selectmen may, during the interval between the establishment of the commission as provided in section ninety-nine F and the following December thirty-first, make payments to the regional police district from the treasury of such town from any funds available therein. Such payments shall not exceed three thousand dollars per member town and shall be charged against the first annual appropriation.

Section 99H. 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 police district commission, 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 selectmen of each town which is a member of the district. The director shall apportion the cost among the member towns on the basis provided by section ninety-nine I, and submit the amounts of each apportionment to the state treasurer who shall issue his warrant requiring the assessors of the 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 99I. Said commission shall, annually not later than December first, estimate the amount of money required to pay the costs and expenses of the district for the following year and shall fix and determine the proportion of such costs and expenses to be paid by the member towns using the following formula:

Fifty per cent thereof shall be assessed upon all towns in the district in the proportion which the total equalized valuation in each said town bears to the total equalized valuation in the district. When used in this section "equalized valuation" shall mean the equalized valuation of the aggregate property in a town subject to local taxation, as most recently reported by the state tax commission to the general court under the provisions of section ten C of chapter fifty-eight.

Twenty-five per cent thereof shall be assessed upon all towns in the district in the proportion which the number of inhabitants in each said town bears to the total number of inhabitants in the district. The number of inhabitants shall be determined in accordance with the last preceding federal census.

Twenty-five per cent thereof shall be assessed upon all towns in the district in the proportion which the total mileage of state highways

and town ways in each said town, as most recently determined by the state department of public works, bears to the total mileage of state highways and town ways in the district.

Section 99J. Each regional police district commission shall organize a regional district police department, and such department shall begin operations and otherwise take effect on January first following acceptance of the provisions of the regional police district law. Each regional district police department so established shall succeed any existing town police departments, whether fully organized or not, within its district, and each such town police department shall cease to exist on December thirty-first following the acceptance of the provisions of the regional police district law. Any pending criminal prosecutions of the police of the member towns shall be assumed by the regional district police department, and all town police employees who immediately prior to the effective date of the district held positions classified under chapter thirty-one or had tenure in their positions by special act shall be transferred to the service of the district police department upon the establishment of said department; every such transfer to be without impairment of civil service status, seniority, retirement and other rights of the employee, without interruption of his service within the meaning of said chapter thirty-one or special act, and without reduction in his compensation and salary grade, notwithstanding any change in his title or duties made as a result of such transfer. Said district police department shall be considered a single town police department as that phrase is used or implied in the general laws, and all general laws applicable to town police departments shall apply to such district police departments. If a majority of towns in said district shall vote to accept the provisions of section forty-eight of chapter thirty-one, at annual elections held therein, by the method provided in said section, the provisions of said chapter thirty-one shall apply to said district. Any such district department shall be under the supervision of an officer known as the chief of police.

The chief and other police officers of all regional police districts shall have, throughout their respective districts, unless a different meaning is clearly apparent from the language or context, all the powers, duties, immunities and privileges conferred by the General Laws on chiefs and police officers of the towns.

Section 99K. In towns using official ballots at town elections, revocation of the provisions of the regional police district law shall be by vote in answer to a question placed on the official ballot at an annual town election as hereinafter provided, and in towns not using official ballots at town elections such revocation shall be by vote at an annual town meeting. Upon the filing, with the clerk of any town using official ballots at town elections, of a petition signed either by the board of selectmen or by not less than five per cent of the total number of registered voters thereof, requesting that the question of revoking acceptance of the provisions of this law be placed upon the official ballot, the clerk shall place such question on the official ballot for the next town election occurring more than thirty days after the filing of such petition. The question to be voted on shall be:—"Shall the acceptance by the town of the provisions of sections ninety-nine B to ninety-nine K, inclusive, of chapter forty-one of the General Laws

which provided for the establishment of a regional police district, together with the town (towns) of , be revoked?"

If such revocation is favored by a majority of the voters voting thereon, the acceptance of this law by such town shall be revoked and this law shall become null and void in said town beginning one year after such vote; provided, however, if any such town while a member of the district voted to accept the provisions of section forty-eight of chapter thirty-one, the provisions of said section forty-eight shall remain in effect in said town and any person transferred to said town from the district as a result of such revocation shall be transferred without impairment of civil service status, seniority, retirement and other rights, without interruption of his service within the meaning of said chapter thirty-one and without reduction in his compensation and salary grade, notwithstanding any change in his title or duties made as a result of such transfer.

Whenever a town revokes acceptance of this law and withdraws from a regional police district said town shall remain liable for its share of any obligation of the district incurred while said town was a member of said district.

Whenever a town revokes acceptance of this law and withdraws from a regional police district and thereby breaks the contiguity required by section ninety-nine C, the remaining towns shall continue to form a district notwithstanding the absence of contiguity.

Approved August 29, 1969.

Chap. 879. AN ACT PROVIDING FOR INDEMNIFICATION TO POLICE OFFICERS AND FIRE FIGHTERS FOR EXPENSES FOR CHIROPRACTIC SERVICES REQUIRED AS THE RESULT OF INJURIES IN THE LINE OF DUTY.

Be it enacted, etc., as follows:

The first paragraph of section 100 of chapter 41 of the General Laws, as appearing in section 1 of chapter 580 of the acts of 1962, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Upon application by a fire fighter or police officer of a city, town or fire or water district, or in the event of the physical or mental incapacity or death of such fire fighter or police officer, by someone in his behalf, the board or officer of such city, town or district authorized to appoint fire fighters or police officers, as the case may be, shall determine whether it is appropriate under all the circumstances for such city, town or district to indemnify such fire fighter or police officer for his reasonable hospital, medical, surgical, chiropractic, nursing, pharmaceutical, prosthetic and related expenses incurred as the natural and proximate result of an accident occurring, or of undergoing a hazard peculiar to his employment, while acting in the performance and within the scope of his duty without fault of his own. *Approved August 29, 1969.*

Chap. 880. AN ACT AUTHORIZING CHIROPRACTIC CARE UNDER SERVICE CONTRACTS.

Be it enacted, etc., as follows:

SECTION 1. The definition of "Participating physician" in 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 word "physician", in line 1, the words: — or a chiropractor registered under the provisions of chapter one hundred and twelve.

SECTION 2. The definition of "Associated physician" in section 1 of chapter 176C of the General Laws, as appearing in chapter 334 of the acts of 1941, is hereby amended by inserting after the word "health", in line 4, the words: — or any chiropractor registered under the provisions of chapter one hundred and twelve.

Approved August 29, 1969.

Chap. 881. AN ACT PROVIDING AN ADDITIONAL COURT OFFICER FOR THE THIRD DISTRICT COURT OF SOUTHERN WORCESTER.

Be it enacted, etc., as follows:

Section 62 of chapter 218 of the General Laws, as appearing in chapter 38 of the acts of 1969, is hereby further amended by inserting after the word "Newton", in line 21, the words:—the third district court of southern Worcester,. *Approved August 29, 1969.*

Chap. 882. AN ACT PRESCRIBING PRECAUTIONS TO BE TAKEN IN THE PROXIMITY OF OVERHEAD HIGH VOLTAGE LINES FOR THE PREVENTION OF ACCIDENTS.

Be it enacted, etc., as follows:

Chapter 166 of the General Laws is hereby amended by inserting after section 21 the following sections:—

Section 21A. No person shall require or permit any employee to operate a crane, power shovel or other such types of construction equipment in close proximity to overhead high voltage lines; nor to enter upon any land, building or other premises to engage in construction work, including excavation, demolition, repair or other such work or to erect, install, operate or store in or upon such premises any machinery or construction equipment, including well drilling, pile driving or hoisting equipment, where it is intended to perform such work or operate such equipment in close proximity to overhead high voltage lines unless and until contact with said high voltage lines has been effectively guarded against in the manner hereinafter prescribed. For the purposes of this section and sections twenty-one B to twenty-one G the words "in close proximity to overhead high voltage lines" shall mean within six feet of such lines.

Section 21B. The operation or erection of any tools, machinery or equipment, or any part thereof capable of vertical, lateral, or swinging motion; the handling or storage of any supplies, materials or apparatus or the moving of any house or other building, or any part thereof, under, over, by or near overhead high voltage lines, shall be

prohibited, if at any time during such operation or other manipulation it is intended or necessary to bring such equipment, tools, materials, buildings or any part thereof within six feet of such overhead high voltage lines, except where such high voltage lines have been effectively guarded against danger from accidental contact, by either:

(1) The erection of mechanical barriers to prevent physical contact with high voltage conductors; or

(2) De-energizing the high voltage conductors and grounding where necessary. Only in the case of either of such exceptions may the six foot clearance required be reduced. The required six foot clearance shall not be provided by movement of the conductors through strains impressed by attachments or otherwise upon the structures supporting the overhead high voltage lines, nor upon any equipment, fixtures, or attachments thereon.

If neither (1) or (2) are practicable in the opinion of the utility company or other owner or operator of such overhead lines, and it is necessary to temporarily relocate the high voltage conductors, mutually agreeable arrangements shall be made with the owner or operator of such lines for their temporary relocation.

(3) In addition to (1) and (2), an insulated cagetype guard or other effective protective device of a type approved by the commissioner of labor and industries shall be installed about the boom or arm of all hoisting or other such construction equipment, except backhoes or dippers, being operated in proximity of overhead high voltage lines.

(4) All mechanical barriers and all insulated protective devices referred to herein shall be of such character and construction as are suited to work operations, and adequate for the electrical conditions to be encountered.

(5) All mechanical barriers and all insulated protective devices shall be maintained in good functioning condition and shall be subject to periodic inspection.

The provisions of this section and the preceding section, insofar as they require the erection of mechanical barriers or the de-energizing of high voltage conductors, shall not apply to the transportation of a crane, power shovel or other similar types of construction equipment upon a public way when such equipment is being transported to a construction site.

Section 21C. The owner, agent or employer responsible for the operation of equipment shall post and maintain in plain view of the operator on each crane, derrick, power shovel, drilling rig, hay loader, hay stacker, pile driver, or similar apparatus, any part of which is capable of vertical, lateral or swinging motion, an approved weather-resistant warning sign legible at twelve feet reading "WARNING—Unlawful to operate this equipment within SIX FEET of high voltage lines."

Section 21D. Warning signs shall be placed: (1) Within the equipment readily visible to operator of cranes and other equipment when at the controls of such equipment;

(2) On the outside of equipment in such number and locations as to be readily visible to mechanics or other persons engaged in the work operations.

Warning signs shall be not less than five inches in height, nor less than seven inches in width.

Section 21E. Before any operations are to be performed within six feet of any overhead high voltage lines, the person or persons responsible for the work to be done shall promptly notify the utility or other company owning or operating the overhead high voltage lines.

The work shall be performed only after satisfactory arrangements have been negotiated between the owner or operator of the lines and the contractor.

Section 21F. The provisions of sections twenty-one A to twenty-one E, inclusive, shall not apply to the construction, reconstruction, operation and maintenance of overhead electrical conductors and their supporting structures and associated equipment by authorized electrical workers; nor to any authorized person engaged in the construction, reconstruction, operation and maintenance of overhead electrical or communications circuits or conductors and their supporting structures and associated equipment of rail transportation systems, electrical generating, transmission or distribution systems, or communications systems.

As used in sections twenty-one A to twenty-one F, inclusive, the words "high voltage" shall mean a voltage in excess of four hundred and forty volts, measured between conductors, or measured between the conductor and the ground; the words "mechanical barrier" shall mean, temporary devices for separating and preventing contact between material or equipment and overhead electrical conductors, such as:—

(a) Series of poles or the equivalent;

(b) Nonconductive enclosures around conductors.

"De-energizing" shall mean removing the voltage from electrical conductors.

"Temporary relocation" shall mean:—

(a) Removing electrical conductors from poles;

(b) Elevating electrical conductors from poles;

(c) Rerouting electrical conductors.

"Authorized person" shall mean:—

(a) Employees of a light and power company with respect to the electrical system of such a company, and the employees of a transportation system with respect to the electrical circuits of such system;

(b) Employees of communication utilities, state, county or municipal agencies having authorized circuit construction on the poles or structures of an electric power company or transportation system or communication system;

(c) Employees of an industrial plant with respect to the electrical system of such plant;

(d) Employees of any electrical or communications contractor with respect to work under his supervision.

"Warning sign" shall mean a weather resistant sign of not less than five inches by seven inches with a yellow background and black lettering reading as follows: "WARNING—Unlawful to operate this equipment within SIX FEET of high voltage lines."

Section 21G. Whoever violates any of the provisions of sections twenty-one A to twenty-one F, inclusive, shall be punished by a fine of not less than one hundred dollars, nor more than one thousand dollars or by imprisonment for not more than one year, or both.

Approved August 29, 1969.

Chap. 883. AN ACT REQUIRING EMPLOYERS ENTERING INTO FARM LABOR CONTRACTS WITH FARM LABOR CONTRACTORS TO NOTIFY THE DEPARTMENT OF LABOR AND INDUSTRIES THEREOF.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by inserting after section 168 the following section: —

Section 168A. Any employer who enters into a farm labor contract with a farm labor contractor for the hire of agricultural and farm workers shall require that said contractor exhibit his certificate of registration issued pursuant to the Farm Labor Registration Act of 1963, 7 U. S. C. sections 2041–2053, prior to entering into any such contract, and shall thereafter notify the department in writing of the execution of the contract, giving the name of the contractor, the number of the certificate, if any, and other data necessary to identify said certificate of registration.

If a worker is not an employee of the farm or farmer and remains on the labor contractor's payroll, each labor contractor shall give to each worker with each payment of wages an itemized statement of his wages and deductions and shall submit to the department of labor and industries a copy of his payroll record, on a form prescribed by the commissioner and mailed within forty-eight hours after the close of the weekly pay period.

Said record shall include but not be limited to the following: pay rate, hours worked, incentives, deductions for social security, transportation, housing, food, advances and net pay for the period. The department shall audit the return upon receipt according to departmental procedures.

A farm labor contractor shall file within forty-eight hours with the commissioner any change of his permanent address.

Approved August 29, 1969.

Chap. 884. AN ACT RELATIVE TO POLES AND OVERHEAD WIRES AND ASSOCIATED OVERHEAD STRUCTURES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 166 of the General Laws is hereby amended by striking out section 22A, as most recently amended by chapter 251 of the acts of 1933, and inserting in place thereof the following fourteen sections:—

Section 22A. As used in this section and in sections twenty-three B to twenty-three M, inclusive, the following words and phrases shall, unless the context requires otherwise, have the following meanings:—

(*a*) "Municipality", any city or town.

(*b*) "Department", the department of public utilities.

(*c*) "Planning board", the planning board of a city or town.

(*d*) "Person" shall include individuals, firms, corporations, partnerships, and their agents and employees.

(*e*) "Poles and overhead wires and associated overhead structures" shall mean poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cut-outs, switches, communication circuits, appliances, attachments, and appurtenances located above ground, upon, along or across any public way or ways of a municipality and used or useful in the transmission of intelligence by electricity or otherwise, or for the transmission of television signals, whether by electricity or otherwise, or for the transmission of electricity for lighting, heating or power, or for the construction or operation of a street railway or an electric railroad; provided, however, that said phrase shall not mean or include any of the following: poles, towers, overhead wires and associated overhead structures used exclusively in the transmission but not the distribution of electricity; poles used exclusively for police and fire alarm boxes or any similar municipal equipment installed under the supervision and to the satisfaction of the engineer of any municipality; wires (exclusive of supporting structures) crossing any portion of any underground utility district from which overhead wires have been prohibited, or connecting to buildings on the perimeter of such portion, when such wires originate in an area from which poles and overhead wires and associated overhead structures are not prohibited; overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the same building or to an adjacent building without crossing any public street; radio antennae, their associated equipment and supporting structures, used by a utility for furnishing communication services; and service terminals including transformers in pedestals above ground, used to distribute electric or communication service in underground systems.

(*f*) "Utility", any person who has been or may be granted any license, permission or other authority to construct or maintain poles and overhead wires and associated overhead structures upon, along, under or across any public way or ways.

(*g*) "Engineer of the municipality", the town engineer or commissioner of public works, or other officer or employee having corresponding duties.

(*h*) "Transmission", the carrying of electric power in excess of twenty thousand volts, phase-to-phase.

Section 22B. The planning board of any town, if any, or in a town having no such board, the board of selectmen and the city council of any city or a committee designated and appointed for the purpose by it, may (after completing such preliminary consideration and study, including consultation with any utility as it may deem appropriate) at any time by resolution designating the time and place therefor call a public hearing to ascertain whether the public safety, health, convenience or welfare would be advanced by a program (a) prohibiting new installation or construction of or (b) requiring progressive removal of poles and overhead wires and associated overhead structures within all or any part or parts of the municipality. After such hearing the planning board, board of selectmen, city council or

committee, as the case may be, shall make a report of its findings, conclusions, and recommendations which shall be filed with the records of the city council or the town meeting of the municipality.

Section 22C. After such report has been filed, the municipality may adopt an ordinance or by-law which shall forbid a utility to install or construct except by way of replacement or upgrading of existing facilities any poles and overhead wires and associated overhead structures upon, along or across any public way within all or any part or parts of the municipality and shall require a utility to remove immediately any poles and overhead wires and associated overhead structures installed or constructed by it in violation of such ordinance or by-law. Any such ordinance or by-law shall specify whether it applies to all of the municipality or only to a part or parts thereof and, of only to a part or parts, shall describe such part or parts with reasonable certainty by reference to the names of any way or ways to all or any designated portions thereof to which it applies, by reference to a map, or by other suitable means. Any person who installs or constructs any poles and overhead wires and associated overhead structures in violation of any such ordinance or by-law shall be punished by a fine of not less than one thousand dollars and not more than five thousand dollars. Any person who fails to remove immediately any poles and overhead wires and associated overhead structures in violation of any such ordinance or by-law shall be punished by a fine of not less than one thousand dollars and not more than five thousand dollars for each consecutive fifteen day period during which his failure continues.

Section 22D. After a report has been filed under section twenty-two B, the municipality may adopt an ordinance or by-law which shall require a utility to remove its poles and overhead wires and associated overhead structures which are located upon, along or across any public way or ways within all or any part or parts of the municipality. Any such ordinance or by-law shall specify whether it applies to all of the municipality or only to a part or parts thereof and, if only to a part or parts, shall describe such part or parts with reasonable certainty by reference to the names of any way or ways to all or any designated portions thereof to which it applies, by reference to a map, or by other suitable means.

Such ordinance or by-law may specify in whole or in part the sequence which any utility shall follow in removing its poles and overhead wires and associated overhead structures by specifying the part or parts of the municipality in which removal shall first be effected, then the part or parts in which removal shall next be effected.

Any utility which fails to remove any poles and overhead wires and associated overhead structures as required by such ordinance or by-law shall be punished by a fine of not less than one thousand dollars and not more than five thousand dollars for each consecutive fifteen day period during which such failure continues; provided, however, that no utility shall be deemed to have violated any such ordinance or by-law, provided that (a) if replacement facilities for poles and overhead wires and associated overhead structures required to be removed will be needed in order for it to continue its service, it shall within sixty days after the effective date of such ordinance or by-law

petition pursuant to section twenty-two for permission to erect or construct under the public ways of said municipality replacement facilities for said poles and overhead wires and associated overhead structures, and (b) it shall prepare and file with the board of selectmen or city council of the municipality a plan (which shall be consistent with any removal sequence specified in such ordinance or by-law) for the removal of such poles and overhead wires and associated overhead structures and, if needed for the continuation of its service, for their replacement with underground facilities, and (c) in each calendar year beginning with the calendar year next following the effective date of such ordinance or by-law and until all such overhead wires and associated overhead structures shall have been removed, it shall, in carrying out such plan, allocate and expend for the direct cost of demolition and construction (over and above the reasonable value of any salvage) an amount which shall be not less than two per cent of its gross revenue derived during the next preceding calendar year from its customers in said municipality; provided, however, it may carry over as a credit allocable to any one or more of the next nine subsequent years any amount expended in any year exceeding said two per cent of its gross revenue; and (d) it shall, on or before the last day of March in each year, file with the board of selectmen or city council of such municipality a statement signed, under the penalties of perjury, by its treasurer setting forth in detail: the amounts spent by it during the immediately preceding calendar year in carrying out said plan, the purposes for which such expenditures were made; and the gross revenue derived from its customers in said municipality during the immediately preceding calendar year; and provided, however, that no utility which enters into a cooperation agreement under section twenty-two E shall be deemed to have violated said ordinance or by-law during the term such payments are to be made, so long as said utility shall not be in default of said cooperation agreement.

If any such ordinance or by-law so provides, any utility in providing replacement facilities for any poles and overhead wires and associated overhead structures required to be removed shall install customer's service facilities. Any sums expended by any utility in installing such customer's service facilities in compliance with such ordinance or by-law shall be deemed to have been expended in carrying out the plan of such utility, referred to in this section, for the removal of such poles and overhead wires and associated overhead structures, and for their replacement by underground facilities.

Section 22E. Any utility organized and existing under the laws of or doing business in this commonwealth and any municipality may enter into, and from time to time amend, and perform a cooperation agreement pursuant to which (*a*) the utility shall pay to the municipality in each calendar year for a period of years specified in such agreement an amount which shall be not less than two per cent of such utility's gross revenue derived during the next preceding calendar year from its customers in said municipality and (*b*) the municipality shall expend during such term as such agreement may specify an amount not exceeding the sums paid to it by the utility pursuant to such agreement to remove (or cause to be removed) any poles and overhead wires and associated overhead structures of such

utility and, if needed for the continuation of such utility's service, to replace the same (or cause them to be replaced) with underground facilities. In carrying out its obligations under any such cooperation agreement, a municipality may exercise all of its powers appurtenant to the performance of any public work and may award contracts in the same manner and subject to the same limitations and restrictions as would apply to like contracts in reference to the planning or performance of any public work. Such cooperation agreement may contain any and all such provisions as shall be consistent with the purposes of this section, including a provision that the municipality shall expend a portion of the sums paid to it by the utility for the provision of customer's service facilities.

Section 22F. The municipality shall comply with the following provisions with reference to notice:

(*a*) When the planning board, board of selectmen, city council or committee of any municipality calls a public hearing pursuant to section twenty-two B, the clerk of the municipality shall publish a copy of said resolution in a newspaper of general circulation in the municipality at least once not more than fifteen nor less than five days prior to said hearing.

(*b*) When a municipality adopts an ordinance or by-law pursuant to section twenty-two C or section twenty-two D the clerk of the municipality shall, in addition to any other notice required by law, notify all utilities known to have poles and overhead wires and associated overhead structures affected by said ordinance or by-law and all persons known to own real property served by said poles and overhead wires and associated overhead structures, by mailing a copy thereof to said persons and utilities within thirty days after the date it was adopted.

Section 22G. The board of selectmen or city council of any municipality may grant special permission, for such period and on such terms as it may deem appropriate, in cases of emergency or unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate, poles and overhead wires and associated overhead structures, notwithstanding the provisions of any ordinance or by-law adopted pursuant to section twenty-two C or twenty-two D. No person shall be deemed to have violated any ordinance or by-law adopted pursuant to section twenty-two C or section twenty-two D for doing any act authorized by any such special permission.

Section 22H. If underground construction is necessary to provide replacement facilities for any poles and overhead wires and associated overhead structures removed pursuant to any ordinance or by-law enacted pursuant to section twenty-two D the utility shall be responsible to furnish in connection with such replacement facilities only that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the department (hereinafter called the "utility's service facilities"); provided, however, that the utility shall by its tariff offer to carry its lines up to any structure which is to receive service or a distance of fifty feet from the street, whichever is the lesser; and provided, further, that if any ordinance or by-law adopted pursuant to section twenty-two D so provides, any utility in

providing underground replacement facilities for any poles and overhead wires and associated overhead structures shall install customer's service facilities. Underground construction by the utility, or by or on behalf of any municipality, pursuant to any cooperation agreement entered into pursuant to section twenty-two E shall be accomplished in accordance with the rules and regulations authorized by the department, and shall be scheduled so as to be completed at or prior to removal of such poles and overhead wires and associated overhead structures as are being removed.

Section 22I. All underground construction and conduits, conductors and associated equipment necessary to receive utility service between the utility's service facilities referred to in section twenty-two H and the service facilities in the building or structure being served shall be deemed "customer's service facilities".

To the extent required by any ordinance or by-law adopted pursuant to section twenty-two D may provide, any utility in providing underground replacement facilities for any poles and overhead wires and associated overhead structures shall install customer's service facilities. In all other respects the provision of customer's service facilities shall be the responsibility of the person owning, operating, leasing or renting said property, subject to applicable rules, regulations and tariffs of the utility on file with the department and to the requirements of applicable laws, ordinances and by-laws. If the person owning, operating, leasing or renting said property fails to provide such customer's service facilities which are his responsibility prior to the time for removal of the poles and overhead wires and associated overhead structures of the utility, the engineer of the municipality shall have the authority to order the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property at the expense of the person owning, operating, leasing or renting said property, and the municipality shall have a claim against said person for the cost thereof and a lien against said property to secure said claim. No utility shall be in violation of any such ordinance or by-law in continuing to maintain overhead facilities necessary to serve such person during the period of such person's failure to provide customer's service facilities for which he is responsible and such reasonable time thereafter as may be necessary to remove such overhead facilities. No utility shall be deemed to be in violation of any law, by-law or ordinance or any obligation to the public or to any person by reason of such utility's discontinuing service to any property in the event of failure of the person owning, operating, leasing or renting said property to provide customer's service facilities for which he is responsible prior to the removal by any utility of its poles and overhead wires and associated overhead structures as required by any ordinance or by-law adopted pursuant to section twenty-two D of this chapter.

Section 22J. When a municipality adopts an ordinance or by-law pursuant to section twenty-two D, it shall remove its police and fire alarm circuits or any similar municipal equipment at its own expense from all poles required to be removed, and the removal of such circuits shall be completed in such manner and in such time as not to hinder or interfere with action taken by the utility to comply with said ordinance or by-law.

Section 22K. If any act required by an ordinance or by-law adopted pursuant to section twenty-two D cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, or any other circumstances beyond the control of the person obligated to perform such act, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitations.

Section 22L. If at any time one or more but less than all of the municipalities in which the customers of any one utility are located adopt an ordinance or by-law forbidding new installation of overhead facilities under section twenty-two C, the department of public utilities shall, in accordance with the provisions of section fourteen of chapter one hundred and fifty-nine and section ninety-four of chapter one hundred and sixty-four, after notice to all the municipalities in which such customers are located, and a hearing, establish a differential between the rates charged customers located in municipalities which have adopted such ordinance and those located in municipalities which have not adopted such ordinance, provided that no such differential, however introduced or effected, shall at any time result in revenues materially exceeding any increased cost of providing service caused solely by adoption of such ordinance by such municipality. The foregoing procedure for establishing such differential shall be exclusive.

Section 22M. In addition to all other rates, charges and fees it may otherwise be authorized to impose and collect any utility shall impose and collect as a capital contribution towards the cost of construction a surcharge of two per cent on its total billing to each customer located in a city or town which has in force and effect an ordinance or by-law adopted in accordance with the provisions of section twenty-two D, provided said utility is not in violation of the provisions of said ordinance or by-law and provided further said ordinance or by-law has been in effect for a period of at least one year.

Section 22N. Any ordinance or by-law adopted under the provisions of section twenty-two C or section twenty-two D shall become effective on the first day of January next following a date nine months subsequent to the date of its enactment.

SECTION 2. Section 81M of chapter 41 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 7 of chapter 674 of the acts of 1953, and inserting in place thereof the following sentence:—The powers of a planning board and of a board of appeal under the subdivision control law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; for insuring compliance with the applicable zoning ordinances or by-laws; for securing adequate provision for water, sewerage, drainage, underground utility services, fire, police, and other similar municipal equipment, and street lighting and other requirements where necessary in a subdivision; and for coordinating the ways in a subdivision with each other and with the public ways in the city

or town in which it is located and with the ways in neighboring subdivisions.

SECTION 3. Section 81Q of said chapter 41 is hereby amended by inserting after the sixth sentence the following sentence:—Such rules and regulations may set forth a requirement that underground distribution systems be provided for any and all utility services, including electrical and telephone services, as may be specified in such rules and regulations, and may set forth a requirement that poles and any associated overhead structures, of a design approved by the planning board, be provided for use for police and fire alarm boxes and any similar municipal equipment and for use for street lighting.

SECTION 4. Clause Sixteenth of section 5 of chapter 59 of the General Laws, as most recently amended by chapter 541 of the acts of 1947, is hereby amended by inserting after paragraph 1 the following paragraph:—

(1A). Underground wires, conduits and appurtenant equipment installed in accordance with the provisions of an ordinance or by-law adopted pursuant to the provisions of section twenty-two C or section twenty-two D of chapter one hundred and sixty-six to the extent of seventy-five per cent of the value thereof.

SECTION 5. No provision of this act shall be deemed to restrict or limit the power of any city or town to regulate or prohibit the construction, installation, maintenance or use of poles and overhead wires and associated overhead structures pursuant to or under the authority granted by any other provision of law.

Approved August 29, 1969.

Chap. 885. AN ACT RELATIVE TO THE ADMINISTRATION OF THE DEPARTMENT OF PUBLIC WELFARE.

Be it enacted, etc., as follows:

SECTION 1. Subsection (B) of section 2 of chapter 18 of the General Laws, as appearing in section 1 of chapter 658 of the acts of 1967, is hereby amended by inserting after the word "services", in line 20, the following: — ; (*g*) formulate a standard budget of assistance, the adequacy of which shall be reviewed annually on a regional basis.

SECTION 2. Said chapter 18 is hereby further amended by striking out section 3, as amended by section 23 of chapter 766 of the acts of 1969, and inserting in place thereof the following section: —

Section 3. The department shall be under the direction, supervision and control of a commissioner of public welfare, in this chapter called the commissioner. The commissioner shall be appointed by the governor for a term coterminous with that of the governor. He shall, at the time of his appointment, be qualified by having received a master's degree from an accredited graduate school of social work, business or education or by having a degree in law and by having professional experience of not less than ten years in the practice of social work or commensurate experience in law, education or business, at least five of which shall have been as an administrator. He shall receive such salary, not exceeding twenty-eight thousand five hundred dollars, as the governor may determine, and shall devote his full time during business hours to the duties of his office.

SECTION 3. Said chapter 18 is hereby further amended by striking out section 4, as amended by section 24 of said chapter 766, and inserting in place thereof the following section: —

Section 4. The commissioner shall appoint a deputy commissioner and may appoint such assistant commissioners as the commissioner shall from time to time determine, not to exceed five in number, who shall be assigned areas of responsibility to be specified by the commissioner, one of whom shall be responsible for administration, one for research and planning, one for field operations, one for social services and one for medical assistance. The deputy commissioner, at the time of his appointment, shall be qualified by having a master's degree from an accredited graduate school of social work or business or by having a degree in law and by having professional experience of not less than ten years in the practice of social work or commensurate experience in law or business at least five of which shall have been as an administrator. The deputy commissioner shall receive a salary of twenty-five thousand one hundred dollars.

The assistant commissioner for research and planning shall, at the time of his appointment, be qualified by having received a master's degree from an accredited graduate school of social work or by having received a master's degree in related behavioral sciences, including or supplemented by twelve semester hours of statistics and social research methods, or by having ten years of experience in the field of social work, at least five of which shall have been as an administrator. The assistant commissioner for research and planning shall receive a salary of twenty thousand five hundred dollars.

The assistant commissioner for administration, at the time of his appointment, shall be qualified by having a master's degree from an accredited graduate school of social work or by having a master's degree in business administration, or by having a commensurate degree in allied behavioral sciences or by having at least five years professional experience in management and administration. He shall receive a salary of twenty thousand five hundred dollars.

The assistant commissioner of field operations shall, at the time of his appointment, be qualified by having a master's degree from an accredited graduate school of social work or by having a commensurate degree in allied behavioral sciences, and by having professional experience of not less than ten years in the practice of social work, at least five of which shall have been as an administrator. The assistant commissioner of field operations shall receive a salary of twenty thousand five hundred dollars.

The assistant commissioner for social services shall, at the time of his appointment, be qualified by having a master's degree from an accredited graduate school of social work or by having a commensurate degree in allied behavioral sciences or by having ten years experience in the field of social work, at least five of which shall have been as an administrator. The assistant commissioner for social services shall receive a salary of twenty thousand five hundred dollars.

The assistant commissioner for medical assistance shall, at the time of his appointment, be qualified by having a doctor of medicine degree or a master's degree in public health or related fields or such further qualifications as may be required by the federal Social Security Act.

The assistant commissioner for medical assistance shall receive a salary of twenty thousand five hundred dollars.

The deputy commissioner and the assistant commissioners shall devote their full time during business hours to the duties of their respective offices. If the office of the commissioner becomes vacant, the deputy commissioner shall discharge the duties and have the powers of the commissioner. During the absence or disability of the commissioner, the deputy commissioner shall discharge the duties and have the powers of the commissioner; and, if the office of the deputy commissioner is vacant or if the deputy commissioner is absent or disabled at the same time as the commissioner, an assistant commissioner designated by the commissioner shall discharge the duties and have powers of the commissioner. The deputy commissioner and each assistant commissioner shall give a bond to the state treasurer for the faithful performance of his duties in such sum as the comptroller may prescribe.

SECTION 4. Section 5 of said chapter 18, as so appearing, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph: —

The community service centers shall be of sufficient number to be readily accessible to the people throughout the commonwealth, taking into consideration such factors as geographic boundaries, roads and other means of transportation, population concentration, city, town, and county lines, other relevant community services, and community economic and social relations. They shall have branch offices, if necessary, to insure their ready accessibility. Each such community service center shall maintain a schedule of regular office hours held by a qualified member of its staff in each city or town in the area covered by such center which does not have a full time office. The time and place of such visits shall be published and otherwise made available to the general public in order to facilitate visits by the public during such office hours. The number and location of such community service centers and branches shall be determined by the commissioner after approval by the state advisory board established under section six.

SECTION 5. Section 5A of said chapter 18, as amended by chapter 275 of the acts of 1968, is hereby further amended by striking out the second paragraph and inserting in place thereof the following three paragraphs: —

The board shall investigate complaints, including complaints initiated by recipients, which indicate the possibility of either a fraudulent claim for payment under any assistance program administered by the department or a receipt of such payment by a person not entitled thereto.

The board shall initiate investigations and review procedures in order to discover any fraudulent claims or wrongful receipts under any assistance program administered by the department.

As a result of its investigations, the board shall report any case which involves a violation of any such assistance program to the attorney general for such action as he may deem proper.

SECTION 6. Said chapter 18 is hereby further amended by inserting after section 5A the following five sections: —

Section 5B. Any person or institution which knowingly makes a false representation to the department of public welfare or its agents, for the purpose of causing any persons, including the person making such repre-

sentations, to be supported in whole or in part by the commonwealth, or for the purpose of procuring a payment under any assistance program administered by the department, or by fraudulent means obtains any such payment, shall be punished by a fine of not less than two hundred nor more than five hundred dollars or by imprisonment for not more than one year.

Section 5C. Any vendor under any assistance program administered by the department shall submit to the department within ninety days a bill for services rendered, a copy of which shall be sent to the recipient; except that in cases in which services have been rendered in accordance with the provisions of section twenty-four A of chapter one hundred and seventeen or section fourteen of chapter one hundred and eighteen E, said bill shall be submitted to the department within ninety days after the request for assistance has been approved. For the purposes of this chapter a vendor shall be any person or institution providing services in connection with any program administered by the department. All vouchers submitted by a vendor shall be signed under the penalties of perjury.

Section 5D. Any vendor procuring a payment under any assistance program administered by the department who violates any of the provisions of section five B shall be ineligible to participate further in the program for a period of three years next subsequent to the date of said violation. However, a vendor shall not be considered in violation of section five B upon submission of proof, to the satisfaction of the commissioner, that such violation was due solely to a clerical or administrative error.

Section 5E. Any recipient or vendor who receives payment under any assistance program administered by the department, to which he is not entitled, shall return such payment to the commonwealth by paying the same to the state treasurer as soon as demand is made upon him.

Section 5F. A father who leaves his family for the purpose of qualifying them for assistance under any of the programs administered by the department shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than three months.

SECTION 7. Said chapter 18 is hereby further amended by striking out section 6, as appearing in section 1 of chapter 658 of the acts of 1967, and inserting in place thereof the following section: —

Section 6. There shall be in the department a state advisory board consisting of the commissioner, who shall serve ex officio, and fifteen members to be appointed by the governor, two of whom shall be recipients of assistance under chapter one hundred and eighteen A, two of whom shall be recipients under chapter one hundred and eighteen, two of whom shall be recipients under chapter one hundred and eighteen D, and one of whom shall be a recipient under chapter one hundred and eighteen E; at least three members shall be members of the community service center boards. The members shall serve for terms of three years. The commissioner shall not be entitled to vote on any matter before the board.

The board shall meet at least ten times a year upon call of the chairman, who shall be designated by the governor, and shall meet at any time upon call of the governor or the commissioner. If any appointed member is absent from four regularly scheduled meetings, exclusive of

July and August, in any calendar year, his office as a member of the board shall be deemed vacant. The chairman shall forthwith notify the governor that such vacancy exists.

The function of the board shall be to approve or disapprove all appointments of the commissioner to the community service boards, as provided in section seven, approve the number and location of all community service centers and branches as determined by the commissioner, give advice and make recommendations to the commissioner on matters affecting the department or welfare programs or needs generally. In carrying out this function, the board shall consider questions of public policy and submit reports to the governor annually and whenever appropriate or indicated, and shall maintain close communication with the community service center boards. On or before the first Wednesday in November of each year, the board shall make a report to the governor and the general court of its activities and accomplishments. Said annual report shall be filed with the clerk of the house of representatives. Such report shall include recommendations of methods to reduce the costs of the medical assistance program administered by the department under chapter one hundred and eighteen E. The report to the general court shall include its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect.

The members of the board shall receive no compensation for their services but shall be reimbursed for travel expenses necessarily incurred in rendering such service within the commonwealth.

SECTION 8. Said chapter 18 is hereby further amended by striking out section 7, as so appearing, and inserting in place thereof the following section: —

Section 7. There shall be established for each community service center a community service board, the members of which shall be appointed for three year terms in the following manner: one member from each city or town in the area served by said center to be appointed by the city council or the board of selectmen, as the case may be, and the remaining members to be appointed by the commissioner, with the approval of the state advisory board, two of whom shall be recipients of assistance under chapter one hundred and eighteen A, two of whom shall be recipients of assistance under chapter one hundred and eighteen, two of whom shall be recipients of assistance under chapter one hundred and eighteen D, and one of whom shall be a recipient of assistance under chapter one hundred and eighteen E. Each board shall consist of not less than fifteen nor more than thirty members. When first appointed one third of the members shall be appointed for three years, one third for two years, and one third for one year. Thereafter new appointments shall be made by the commissioner, with the approval of the state advisory board, from lists of nominees prepared by the community service board, containing at least twice as many names as positions to be filled of persons with qualifications that will maintain the distribution of interests broadly representative of the various segments of the population in the area served. Such list shall contain the names of at least twice as many recipients for each categorical assistance program as those required to be appointed. Any vacancy shall be filled for the remainder of the unexpired term. No member shall serve more than two consecutive three year terms.

The community service boards shall meet at least ten times a year upon call of the chairman, the director of the center or on the written request of not less than five members of the board.

The duties and responsibilities of the community service board shall be:

(1) to act in the interest of the citizens of the area served by the center;

(2) to advise the director of the center, the commissioner and the state advisory board on the needs and resources of the area served, on steps that should be taken to increase the effectiveness of the public welfare program in the area, the quality of care and service given to the people of the area, and the working relationships between the public and voluntary agencies working in the area;

(3) to advise the commissioner of public welfare in the selection of the director of the community service center;

(4) to review and make recommendations to the director of the center regarding the annual plan and budget for the public welfare program provided by the community service center with a view to its comprehensiveness and steps that may be taken to ensure the provisions, as practicable, of the comprehensive program set forth in section two; to advise on priorities in the development of program for the area;

(5) to make an annual report to the state advisory board, to the commissioner and the director of the center; and

(6) to receive and administer in separate trusts any funds granted, given or bequeathed to its use in the interest of the area program or for a special purpose as indicated in the gift, grant, or order or decree of a court.

The members of the community service boards shall receive no compensation for their services but shall be reimbursed for expenses necessarily incurred in rendering such services.

The members of the community service boards shall receive no compensation for their services but shall be reimbursed for travel expenses necessarily incurred in rendering such services within the local service areas.

SECTION 9. Section 10 of said chapter 18, as so appearing, is hereby amended by inserting after the second sentence the following two sentences: — Such rules and regulations shall be submitted to the commissioner of administration and finance for review prior to publication. The extent of such review shall be no greater than that allowed by the federal Social Security Act.

SECTION 10. Section 12 of said chapter 18, as so appearing, is hereby amended by adding the following sentence: — All such funds received by the commissioner under this section shall be deposited in interest bearing accounts.

SECTION 11. Said chapter 18 is hereby further amended by striking out section 16, as so appearing, and inserting in place thereof the following section: —

Section 16. Any person aggrieved by the failure of the department to render adequate aid or assistance under any program of aid or assistance administered by the department, or to approve or reject an application for aid or assistance thereunder within thirty days after receiving such application, or aggrieved by the withdrawal of such aid or assistance, or by coercive or otherwise improper conduct on the

part of his social worker, shall have a right to a hearing, after due notice, upon appeal to the commissioner of public welfare. Such hearing shall be conducted by a referee designated by the commissioner at a location convenient to the person appealing and shall be conducted as an adjudicatory proceeding under chapter thirty A. Any referee so designated is hereby empowered to subpoena witnesses, administer oaths, take testimony and secure the production of such books, papers, records and documents as may be relevant to such hearing. The decision of the referee, when approved by the commissioner, shall be the decision of the department and shall be subject to review in accordance with the provisions of said chapter thirty A.

When a hearing is requested because of termination or reduction of assistance, involving an issue of fact, or of judgement relating to the individual case, between the agency and the appellant, assistance will be continued during the period of the appeal and through the end of the month in which the final decision on the hearing is reached. If assistance has been terminated prior to timely request for fair hearing, assistance will be reinstated.

SECTION 12. Said chapter 18 is hereby further amended by inserting after section 17 the following sections: —

Section 18. In any case where the department is obligated to pay any sums in excess of the approved budget because of an arrearage incurred by the recipient, under any of the programs administered by the department, the department shall be reimbursed in a manner not inconsistent with the federal social security act by deducting the amount of said arrearage from future budget payments to the recipient over a predetermined period of time. Such deduction shall not exceed five per cent of the recipient's total budget allowance.

In any case in which aid is provided for the purpose of purchasing furniture under chapter one hundred and seventeen or one hundred and eighteen to a family with an unemployed father or a father whose whereabouts is unknown, said father shall be liable for reimbursement to the department for the amount of such payment if he is subsequently found to be gainfully employed.

Section 19. In the case of an emergency or where a recipient is evicted from a furnished or partially furnished apartment and does not have sufficient basic furniture to set up housekeeping such furniture may be authorized by the department after investigation by the social worker and determination by the district supervisor that a need exists. The department shall make every effort to relocate the recipient in housing similar to that from which the recipient was removed. Where economically desirable, the department may enter into contract for the quantity purchase of such furniture.

Section 20. The department may, after approval by the commissioner, authorize the purchase of a home by a recipient where suitable public or private rental accommodations cannot be found.

The department shall have a lien on the property so purchased to the extent of assistance granted toward the purchase of such home. In no event shall such authorization be given for the purchase of income producing property.

Section 21. The department shall be subrogated to the rights to support and maintenance of any welfare recipient to the extent of any payments made by the department to such recipient. If no probate

court order is outstanding, the department may, in its own name, initiate nonsupport proceedings in the appropriate probate court. The department shall institute contempt proceedings under the provisions of section thirty-four A of chapter two hundred and fifteen in the name of the recipient in the event that any order of support made by the probate court concerning any recipient under a petition for separate support or a libel for divorce has not been complied with. If no probate court order is outstanding, the department shall in its own name apply for a complaint and initiate nonsupport proceedings in the appropriate district court under section one of chapter two hundred and seventy-three.

Section 22. For the purpose of considering the recipient's need for services, as described in section two, each social worker shall make periodic visits to each recipient assigned to such work at the following intervals:

(*a*) In the case of a recipient of assistance under chapter one hundred and eighteen A, such visits shall be made at least once within a twelve month period.

(*b*) In the case of a recipient of assistance under chapter one hundred and eighteen D, such visits shall be made at least once in every six month period.

(*c*) In the case of a recipient of assistance under chapter one hundred and eighteen, such visits shall be made at least once in every three month period.

During such periodic visits the social worker shall, in addition to reevaluating the recipient's eligibility, inspect the housing as to suitability for habitation and make inquiry to determine whether the rent or utility payments are in arrears.

A suitable form provided by the department, indicating the date, time and place of such visit and certifying that the recipient is aware of his responsibility to report immediately to the community service center or branch office serving his area any changes in his circumstances which may affect his eligibility, shall be signed by the recipient and retained by the social worker.

Failure on the part of any social worker to make such visits as provided herein may be the basis for an appeal by the recipient as set forth in section sixteen. Such failure shall also be grounds for disciplinary action against the social worker in accordance with provisions set forth in chapter thirty-one.

Section 23. The duties of the social worker shall include but not be limited to the following:

1. Investigating the eligibility and extent of the applicant's need and developing a plan of social assistance in accordance with section two.

2. Where necessary, obtaining documentary evidence pertaining to eligibility and resources of applicant, such as records of birth, marriage, property and monetary resources.

3. Assisting applicants and recipients in utilizing financial, health and social service resources and in realizing potentialities for rehabilitation within the family.

4. Visiting foster homes to interview both the foster parents and the foster children to determine the development and adjustment of the foster children. Periodic visits shall also be made to the schools that the foster children may be attending.

Section 24. In determining the caseload of each social worker the department shall endeavor to maintain an average of one hundred and eighty work units for each social worker. For this purpose, each service case shall be valued at three units and each nonservice case shall be valued at one unit.

For the purposes of this section, a nonservice case shall be defined as one in which assistance is limited solely to financial aid. All other cases shall be considered service cases.

Section 25. The department shall provide case aides whose employment shall not be subject to chapter thirty-one, but whose salaries shall not exceed those of persons employed in similar status under said chapter. Such case aides shall be trained to assist the social worker in the performance of his duties. Particular emphasis in recruiting such case aides shall be focused on the full time or part time employment of recipients and other persons of low income; provided, however, 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 the civil service law and rules to any such position, said position shall be subject to chapter thirty-one.

Section 26. The department may, upon the written request of any person, trust, corporation, or housing authority, that operates or manages any federal, state or municipally subsidized housing or housing project, pay directly to said manager or operator the rent of recipients of public assistance by deducting an amount equal to the rent from the amount otherwise payable to said recipients; provided, however, that the department receives written notification from the code enforcement agency of the city or town that the housing conforms to the minimum requirements established by said agency. The recipient shall have a right of appeal, as provided in section sixteen, to any decision made by the department regarding direct rent payment under this section.

Section 27. The department may, upon the written request of the landlord in the case of a recipient who is in arrears in his rent payment for two consecutive months, pay directly to said landlord, after inspection by the department and written notification by the code enforcement agency of the city or town that the housing conforms to the minimum requirements established by said agency. An amount equal to the rent shall be deducted from the amount otherwise payable to said recipient.

The department may, upon the written request of any recipient, pay directly to any landlord the rent of recipients of public assistance by deducting the amount of the rent from the amount otherwise payable to the recipient provided, however, that the department receives written notification from the code enforcement agency of the city or town that the housing conforms to the minimum requirements established by said agency. The recipient shall have a right of appeal, as provided in section sixteen, to any decision made by the department regarding direct rent payment under this section. In any event, the department shall cause a complaint to be filed in accordance with the provisions of section one hundred and twenty-seven C of chapter one hundred and eleven, in cases where a recipient's housing accommodations are unsafe, unsanitary or not in conformity with local housing codes.

SECTION 13. Section seventeen of said chapter eighteen, inserted by chapter five hundred and forty-one of the acts of nineteen hundred and sixty-eight, is hereby repealed.

SECTION 14. Chapter 117 of the General Laws is hereby amended by inserting after section 1A the following section: —

Section 1B. If the applicant is a male between the ages of eighteen and sixty-two years, the department shall require that said applicant submit, with his application for aid or assistance, evidence from the division of employment security that said applicant has registered for work at a local employment office of the division.

No person shall be eligible for aid or assistance under this chapter who willfully fails without good cause, as determined by the department, to maintain his registration for work as provided in the first paragraph of this section or to accept a referral to or offer of suitable employment. He shall be required to report to the department information with respect to any job to which he has been referred. The department shall, not less frequently than once every three months, request verification from the division of employment security of an applicant's record with that agency.

This section shall not prevent the department, in its discretion, from giving prompt and suitable temporary aid pending compliance with the requirements of this section. No individual shall be considered ineligible for aid or assistance because of failure to comply with the provisions of this section, if such failure is due to illness or disability. In no event shall such failure affect the eligibility of minor children for assistance under this chapter.

No recipient of assistance under chapter one hundred and eighteen A or one hundred and eighteen D, or female recipients of assistance with dependent children under high school age, shall be subject to the provisions of this section.

SECTION 15. Said chapter 117 is hereby amended by striking out section 5, as most recently amended by section 11 of chapter 658 of the acts of 1967, and inserting in place thereof the following section: —

Section 5. A person shall be liable in contract to the commonwealth for expenses incurred by it under this chapter for his support, to which he was not entitled; provided action is commenced against such person within six years next after the date when said person last received support or assistance under this chapter or chapter one hundred and eighteen A. The executor or administrator of such person shall likewise be liable for such expenses, but in any action therefor the defense of the statute of limitations shall not be available to the executor or administrator except as provided in chapter one hundred and ninety-seven.

If relief or support under this chapter is necessary as a result of an accident, injury or illness for which moneys are expected to be provided by accident or health insurance, workmen's compensation, or otherwise, the department shall require the person in need of such relief or support to provide for the reimbursement of the commonwealth for each day of such relief or support by assigning to the commonwealth an equivalent amount of the moneys to be so realized for such day; but such assignment shall not operate as a lien on moneys to be so realized for any day for which relief or support is not provided. Such assignment may be enforced by petition to the district court within the jurisdiction of which the person resides.

SECTION 16. Said chapter 117 is hereby further amended by striking out section 24A, as most recently amended by section 22 of said chapter 658, and inserting in place thereof the following section: —

Section 24A. If hospital care is furnished to a person in need of public assistance by any person not liable by law for his support, the commonwealth shall be liable for the expense of such care necessarily incurred under this chapter after notice and request made in writing and signed by such person to the commissioner of public welfare, and until provision is made by the department; but the commonwealth shall not be liable in a sum exceeding the maximum amount set by the rate setting commission in accordance with section thirty L of chapter seven for like hospital care. The commonwealth shall be liable under this section for hospital care furnished to such a person during a period not exceeding thirty days prior to such request.

SECTION 17. Sections twenty-nine and thirty-one of said chapter one hundred and seventeen are hereby repealed.

SECTION 18. Chapter 118 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 28 of chapter 658 of the acts of 1967, and inserting in place thereof the following section: —

Section 2. The department shall aid a parent in properly bringing up, in his or her own home, each dependent child but no aid shall be granted under this chapter for or on account of any child unless such child resides in the commonwealth. The aid furnished shall be sufficient to enable such parent to bring up such child or children properly in his or her own home, and shall be in an amount to be determined in accordance with budgetary standards of the department, and shall be granted from the date of application therefor. Such assistance shall be paid by cash or in check and shall be paid semimonthly in advance unless the applicant prefers less frequent payments. The amount of such assistance shall not be reduced by the amount of any payment for support due from an absent parent through a court order or otherwise, but said payment from the absent parent shall be made to the department in accordance with section twenty-seven of chapter thirty.

Payment for funeral expenses of any such parent or dependent child in his or her custody may be paid directly to the person furnishing such services. Payment for other services rendered to such parent or dependent child in his or her custody may be paid directly to the person furnishing such services only when such payment is effected to meet an expense which remained unpaid at the time of the death of the parent or his commitment to an institution as an insane person or in a case where such payment is necessary to discharge an obligation incurred by the department in securing such services for such parent or dependent child. Nothing in this chapter shall be construed as authorizing any public official, agent or representative, in carrying out any provision of this chapter, to take charge of any child over the objection of the father or the mother of such child, or of the person standing in loco parentis to such child, except pursuant to a proper court order.

The department may pay a sum, not exceeding three hundred dollars, for the burial of a recipient providing the cost of burial does not exceed five hundred dollars and there are insufficient resources to pay for the cost of such burial. Any resources of a recipient shall be deducted from the maximum cost of the burial allowable hereunder and the difference,

subject to the limitation set forth in this paragraph, shall be paid by the department.

SECTION 19. Said chapter 118 is hereby further amended by inserting after section 2A the following section: —

Section 2B. Every application for assistance made under this chapter shall be in writing on application forms prescribed by the commissioner and shall include but not be limited to the following: the name, age and residence of the applicant; the name, date and place of birth of each dependent; the social security number of the applicant, the spouse and all dependent children over sixteen years of age; a list of any motor vehicle or trailer owned by the applicant or dependent; wages, salaries, pensions, fees, tips, bonuses and all other sources of income of all such persons; said application form shall include a statement not inconsistent with federal regulations giving consent to the department to investigate all facts related to the applicant's eligibility for assistance.

The application form prescribed in paragraph one shall contain a statement that it is signed by the applicant under the penalties of perjury.

SECTION 20. Said chapter 118 is hereby further amended by striking out section 3, as most recently amended by section 30 of chapter 658 of the acts of 1967, and inserting in place thereof the following section: —

Section 3. Except as hereinafter provided, the department shall determine what aid is necessary to enable such parent to bring up such child or children. For this purpose, the department shall make an immediate and careful inquiry, including the resources of the family and ability of its other members, if any, to work or otherwise contribute to its support, the existence of relatives able to assist the family and societies or agencies who may be interested therein; shall, in any case involving a missing parent who is a father, require the applicant or recipient to furnish in writing under the penalties of perjury, complete information within the knowledge of such applicant or recipient pertinent to the location of said missing father; shall take all lawful means to locate said missing father; shall take all lawful means which shall include, in appropriate cases, the institution of criminal proceedings, to compel all persons bound to support such parents and such child or children to support them, and to enforce any other legal rights for their benefit; shall encourage all members of the family who are able to work, to secure work; shall help them to find work; and shall secure all necessary aid for such parent and such child or children which can be secured from relatives or organizations; provided, however, that any exemption now or hereinafter permissible under the federal Social Security Act relative to earned income may be allowed.

If the applicant is an unemployed father or a dependent male sixteen years of age or over who is not in school, nor gainfully employed, nor in training, the department shall require that the applicant shall meet the provisions of section one B of chapter one hundred and seventeen. An individual who is attending an industrial retraining course or other vocational training course, provided by the department of education or the commonwealth or political subdivision thereof or such other industrial or vocational training course which in the opinion of the department will serve as a means of realizing employment, shall be deemed to be

available for work for purposes of establishing and maintaining eligibility for assistance.

A female recipient whose youngest dependent is attending high school or is of high school age shall be referred to the division of employment security as provided in paragraph two of this section or shall be enrolled in any vocational training program as provided in paragraph two of this section; provided, however, that a recipient shall not be compelled by the department to be trained or to be employed in domestic service, nor required to accept such employment if such employment would require her to work between the hours from six o'clock postmeridian of one day and six o'clock antemeridian of the following day. In no case shall a recipient, if a female, be required to seek or accept employment as a condition for eligibility when a mental or physical disability of a dependent child requires her presence at home.

No individual shall be considered ineligible for aid or assistance because of failure to comply with the provisions of this chapter if such failure is due to illness or disability. The preceding two paragraphs shall not apply to any recipients under chapter one hundred and eighteen A or one hundred and eighteen D nor to female recipients of assistance under this chapter with dependent children under high school age. In no event shall such failure to comply with the provisions of this section affect the eligibility of minor children for assistance under this chapter.

SECTION 21. Section 5 of said chapter 118, as most recently amended by section 33 of said chapter 658, is hereby further amended by striking out the first sentence.

SECTION 22. The third paragraph of section 11 of said chapter 118, as amended by section 36 of said chapter 658, is hereby further amended by striking out, in line 4, the word "may" and inserting in place thereof the word: — shall.

SECTION 23. Section 4A of chapter 118A of the General Laws, as most recently amended by section 40 of said chapter 658, is hereby further amended by inserting after the word "chapter", in line 3, the words: — to which he was not entitled.

SECTION 24. Said chapter 118A is hereby further amended by striking out section 5A, as most recently amended by chapter 536 of the acts of 1951, and inserting in place thereof the following section: —

Section 5A. The ownership or possession by an applicant or recipient of assistance under this chapter of cash or securities or other personal property readily convertible into cash, or of a deposit in a savings bank or similar institution, not exceeding, in the aggregate, one thousand dollars, shall not prevent or otherwise affect the payment of assistance under this chapter to the applicant or recipient or create any obligation on the part of either the recipient or his estate to refund any part of the assistance rendered.

SECTION 25. Chapter 118D of the General Laws is hereby further amended by striking out section 7, as most recently amended by section 62 of said chapter 658, and inserting in place thereof the following section: —

Section 7. The ownership or possession by an applicant or recipient of assistance under this chapter of cash or securities or other personal property readily convertible into cash, or of a deposit in a savings bank or similar institution, or of cash surrender value of life insurance policies,

not exceeding, in the aggregate, one thousand dollars, shall not prevent or otherwise affect the payment of assistance under this chapter to the applicant or recipient or create any obligation on the part of either the recipient or his estate to refund any part of the assistance rendered. In the event of ownership of a policy or policies of life insurance, which policy or policies are assignable and on which the total cash surrender value exceeds one thousand dollars, such applicant or recipient shall not be disqualified if a proper assignment thereof is made to the commonwealth, if the department so requires, in the amount by which such total cash value exceeds one thousand dollars for repayment to it of the actual amount of assistance given under the provisions of this chapter, without interest; and further provided, that no such assignment shall be required in the case of any policy for which premium payments have been made by a person other than the applicant or recipient of assistance under this chapter for a period of five or more years prior to the date of application, unless the cash surrender value exceeds twelve hundred dollars. "Policy of insurance", as used in this section, shall include a benefit certificate having a cash surrender value if such certificate is assignable.

SECTION 26. Said chapter 118D is hereby further amended by striking out section 14, as most recently amended by section 65 of said chapter 658, and inserting in place thereof the following section: —

Section 14. Every person who has received assistance from a city or town or from the department under this chapter, to which he was not entitled, shall be liable in an action of contract to the commonwealth for the amount of such assistance received, and the estate of every person who dies, having received such assistance from a city or town or from the commonwealth within six years prior to his death, shall be liable to the commonwealth therefor and such liability shall be a debt of his estate and may be enforced in the same manner as other debts of deceased persons. The department shall determine whether any action should be brought under this section. The commonwealth shall succeed to and shall have all rights of enforcement of any cause of action which shall have accrued to any city or town for or on account of any payments made by a city or town under this chapter.

If relief or support under this chapter is necessary as a result of an accident, injury or illness for which moneys are expected to be provided by accident or health insurance, workmen's compensation, or otherwise, the department shall require the person in need of such relief or support to provide for the reimbursement of the commonwealth for each day of such relief or support by assigning to the commonwealth an equivalent amount of the moneys to be so realized for such day; but such assignment shall not operate as a lien on moneys to be so realized for any day for which relief or support is not provided. Such assignment may be enforced by petition to a district court within the jurisdiction of which the person resides. Proceeds realized through the enforcement of this section shall be apportioned between the federal government and the commonwealth in proportion to the amount of their respective contributions thereto, but in no case for more than the amount contributed, without interest.

SECTION 27. Chapter 66 of the General Laws is hereby amended by striking out section 17A, as most recently amended by section 4 of

chapter 535 of the acts of 1966, and inserting in place thereof the following section: —

Section 17A. The records of the department of public welfare relative to all public assistance, and the records of the commission for the blind relative to aid to the blind, shall be public records; provided that they shall be open to inspection only by public officials of the commonwealth, which term shall include members of the general court, representatives of the federal government and those responsible for the preparation of annual budgets for such public assistance, the making or recommendations relative to such budgets, or the approval or authorization of payments for such assistance, or for any purposes directly connected with the administration of such public assistance; and provided, further, that information relative to the record of an applicant for public assistance or a recipient thereof may be disclosed to him or his duly authorized agent. The commonwealth shall destroy public assistance records ten years after the discontinuance of aid granted under the provisions of chapters sixty-nine, one hundred and seventeen, one hundred and eighteen, one hundred and eighteen A, one hundred and eighteen D and one hundred and nineteen, in such manner as the commissioner or director may prescribe.

SECTION 28. All liens given by recipients to the cities and towns under any assistance program administered by the department of public welfare prior to the enactment of chapter six hundred and fifty-eight of the acts of nineteen hundred and sixty-seven are hereby abolished. A release of such liens shall be given by the treasurer of such city or town.

SECTION 29. The state advisory board of the department of public welfare established under the provisions of section one of chapter six hundred and fifty-eight of the acts of nineteen hundred and sixty-seven is hereby abolished upon the effective date of this act and the terms of all members of the board are hereby terminated.

SECTION 30. The community service boards of the department of public welfare, established under the provisions of section one of chapter six hundred and fifty-eight of the acts of nineteen hundred and sixty-seven, are hereby abolished upon the effective date of this act and the terms of all members of said boards are hereby terminated.

SECTION 31. Within sixty days after the effective date of this act the commissioner of public welfare, with the approval of the state advisory board, shall establish community service boards as provided in section five of chapter eighteen of the General Laws.

SECTION 32. All rules and regulations, made in accordance with section ten of chapter eighteen of the General Laws, which are in effect upon the effective date of this act, shall be reviewed by the commissioner of administration and finance within thirty days thereafter. The extent of such review shall be no greater than that allowed by the federal Social Security Act.

SECTION 33. The provisions of this act are severable and if any provision shall be in violation of any federal rule or regulation established by the federal department of health, education and welfare as a condition for receiving federal funds in connection with any program administered by said department, such provision shall be null and void and such violation shall not affect or impair any of the remaining provisions.

SECTION 34. The provisions of this act are severable and if any provision 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 35. Section thirteen of this act shall take effect on January first, nineteen hundred and seventy-one. *Approved August 29, 1969.*

Chap. 886. AN ACT RELATIVE TO THE EMPLOYMENT OF A SPECIAL SHERIFF, CHIEF DEPUTY SHERIFFS AND DEPUTY SHERIFFS IN THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of law to the contrary, the sheriff of Suffolk county shall appoint a special sheriff, and may appoint no more than two chief deputy sheriffs and not more than eleven full time deputy sheriffs and not more than four part time deputy sheriffs. The special sheriff and the chief deputy sheriffs shall each receive the same annual salary as that paid employees in compensation grade DC 20 under the Suffolk county compensation and pay plan, and the full time deputy sheriffs shall each receive the same annual salary as that paid employees in compensation grade DC 17 under said Suffolk county compensation and pay plan and the part time deputy sheriffs shall receive as compensation for each day's service an amount equal to the rate by the day of the compensation paid the full time deputy sheriffs. Said sheriff may expend such amounts for clerical and other assistants as may be necessary for the performance of his duties and those of the special sheriff, chief deputy sheriffs and the full time and part time deputy sheriffs. Every such special sheriff, chief deputy sheriff, full time and part time deputy sheriff shall, on the first Monday of every month, pay to the sheriff all fees, monies and travel expenses received by him for service of civil process within said county. Said sheriff shall deposit fees, monies and travel expenses into a special fund and from said special fund he shall pay the salaries and travel expenses of said special sheriff, chief deputy sheriffs, full time and part time deputy sheriffs and clerical assistants. If there are insufficient funds in said special fund to pay said salaries, the treasurer of Suffolk county is hereby authorized and directed to advance sufficient funds to the sheriff to pay said salaries and said treasurer shall be reimbursed by the sheriff for such funds so advanced from any subsequent excess in the special fund. Said special sheriff, chief deputy sheriffs, full time deputy sheriffs and clerical assistants shall be entitled to the same vacation, sick leave and hospitalization benefits as other employees of said county of Suffolk. Any unexpended funds of the special fund established herein shall be paid into the treasury of the city of Boston.

SECTION 2. Notwithstanding any provisions of law to the contrary, the special sheriff, the chief deputy sheriffs and the full time and part time deputy sheriffs of Suffolk county shall not be required to file with the treasurer of said county an account of all fees and monies received by them for the service of civil process during the years nineteen hundred and seventy and nineteen hundred and seventy-one.

SECTION 3. All fees to be paid the special sheriff, the chief deputy sheriffs and the full time and part time deputy sheriffs for the service of civil process shall be due and payable within thirty days from the day of service.

SECTION 4. All provisions of the General Laws not in conflict with the provisions of section one of this act, relative to the special sheriffs, chief deputy sheriffs and deputy sheriffs, shall apply to the special sheriffs, chief deputy sheriffs and full time and part time deputy sheriffs appointed under section one of this act.

SECTION 5. The division of accounts shall make an annual audit of the books of the sheriff with particular reference to the special fund provided for in section one of this act and shall report to the general court the results of its audit by filing the same with the clerk of the house of representatives on or before the thirty-first day of December, nineteen hundred and seventy and nineteen hundred and seventy-one.

SECTION 6. The sheriff shall make an investigation and study of the operation of the deputy sheriff system established by section one of this act and 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 said recommendations into effect by filing the same with the clerk of the house of representatives on or before the first Wednesday of November, nineteen hundred and seventy-one.

SECTION 7. The provisions of this act shall take effect on January first, nineteen hundred and seventy and shall become inoperative on January first, nineteen hundred and seventy-two.

SECTION 8. This act shall take effect upon its acceptance by the city of Boston. *Approved August 29, 1969.*

Chap. 887. AN ACT AUTHORIZING THE DEPARTMENT OF YOUTH SERVICES TO CONVEY CERTAIN LAND OF THE COMMONWEALTH IN THE TOWN OF LANCASTER TO GEORGE E. SANDERSON IN EXCHANGE FOR CERTAIN OTHER LAND IN SAID TOWN.

Be it enacted, etc., as follows:

In consideration of the conveyance to the commonwealth by George E. Sanderson of certain land in the town of Lancaster, hereinafter described and upon the terms as hereinafter provided, the department of youth services, in the name and on behalf of the commonwealth, is hereby authorized to convey to said George E. Sanderson by a deed, approved as to form by the attorney general, all the right, title, interest and estate of the commonwealth in and to a certain parcel of land in the town of Lancaster, shown as Lot B on a plan entitled "Land in Lancaster & Shirley, Mass., surveyed for Division of Youth Service, Scale 1" = 200', Ref. Worcester Registry of Deeds, Book 2508, Page 23 & Book 4273, Page 146, Ref. South Middlesex Registry of Deeds, Book 8967, Page 438 & Book 11340, Page 630, James W. Chisholm, Surveyor, J-155," and bounded and described as follows:

Beginning at the northwesterly corner of the premises at a cement bound at the southeasterly side of Shirley Road and at corner of land of George E. Sanderson;

Thence running South 82° 53′ 20″ East nine hundred thirty-eight and 3/100 (938.03) feet by said land of George E. Sanderson to a cement bound at Lot A as shown on said plan;

Thence running South 9° 46′ 42″ West one hundred sixty-three and 95/100 (163.95) feet by said Lot A to a cement bound;

Thence running South 25° 54′ 51″ West five hundred ninety-four and 54/100 (594.54) feet still by said Lot A to a cement bound at land of the Commonwealth of Massachusetts shown on said Plan as Division of Youth Services;

Thence running South 19° 42′ 31″ West one thousand eight hundred thirty-nine and 31/100 (1839.31) feet by said land to a point at a Service Road as shown on said Plan;

Thence running North 74° 26′ 00″ West two hundred and no/100 (200.00) feet by said Service Road to a point at the southeasterly side of said Shirley Road;

Thence running North 3° 44′ 10″ West eight hundred twenty-two and 85/100 (822.85) feet still by said Road to a cement bound;

Thence running North 3° 35′ 20″ West one hundred thirty-three and 39/100 (133.39) feet still by said Road to a cement bound;

Thence running North 2° 25′ 04″ East three hundred seventy-nine and 50/100 (379.50) feet still by said Road to a cement bound;

Thence running North 7° 00′ 08″ East five hundred eleven and 33/100 (511.33) feet still by said Road to a cement bound;

Thence running North 11° 24′ 42″ East one hundred fifty-six and 93/100 (156.93) feet still by said Road to a cement bound;

Thence running North 13° 52′ 22″ East five hundred ten and 49/100 (510.49) feet still by said Road to the point of beginning.

The land in the town of Lancaster to be conveyed by George E. Sanderson to the commonwealth in exchange for said land of the commonwealth to be conveyed by the commonwealth to said George E. Sanderson is shown as Lot A on a plan entitled "Land in Lancaster & Shirley, Mass., surveyed for Division of Youth Service, Scale 1″ = 200′, Ref. Worcester Registry of Deeds, Book 2508, Page 23 & Book 4273, Page 146, Ref. South Middlesex Registry of Deeds, Book 8967, Page 438, & Book 11340, Page 630, James W. Chisholm, Surveyor, J-155", and bounded and described as follows:

Beginning at the northeasterly corner of the premises at a cement bound situated southwesterly of the Shirley-Lancaster Town Line and at land of George E. Sanderson;

Thence running South 15° 25′ 01″ West one thousand four hundred thirty and 37/100 (1,430.37) feet by land of the Commonwealth of Massachusetts, shown on said Plan as Division of Youth Service, to a cement bound;

Thence running North 75° 54′ 33″ West three hundred ninety-six and 67/100 (396.67) feet still by said land to a cement bound at Lot B as shown on said Plan;

Thence running North 25° 54′ 51″ East five hundred ninety-four and 54/100 (594.54) feet by said Lot B to a cement bound;

Thence running North 9° 46′ 42″ East one hundred sixty-three and 95/100 (163.95) feet still by said Lot B to a cement bound at the northeasterly corner of said Lot B and corner of land of said George E. Sanderson;

Thence running North 15° 43′ 01″ East seven hundred seventy-six and 49/100 (776.49) feet by said land to a point at said Shirley-Lancaster Town Line and at other land of said George E. Sanderson;

Thence running South 58° 50′ 05″ East three hundred twelve and no/100 (312.00) feet by said land of George E. Sanderson to the point of beginning.

The appraised value of the land to be conveyed by George E. Sanderson and the appraised value of the land to be conveyed by the commonwealth shall be determined by an independent appraiser selected by the commissioner of administration. The cost of such appraisal shall be paid by George E. Sanderson to the commonwealth. In the event the appraised value of the land to be conveyed by the commonwealth is greater than the appraised value of the land to be conveyed by George E. Sanderson, then said George E. Sanderson shall pay to the commonwealth a sum of money equal to the difference between said appraised values. No conveyance authorized by this act shall be made by the commonwealth until such sum together with the cost of such appraisal shall be paid to the commonwealth. *Approved August 29, 1969.*

Chap. 888. AN ACT INCREASING THE SALARIES OF THE CLERKS AND ASSISTANT CLERKS OF THE SUPERIOR COURT.

Be it enacted, etc., as follows:

SECTION 1. Section 94 of chapter 221 of the General Laws is hereby amended by striking out the first and second paragraphs under the caption SUPERIOR COURT FOR CRIMINAL BUSINESS IN THE COUNTY OF SUFFOLK, as appearing in section 5 of chapter 666 of the acts of 1968, and inserting in place thereof the following two paragraphs: —

Clerk. — Twenty-three thousand two hundred and forty dollars.

First Assistant Clerk (so designated by the clerk). — A sum equivalent to eighty per cent of the salary of the clerk.

SECTION 2. Said section 94 of said chapter 221 is hereby further amended by striking out the first paragraph under the caption SUPERIOR COURT FOR CIVIL BUSINESS IN THE COUNTY OF SUFFOLK, as appearing in section 1 of chapter 653 of the acts of 1966, and inserting in place thereof the following paragraph: —

Clerk. — Twenty-three thousand two hundred and forty dollars.

and by striking out the fifth paragraph, as amended by chapter 879 of the acts of 1967, and inserting in place thereof the following paragraph:—

In all other counties, the salaries of the clerks of the courts shall be as follows: —

Middlesex — Twenty-three thousand two hundred and forty dollars.
Essex — Twenty-one thousand seven hundred and two dollars.
Worcester — Twenty-one thousand seven hundred and two dollars.
Norfolk — Twenty-one thousand seven hundred and two dollars.
Hampden — Twenty thousand one hundred and fifty-six dollars.
Bristol — Twenty thousand one hundred and fifty-six dollars.
Plymouth — Seventeen thousand sixty-five dollars.
Berkshire — Thirteen thousand nine hundred and seventy-four dollars.
Hampshire — Twelve thousand four hundred and twenty-nine dollars.
Barnstable — Twelve thousand four hundred and twenty-nine dollars.

Franklin — Twelve thousand four hundred and twenty-nine dollars.
Dukes — Six thousand six hundred and seventeen dollars.
Nantucket — Six thousand six hundred and seventeen dollars.

SECTION 3. This act shall take effect as of January first, nineteen hundred and sixty-nine. *Approved August 29, 1969.*

Chap. 889. AN ACT ESTABLISHING A COMPREHENSIVE DRUG REHABILITATION PROGRAM AND ESTABLISHING WITHIN THE DEPARTMENT OF THE ATTORNEY GENERAL A NARCOTIC AND HARMFUL DRUG TRAINING PROGRAM FOR STATE AND LOCAL POLICE OFFICERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 123 of the General Laws is hereby amended by adding after section 124 the following nineteen sections:—

Section 125. The following words as used in this section and sections one hundred and twenty-six to one hundred and forty-three, inclusive, shall, unless the context requires otherwise, have the following meanings:—

"Administrator", the person in charge of the operation of a facility or a penal facility, or his designee.

"Advisory board", the drug rehabilitation advisory board.

"Dependency related drug", a narcotic or harmful drug.

"Director", the assistant commissioner of mental health for drug rehabilitation.

"Division", the division of drug rehabilitation.

"Drug addict", a drug dependent person who, due to the use of a dependency related drug has developed a tolerance thereto such that abrupt termination of use thereof produces or would produce withdrawal symptoms.

"Drug dependent person", a person who is unable to function effectively and whose inability to do so causes or results from the use of a dependency related drug.

"Drug offense", an act or omission relating to narcotic or harmful drugs which constitutes an offense pursuant to sections one hundred and eighty-seven A, one hundred and eighty-seven B, one hundred and eighty-seven D, one hundred and eighty-seven E, one hundred and eighty-seven F, one hundred and ninety-eight, one hundred and ninety-eight A, one hundred and ninety-nine F, one hundred and ninety-nine G, two hundred and three, two hundred and five, two hundred and six, two hundred and nine, two hundred and eleven, two hundred and twelve, two hundred and twelve A, two hundred and thirteen A, two hundred and seventeen or two hundred and seventeen A to two hundred and seventeen D, inclusive, of chapter ninety-four; section twenty-one or subdivision (1) of section twenty-four of chapter ninety; section eight of chapter ninety B; or section sixty-two of chapter one hundred and thirty-one.

"Facility", any public or private place, or portion thereof, which is not part of or located at a penal institution and which is not operated by the federal government, providing services especially designed for the treatment of drug dependent persons or persons in need of immediate assistance due to the use of a dependency related drug.

"Harmful drug", as defined in section one hundred and eighty-seven A of chapter ninety-four.

"Independent psychiatrist", a psychiatrist, other than one holding an office or appointment in any department, board, or agency of the commonwealth, or in any public facility or penal facility.

"Independent physician", a physician, other than one holding an office or appointment in any department, board, or agency of the commonwealth, or in any public facility or penal facility.

"Narcotic drug", as defined in section one hundred and ninety-seven of chapter ninety-four.

"Patient", a person admitted to any facility for treatment.

"Penal facility", an institution, or any part thereof, other than an institution, or any part thereof, operated by the federal government, for the detention or confinement of persons accused or convicted of crime, including, but not limited to, jails, prisons, houses of correction and correctional institutions, providing services especially designed for the treatment of drug dependent persons.

"Physician", a physician registered in accordance with chapter one hundred and twelve.

"Private facility", a facility, other than one operated by the federal government, the commonwealth or any political subdivision thereof.

"Psychiatrist", a physician who has board certification or board eligibility in psychiatry.

"Public facility", a facility operated by the commonwealth or any political subdivision thereof.

"Tolerance", a state in which increased dosage of a dependency related drug is required to produce the physiological and psychological effects of prior dosages.

"Treatment", services and programs for the care and rehabilitation of drug dependent persons, or persons in need of immediate assistance due to the use of a dependency related drug, including, but not limited to, medical, psychiatric, psychological, vocational, educational, and recreational services and programs.

"Withdrawal", the involuntary physical and psychological reaction or illness which occurs when the intake of a dependency related drug to which the user has developed a tolerance is abruptly terminated.

Section 126. There shall be in the department a division of drug rehabilitation. The division shall take cognizance of all matters affecting drug dependency in the commonwealth. The director shall be the chief administrative and executive officer of the division. He shall administer the rules and regulations of the division and shall prepare proposed rules and regulations for the consideration of the commissioner. He shall submit annually to the commissioner a report containing recommendations for legislation relating to drug dependency.

The approval of the commissioner shall be required for any budgetary request of the division, the planning and construction of facilities by the division, any exercise of the power of eminent domain by the division, all contracts and agreements entered into by the division relating to the use and occupation of real property, and any application by the division for a grant or loan from the federal government.

The director shall, subject to the approval of the commissioner, appoint the administrator of each facility operated by the division pursuant to this chapter. Each such administrator shall be a person qualified by training and experience to operate a facility for the treatment of drug dependent persons or persons in need of immediate assistance due to the use of a dependency related drug.

The director may, subject to the approval of the commissioner, appoint such hearings officers as may be necessary. Hearings of the division shall be conducted by the director or a hearings officer. The director may also, subject to the approval of the commissioner, establish such other positions and employ such additional personnel and consultants as he may consider appropriate to carry out the provisions of sections one hundred and twenty-five to one hundred and forty-three, inclusive. The provisions of chapter thirty-one shall not apply to the director, physicians, psychiatrists, and psychologists who have full medical, psychiatric or psychological responsibility, whichever is applicable, as opposed to administrative responsibility, or to nurses; provided, however, that all persons so employed and all positions established which, as a condition of receiving federal grants for programs and activities to which federal standards for a merit system of personnel administration relate, make necessary the application of the provisions of the civil service law shall be subject to the provisions of chapter thirty-one if such federal standards are uniform in all states.

Section 127. There shall be in the division a drug rehabilitation advisory board, consisting of the commissioners of public health, correction, rehabilitation and education, the commissioner of youth services and seven experts in the field of drug dependency appointed by the governor, at least one of whom shall be a rehabilitated drug dependent person. Of the members first appointed, two shall be appointed for a term of one year, two shall be appointed for a term of two years, and three shall be appointed for a term of three years. Thereafter the governor shall appoint members to succeed those appointed members whose terms expire to serve for terms of three years. Each appointed member shall serve until his successor is appointed and has qualified. No member shall be appointed to serve more than two consecutive three year terms. The members of the advisory board shall serve without compensation but shall be reimbursed for their expenses actually and necessarily incurred in the discharge of their duties. The governor shall annually designate the chairman of the advisory board from among its members.

The advisory board shall in its general advisory capacity assist the director in coordinating the efforts of all public agencies and private organizations and individuals within the commonwealth concerned with the prevention or treatment of drug dependency, providing for the most efficient and effective utilization of resources and facilities, and developing a comprehensive program for treatment of drug dependent persons and persons in need of immediate assistance due to the use of a dependency related drug. The advisory board shall make an annual report to the governor and a copy thereof shall be made available to the commissioner.

The commissioner shall be a member ex officio of the advisory board and in such capacity shall advise and make recommendations to the advisory board and otherwise assist the advisory board in the performance of its functions under sections one hundred and twenty-five to one hundred and forty-three, inclusive.

Section 128. The director shall, subject to the approval of the commissioner, prepare and submit to the governor, and from time to time amend, a comprehensive plan for the treatment in public, private, and federal facilities of drug dependent persons and persons in need of immediate assistance due to the use of a dependency related drug. The director, in developing such plan, shall consult with the advisory board, officials of appropriate departments or agencies of the federal government and the commonwealth and its political subdivisions, and private organizations and individuals with a view toward providing coordinated and integrated services on the community level. The plan shall include a detailed estimate of the cost of its implementation and of the extent to which funds, property or services may be available from the commonwealth or any of its political subdivisions, the federal government or any private source.

Section 129. The division shall establish a comprehensive program for the treatment of drug dependent persons and persons in need of immediate assistance due to the use of a dependency related drug. The director, subject to the approval of the commissioner, shall divide the commonwealth into not less than four nor more than ten regions for the conduct of said program and shall establish standards for the development of the program on the regional level. In establishing such regions, consideration shall be given to city, town and county lines, population concentrations, the regions established by the department of mental health pursuant to section seventeen of chapter nineteen, and any relevant uniform rules and regulations promulgated by the commissioner of administration and finance.

The program of the division shall include provision for at least the following—

(a) Facilities wherein treatment is available to persons in need of immediate assistance due to the use of a dependency related drug;

(b) Facilities wherein inpatient treatment is available which shall, to the extent appropriate and possible, be affiliated with and constitute an integral part of the medical service of a general hospital;

(c) Facilities wherein outpatient treatment is available;

(d) Facilities wherein residential aftercare is available, such as in halfway houses;

(e) Penal facilities.

The department shall provide sufficient treatment facilities, public or private, for the treatment of drug dependent persons committed or admitted pursuant to sections one hundred and twenty-five to one hundred and forty-three, inclusive.

The division shall maintain, supervise and control all facilities operated by it pursuant to sections one hundred and twenty-five to one hundred and forty-three, inclusive, and all such facilities shall be staffed with an adequate number of qualified and trained personnel. The administrator of each such facility shall make an annual report of its activities to the director in such form and manner as the director deems appropriate.

All appropriate resources, particularly community mental health centers, shall be coordinated with and utilized in the program whenever possible.

The director shall prepare and publish annually a list of all facilities operating in accordance with this chapter and shall make it available upon request to members of the public.

Section 130. The division is hereby authorized, empowered and directed to:—

(1) Plan, construct, establish, cause to be established and maintain such facilities as may be necessary or desirable for the conduct of its program;

(2) Acquire, hold and dispose of personal property;

(3) Acquire by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the power of eminent domain, and lease, hold and dispose of, real property or any interest therein, for the establishment of facilities under sections one hundred and twenty-five to one hundred and forty-three, inclusive; provided, however, that no real property or any interest therein used in whole or in part for residential purposes may be so taken by eminent domain;

(4) Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers; including, but not limited to, contracts with public and private departments, agencies, and facilities to pay them for services actually rendered or furnished to drug dependent persons or persons in need of immediate assistance due to the use of a dependency related drug at rates to be established pursuant to sections thirty K to thirty P, inclusive, of chapter seven; provided, however, that the commissioner shall promulgate rules and regulations establishing the standards and procedures which shall govern such fee-for-service contracting, which standards and procedures shall include, but shall not be limited to, the proper operation of facilities, the need for fee-for-service contracting in the community, and the qualifications of the applicant;

(5) Solicit and accept for use in relation to the purposes of sections one hundred and twenty-five to one hundred and forty-three, inclusive, any gift of money or property made by will or otherwise, and any grant or loan of money, services or property from the federal government, the commonwealth or any political subdivision thereof or any private source, and do all things necessary to cooperate with the federal government or any of its agencies in connection with the application for any such grant; provided, however, that any money received under this subsection shall be turned over to the state treasurer to be kept in a separate fund in the treasury;

(6) Develop, encourage and foster statewide, regional and local plans and programs for the prevention and treatment of drug dependency in cooperation with interested public agencies and private organizations and individuals and provide technical assistance and consultation services for these purposes;

(7) Coordinate the efforts and enlist the assistance of all public agencies and private organizations and individuals interested in the prevention and treatment of drug dependency;

(8) Cooperate with the department of correction in establishing and conducting programs to provide treatment for drug dependent persons in penal institutions;

(9) Cooperate with the department of education, schools, police departments, courts, and other public agencies and private organizations and individuals in establishing programs for the prevention and treatment of drug dependency and in preparing curriculum materials for use at all levels of public school education;

(10) Prepare, publish and disseminate educational material dealing with the prevention, nature and effects of drug dependency and the benefits of rehabilitation;

(11) Develop and implement, as an integral part of treatment programs established pursuant to sections one hundred and twenty-five to one hundred and forty-three, inclusive, an educational program for use in the treatment of drug dependent persons, especially drug dependent persons who are not drug addicts, which program shall include the dissemination of factual information concerning the nature and effects of dependency related drugs and drug dependency;

(12) Organize and foster training programs for professional and nonprofessional workers in the treatment of drug dependent persons;

(13) Keep records and engage in research and the gathering of statistics relevant to the purposes of sections one hundred and twenty-five to one hundred and forty-three, inclusive;

(14) Utilize the support and assistance of interested persons in the community, particularly rehabilitated drug dependent persons, in encouraging voluntary participation in the program by drug dependent persons and persons in need of immediate assistance due to the use of a dependency related drug;

(15) Serve as a clearing house for information relating to drug dependency;

(16) Approve and license public and private facilities in accordance with section one hundred and thirty-one; and

(17) Do all other acts and things necessary or convenient to carry out the powers expressly granted to it for the exercise of its powers and the performance of its duties.

Section 131. The division shall issue for a term of two years, and may renew for like terms, a license, subject to revocation by it for cause, to any person, partnership, corporation, society, association or other agency or entity of any kind, other than a licensed general hospital or a department, agency or institution of the federal government, the commonwealth or any political subdivision thereof, deemed by it to be responsible and suitable to establish and maintain a facility and to meet applicable licensure standards and requirements. In the case of a department, agency or institution of the commonwealth or any political subdivision thereof, the division shall grant approval to establish and maintain a facility for a term of two years, and may renew such approval for like terms, subject to revocation by it for cause. The commissioner shall promulgate rules and regulations establishing licensure and approval standards and requirements, but such standards and requirements shall concern only:

(1) the health standards to be met by a facility,

(2) misrepresentations as to the treatment to be afforded patients at a facility,

(3) licensing fees, and

(4) procedures for making and approving license applications.

Each facility shall file with the division from time to time, on request, such data, statistics, schedules or information as the division may reasonably require for the purposes of this section, and any licensee or other person operating a private facility who fails to furnish any such data, statistics, schedules or information as requested, or who files fraudulent returns thereof, shall be punished by a fine of not more than five hundred dollars.

The division, after holding a hearing in accordance with sections ten through thirteen, inclusive, of chapter thirty A, may refuse to grant, suspend, revoke, limit or restrict the applicability of or refuse to renew any license or approval for the following reasons only:

(1) for failure to meet the requirements of its rules and regulations concerning the health standards of such facilities or

(2) if there is a reasonable basis for the division to conclude that there is a discrepancy between representations by a facility as to the treatment services to be afforded patients and the treatment services actually rendered or to be rendered. The division may temporarily suspend a license or approval in an emergency without holding a prior hearing; provided, however, that upon request of an aggrieved party, a hearing in accordance with sections ten through thirteen, inclusive, of chapter thirty A shall be held as soon after the license or approval is suspended as possible. Any party aggrieved by a final decision rendered by the director or a hearings officer after a hearing of the division pursuant to this section may petition for judicial review thereof in accordance with the provisions of section fourteen of chapter thirty A.

No person, partnership, corporation, society, association, or other agency, or entity of any kind, other than a licensed general hospital, a department, agency or institution of the federal government, the commonwealth or any political subdivision thereof, shall operate a facility without a license and no department, agency or institution of the commonwealth or any political subdivision thereof shall operate a facility without approval from the division pursuant to this section. The superior court shall have jurisdiction in equity upon petition of the division to restrain any violation of the provisions of this section and to take such other action as equity and justice may require to enforce its provisions.

Whoever knowingly establishes or maintains a private facility other than a licensed general hospital without a license granted pursuant to this section shall, for a first offense, be punished by a fine of not more than five hundred dollars and for each subsequent offense by a fine of not more than one thousand dollars or imprisonment for not more than two years, or both.

Each facility shall be subject to visitation and inspection by the division and the division shall inspect each facility prior to granting or renewing a license or approval. The division may examine the books and accounts of any facility if it deems such examination necessary for the purposes of this section.

The division is hereby authorized to make a complaint to a district court or to a justice of the superior court, who may thereupon issue a warrant to any officers or employees of the division authorizing them

to enter and inspect at reasonable times, and to examine the books and accounts of, any private facility refusing to consent to such inspection or examination by the division which the division has reason to believe is operating in violation of the provisions of sections one hundred and twenty-five to one hundred and forty-three, inclusive. Refusal by the operator or owner to allow such entry and inspection pursuant to such a warrant shall for a first offense be punished by a fine of not more than one hundred dollars and for each subsequent offense by a fine of not more than one thousand dollars or imprisonment for not more than two years, or both.

For the purposes of this section, the term facilities shall include penal facilities.

Section 132. Any person who believes that he is a drug dependent person may apply for admission to a facility. Such application may be directed either to the director or to the administrator of a public or private facility.

Upon receipt by the director of an application for admission, he shall designate a psychiatrist or, if, in the discretion of the director, it is impracticable to do so, a physician to make an examination of the person to determine whether or not he is a drug dependent person who is a drug addict who would benefit by treatment, or a drug dependent person who is not a drug addict but who would benefit by treatment. The psychiatrist or physician shall report his findings in writing to the director after the completion of the examination, stating the facts upon which the findings are based and the reasons therefor.

If the director finds that the person is a drug dependent person who is a drug addict who would benefit by treatment and that adequate treatment is available at an appropriate facility, he may cause him to be admitted to the facility as an inpatient; provided, however, that if adequate inpatient treatment is not available at an appropriate facility, the person may be admitted as an outpatient until such time as adequate and appropriate inpatient treatment is available.

If the director finds that the person is a drug dependent person who is not a drug addict but who would benefit by treatment and that adequate treatment is available at an appropriate facility, he may cause him to be admitted to the facility as an outpatient; provided, however, that the person may at his request be admitted as an inpatient if the director finds that he is a proper subject for an inpatient program.

In determining whether to admit to a facility a person who is reported to be a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment the director shall consider the past record of treatment, if any, afforded the person at a facility, and whether or not the person complied with the terms of any prior admission made pursuant to this section.

The administrator may transfer any inpatient to an outpatient program if he finds that the patient is a proper subject for an outpatient program; provided, however, that the administrator may return any such patient to an inpatient program if he deems it appropriate. A patient originally admitted to a facility as an outpatient under this section shall not be transferred to an inpatient program without his written consent.

Each patient admitted under this section shall be subject to the supervisory powers of the administrator exercised in accordance with rules and regulations promulgated by the division.

Before causing a person to be admitted to a facility, the director may make a recommendation to the person as to the period deemed necessary to accomplish adequate and appropriate treatment. In the case of a drug dependent person who is a drug addict, the period shall not exceed one year. In the case of a drug dependent person who is not a drug addict, the period shall not exceed six months. The director shall also notify the person of the nature of the treatment to be afforded and the facility to which he will be admitted. If the person consents in writing to the admission to the facility, the period deemed necessary to accomplish treatment and the nature of the treatment, he may be admitted to a facility.

If the director decides that the applicant is to be refused admission to a facility because he is not either a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment or because adequate treatment is not available at an appropriate facility, he shall make known in writing to the applicant the basis for his decision.

In the case of an application for admission made to the administrator of a public facility, or a private facility with which the division contracts on a fee-for-services basis pursuant to clause (4) of section one hundred and thirty, other than a halfway house, the administrator shall follow the same procedures regarding admission, transfer, and discharge as those prescribed in this section for the director. In the case of an application for admission made to the administrator of a private facility with which the division does not contract on a fee-for-services basis pursuant to clause (4) of section one hundred and thirty other than a halfway house, the administrator shall follow such procedures regarding admission, transfer, and discharge as are provided for by rules and regulations to be promulgated by the division; provided, however, that when an application is made to the administrator of any facility pursuant to this section, and the administrator determines that his facility is unable to furnish the applicant adequate and appropriate treatment, he may request the assistance of the director in placing the applicant in another facility at which adequate and appropriate treatment is available. If the director determines that the facility is unable to furnish adequate and appropriate treatment to said applicant, he shall provide the administrator with such assistance.

A patient admitted to a facility under this section may receive treatment at the facility so long as the administrator believes that it will continue to benefit him. Any patient may, at any time, notify the administrator in writing that he wishes to terminate treatment. Upon receipt of any such notification the administrator shall determine whether further treatment would benefit the patient, and shall inform the patient of his determination. If the administrator determines that he would not benefit by such further treatment, the patient shall be discharged from the facility. If the administrator determines he would so benefit, he shall so advise the patient. If the patient chooses to terminate treatment despite the determination by the administrator

that the patient would benefit by further treatment at the facility, the administrator shall notify the director that the patient has caused treatment to be terminated during the recommended period against the advice of the administrator. If the patient applies for readmission for treatment in any facility, the fact that treatment has been terminated during the recommended period against the advice of the administrator may be considered in determining whether or not to readmit him, and, in the event that the patient is readmitted, in determining to which facility he should be readmitted for treatment.

Section 133. Any facility may afford emergency treatment to a drug dependent person or a person in need of immediate assistance due to the use of a dependency related drug if the person requests such treatment. The term of emergency treatment shall not exceed forty-eight hours without compliance with the provisions of section one hundred and thirty-two relating to procedures for admission to a facility; provided, however, that if prior to the termination of the emergency treatment period the person applies for admission pursuant to section one hundred and thirty-two, he may, in the discretion of the administrator, continue to receive treatment at the facility while his application is under consideration.

Section 134. Any defendant who is charged with a drug offense shall, upon being brought before the court on such charge, be informed that he is entitled to request an examination to determine whether or not he is a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment, and that if he chooses to exercise such right he must do so in writing within five days of being so informed.

For the entire period during which the request is under consideration by the court, the criminal proceedings shall be stayed.

If the defendant requests an examination, the court shall appoint a psychiatrist, or if it is, in the discretion of the court, impracticable to do so a physician, to conduct the examination at an appropriate location designated by it. In no event shall the request for such examination, any statement made by the defendant during the course of the examination or any finding of the psychiatrist or physician be admissible against the defendant in any criminal proceedings.

The psychiatrist or physician shall report his findings in writing to the court within five days after the completion of the examination, stating the facts upon which the findings are based and the reasons therefor.

If the defendant is also charged with a violation of any law other than a drug offense, the stay of the criminal proceedings shall be vacated upon the report of the psychiatrist or physician, the report shall be considered upon disposition of the charge in accordance with sections one hundred and thirty-five and one hundred and thirty-six, and the remaining provisions of this section shall not apply.

If the defendant is not also charged with a violation of any law other than a drug offense, and if the psychiatrist or physician reports that the defendant is a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment, the court shall

inform the defendant that he may request commitment to the division, and advise him of the consequences of the commitment and that if he is so committed the criminal proceedings will be stayed for the term of such commitment.

If the defendant requests commitment and if the court determines that he is a drug dependent person who is a drug addict who would benefit by treatment, the court may stay the criminal proceeding and commit him to the division as an inpatient. An order committing a person who is determined to be a drug dependent person who is a drug addict under this section shall specify the period of commitment, which shall not exceed two years.

If the defendant requests commitment and if the court determines that he is a drug dependent person who is not a drug addict but who would benefit by treatment, the court may stay the criminal proceeding and commit him to the division as an outpatient; provided, however, that the commitment may be as an inpatient if the court determines that the defendant is a proper subject for an inpatient program. An order committing a person who is determined to be a drug dependent person who is not a drug addict under this section shall specify the period of commitment, which shall not exceed one year.

In determining whether or not to grant a request for commitment under this section, the court shall consider the report, the past criminal record of the defendant, the availability of adequate and appropriate treatment at a facility, the nature of the offense with which the defendant is charged including, but not limited to, whether the offense charged is that of a sale or sale to a minor, and any other relevant evidence.

In the event that the defendant requests commitment, and if the court determines that the defendant is a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment, and the defendant is charged with a first drug offense not involving the sale or manufacture of narcotic or harmful drugs, and there are no continuances outstanding with respect to the defendant pursuant to this section, the court shall order that the defendant be committed to the division without consideration of any other factors.

If the defendant requests commitment, and if the court determines that the defendant is a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment, and the defendant is charged with a first drug offense not involving the sale or manufacture of narcotic or harmful drugs, and there are no continuances outstanding with respect to the defendant pursuant to this section, and adequate and appropriate treatment at a facility is not available, the stay of criminal proceedings shall remain in effect until such time as adequate and appropriate treatment at a facility is available.

In all other cases, a commitment order shall not be made unless adequate and appropriate treatment is available at a facility; provided, however, that the court may in its discretion order that the stay of criminal proceedings remain outstanding until such time as adequate and appropriate treatment is available.

In the event that the stay of the criminal proceedings remains in effect for the reason that adequate and appropriate treatment at a facility is not available, the issue of the availability of adequate and appropriate treatment at a facility may be reopened at any time by way of motion by the court, the prosecutor, or the attorney for the defendant.

In no event shall any defendant be committed pursuant to this section unless the defendant consents in writing to the terms of the commitment order.

If the psychiatrist or physician reports that the defendant is not a drug dependent person who is a drug addict who would benefit by treatment or drug dependent person who is not a drug addict but who would benefit by treatment, the defendant shall be entitled to request a hearing to determine whether or not he is a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment. The court may of its own motion, or shall, upon request of the defendant or his counsel, appoint an independent psychiatrist, or if it is impracticable to do so, an independent physician, to examine the defendant and testify at the hearing. If the court determines that the defendant is a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment, the procedures and standards applicable to a defendant who is determined by the court, following the report of the first examining psychiatrist or physician to be a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment, shall apply to the defendant.

If the court does not commit the defendant to a facility, the stay of the criminal proceedings shall be vacated.

At any time during the term of commitment, the administrator may transfer any inpatient to an outpatient program if he finds that the patient is a proper subject for an outpatient program; provided, however, that the administrator may retransfer the patient to an inpatient program if he finds that the person is not suitable for outpatient treatment.

Any patient committed under this section may apply in writing to the director for discharge or transfer either from inpatient to outpatient treatment or from one facility to another; provided, however, that no more than one such application may be made in any three-month period. Upon receipt of an application for discharge or transfer, the director shall give written notice to the patient of his right to a hearing and to be represented by counsel at the hearing.

Within ten days of the receipt by the director of an application for discharge, the administrator and an independent psychiatrist, or, if none is available, an independent physician, designated by the director to make an examination of the patient shall report to the director as to whether or not the patient would benefit from further treatment at a facility. If the director determines that the patient would no longer so benefit, the patient's application for discharge shall be granted. If the director does not so determine said application shall be denied.

Within ten days of the receipt by the director of an application for transfer, the administrator shall report to the director as to whether the patient is a proper subject for the transfer for which he has made application. If the director determines that the patient is a proper subject for the transfer, the patient's application for transfer shall be granted. If the director does not so determine, said application shall be denied.

Determination by the director as to discharge and transfer pursuant to this section shall be made after holding a hearing in accordance with sections ten and eleven of chapter thirty A, unless the hearing is waived in writing. The determination of the director shall be subject to judicial review upon petition of any aggrieved patient pursuant to section fourteen of chapter thirty A; provided, however, that the director shall file the record of the proceeding within fourteen days of the service of the petition upon him.

At the end of the commitment period, when the patient is discharged, or when the patient terminates treatment at the facility, whichever first occurs, the director shall report to the court on whether or not the defendant successfully completed the treatment program, together with a statement of the reasons for his conclusion. In reaching his determination of whether or not the defendant successfully completed the treatment program, the director shall consider, but shall not be limited to, whether the defendant cooperated with the administrator and complied with the terms and conditions imposed on him during his commitment. If the report states that the defendant successfully completed the treatment program, or if the defendant completes the term of treatment ordered by the court, the court shall dismiss the charges pending against the defendant. If the report does not so state, or if the defendant does not complete the term of treatment ordered by the court, then, based on the report and any other relevant evidence, the court may take such action as it deems appropriate, including the dismissal of the charges or the revocation of the stay of the criminal proceedings.

As to any defendant determined by the court pursuant to this section to be a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict who would benefit by treatment, concerning whom the court does not order commitment in lieu of prosecution, the court may, in the event that such person is convicted of the criminal charges, order that he be afforded treatment pursuant either to section one hundred and thirty-five or section one hundred and thirty-six.

Section 135. Any person found guilty of a violation of any law other than a drug offense, who, prior to disposition of the charge, states that he is a drug dependent person and requests an examination, shall be examined by a psychiatrist or, if, in the discretion of the court, it is impracticable to do so, by a physician, to determine whether or not he is a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment.

If the defendant has previously been examined, pursuant to a request for an examination made in accordance with section one hundred and thirty-four, the report of the physician or psychiatrist

who conducted the examination shall serve as the examination provided for under this section.

The examination shall be conducted at any appropriate location upon appropriate order of the court. In no event shall the request for such examination or any statement made by the defendant during the course of the examination or any finding of the psychiatrist or physician be admissible against the defendant in any criminal proceeding. The psychiatrist or physician shall report in writing to the court within five days after the completion of the examination, stating the facts upon which the report is based and the reasons therefor.

If the report states that the defendant is a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment, and if the court orders that the defendant be confined to a jail, house of correction, prison, or other correctional institution, the court may further order that the defendant be afforded treatment at a penal facility for the whole or any part of the term of imprisonment; provided, however, that the court shall determine the term of treatment to be afforded with the advice of the administrator of the penal facility; and provided, further, that the court shall not order that the defendant be afforded treatment at a penal facility unless the defendant consents to the order in writing. The administrator may terminate treatment of the defendant at such time as he determines the defendant will no longer benefit by treatment.

If the report states that the defendant is not either a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment, the defendant shall be entitled to request a hearing on whether or not he is a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment. If the court determines that he is a drug dependent person who is a drug addict who would benefit by treatment, or that he is a drug dependent person who is not a drug addict but who would benefit by treatment, and if the court orders that the defendant be confined to a jail, house of correction, prison, or other correctional institution, the court may order that the defendant be afforded treatment at a penal facility in accordance with the standards and procedures set forth in this section.

If the court does not order that the defendant be confined to a jail, house of correction, prison, or other correctional institution, the court may order that the defendant be afforded treatment pursuant to section one hundred and thirty-six.

Section 136. Any court may, in placing on probation a defendant who is a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment, impose as a condition of probation that the defendant receive treatment in a facility as an inpatient or outpatient; provided, however, that the court shall not impose such a condition of probation unless, after consulting with the division, it determines that adequate treatment at an appropriate

facility is available. The defendant shall receive treatment at the facility for so long as the administrator of the facility deems that the defendant will benefit by treatment, but in no event shall he receive treatment at the facility for a period longer than the period of probation ordered by the court. If at any time during the period of treatment the defendant does not cooperate with the administrator or the probation officer, or does not conduct himself in accordance with the order or conditions of his probation, the administrator or the probation officer may make a report thereon to the court which placed him on probation, which may consider such conduct as a breach of probation.

Section 137. The division shall accept for treatment juveniles and youthful offenders referred to the division by the department of youth services. Application by the department of youth services for such referral shall be made to the director.

Upon receipt by the director of a request for referral from the youth service board, he shall designate a psychiatrist or, if in the discretion of the director it is impracticable to do so, a physician, to make an examination of the person to be referred to determine whether or not he is a drug dependent person who is a drug addict who would benefit by treatment, or a drug dependent person who is not a drug addict but who would benefit by treatment. The psychiatrist or physician shall report his findings in writing to the director after the completion of the examination, stating the facts upon which the findings are based and the reasons therefor.

If the director finds that the person is a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment and that adequate treatment is available at an appropriate facility, he may recommend to the department of youth services that the person be admitted to the facility as an inpatient or an outpatient.

In determining whether to admit to a facility a person who is reported to be a drug dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment, the director shall consider the past record of treatment, if any, afforded the person at a facility, and whether or not the person complied with the terms of any prior admission.

If the director decides to admit to a facility a juvenile or youthful offender pursuant to this section, he shall recommend to the department of youth services the period deemed necessary to accomplish adequate and appropriate treatment. In the case of a drug dependent person who is a drug addict, the period shall not exceed one year. In the case of a drug dependent person who is not a drug addict, the period shall not exceed six months. The director shall also notify the department of youth services of the nature of the treatment to be afforded and the facility to which the person will be admitted. If the department of youth services consents in writing to admission to the facility, to the nature of the treatment to be afforded, and to the period deemed necessary to accomplish treatment, the person shall be admitted to the facility.

If the director decides that the referral to the division is to be refused because the juvenile or youthful offender is not either a drug

dependent person who is a drug addict who would benefit by treatment or a drug dependent person who is not a drug addict but who would benefit by treatment or because adequate treatment is not available at an appropriate facility, he shall make known in writing to the department of youth services the basis for his decision.

The referral to the division shall terminate at the conclusion of the period of treatment to which the department of youth services consents, or upon a determination by the director that the juvenile or youthful offender will no longer benefit by treatment, whichever first occurs. If the director determines before the conclusion of the period of treatment to which the department of youth services consents that the juvenile or youthful offender will no longer benefit by treatment, he shall make known in writing to the department of youth services the basis for his decision.

Juveniles and youthful offenders referred to the division pursuant to this section shall remain subject to the jurisdiction and control of the department of youth services for all purposes, including, but not limited to, discharge and release; provided, however, that the treatment to be afforded the juvenile and youthful offenders referred to the division shall be within the jurisdiction and control of the division. In no event, however, shall a juvenile or youthful offender be referred for a period longer than the period during which he is subject to the jurisdiction and control of the department of youth services.

Section 138. Each finding, determination and order required to be made by any court pursuant to sections one hundred and twenty-five to one hundred and forty-three, inclusive, and the reasons therefor, shall be in writing and entered in the record of the proceeding.

Section 139. The director may require the administrator of a public facility or a private facility with which the division contracts on a fee-for-services basis pursuant to clause (4) of section one hundred and thirty, other than a halfway house, to admit as an inpatient or an outpatient any person for whom, in the determination of the director, adequate and appropriate treatment is available at the facility. The commissioner shall promulgate rules and regulations governing the extent to which the director may require the administrator of a private facility with which the division does not contract on a fee-for-services basis pursuant to clause (4) of section one hundred and thirty, other than a halfway house, to admit as an inpatient or outpatient any person for whom, in the determination of the director, adequate and appropriate treatment is available at the facility.

Section 140. Each person who receives treatment at a facility shall be subject to the supervisory powers of the administrator exercised in accordance with rules and regulations promulgated by the division.

Section 141. Any patient in a public facility, or the estate, spouse or adult child of such patient, or, if the patient is a minor, the parent of such patient if of sufficient financial ability, shall be liable to such facility for the cost of maintenance and treatment of the patient therein in accordance with rates established pursuant to sections thirty K to thirty P, inclusive, of chapter seven. If a person is a patient in a private facility pursuant to an agreement between the facility and the division, and neither the patient nor the estate, spouse or adult child of such patient, or, if the patient is a minor, the parent of such patient is of sufficient financial ability to pay the cost of

maintenance and treatment of the patient therein, and the patient is not entitled to the payment of such cost from any other source, the division shall pay the cost of such maintenance and treatment in accordance with rates established pursuant to sections thirty K to thirty P, inclusive, of chapter seven.

The division shall promulgate rules and regulations governing financial ability which shall take into consideration the income, savings and other personal and real property of the person required to pay, as well as any support actually being furnished by him to any person whom he may be required by law to support.

Section 142. (a) The administrator of each facility shall keep a record of the treatment afforded each patient, which shall be confidential and shall only be made available upon judicial order, whether in connection with pending judicial proceedings or otherwise.

(b) Any patient shall have the right to have a physician retained by him examine him, consult privately with his attorney, receive visitors, and send and receive communications by mail, telephone and telegraph. Such communications shall not be censored or read without the consent of such patient. The foregoing shall not limit the right of the administrator, subject to reasonable rules and regulations of the division, to prescribe reasonable rules governing visiting hours and the use of telephone and telegraph facilities.

(c) No patient may be detained at any facility, other than a penal facility, without his consent except in accordance with the provisions of section thirteen.

(d) Insofar as is practicable, a written, comprehensive, individualized treatment plan shall be kept by the administrator for each patient.

(e) Each patient shall be entitled to receive adequate and appropriate treatment.

Section 143. The department of mental health shall be the single state agency designated by the commonwealth as the agency primarily responsible for the care and treatment of drug dependent persons in the commonwealth.

SECTION 2. Chapter 19 of the General Laws is hereby amended by inserting after section 8 the following section:—

Section 8A. The commissioner shall appoint an assistant commissioner for drug rehabilitation who shall serve as the director of the division of drug rehabilitation established pursuant to section one hundred and twenty-six of chapter one hundred and twenty-three. He shall devote full time to his duties. He may be allowed such professional affiliations as the commissioner approves, subject to the provisions of chapter two hundred and sixty-eight A. Such assistant commissioner shall have had administrative or managerial experience in the field of drug dependency, and in addition either shall have a doctorate in medicine with board certification or board eligibility in psychiatry, or shall be a psychologist with a diplomate or diplomate eligibility in professional psychology from the American Board of Examiners in Professional Psychology, or shall have a doctorate in sociology, social relations, social welfare, rehabilitation, public health, or masters degree in social work.

SECTION 3. Chapter 12 of the General Laws is hereby amended by inserting after section 11B the following section:—

Section 11C. The attorney general shall establish a program designed to train law enforcement officials, including municipal, metropolitan and state police, in practices and procedures relating to the narcotic and harmful drug laws of the commonwealth. The program shall include, but shall not be limited to, the dissemination of information concerning:

(1) the laws of the commonwealth relating to the possession, sale, and manufacture of narcotic and harmful drugs;

(2) the methods and procedures for detecting and ascertaining the identity of the various narcotic and harmful drugs;

(3) law enforcement techniques, intelligence operations, and methods of promoting cooperation among the municipal, metropolitan, and state police departments;

(4) search and seizure techniques in accordance with the Constitution of the United States and with the Constitution and laws of the commonwealth;

(5) the physiological and psychological effects of the various narcotic and harmful drugs;

(6) the underlying psychological and sociological causes of drug use and drug abuse;

(7) opportunities for treatment and rehabilitation of drug dependent persons; and

(8) educational programs relating to drugs sponsored by the department of education, other public agencies, and private organizations.

The attorney general may call upon the commissioner of public safety to assign to him not more than six officers of the uniformed branch of the state police for assistance in performing the duties imposed upon him by this section.

The attorney general may appoint such expert, clerical and other staff members as the operation of the training program may require.

SECTION 4. Section twelve of chapter seventeen of the General Laws is hereby repealed.

SECTION 4A. The first sentence of 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 striking out, in line 4, the word "addict" and inserting in place thereof the words:—dependent persons.

SECTION 5. The first sentence of section 3 of chapter 123 of the General Laws, as appearing in section 8 of chapter 715 of the acts of 1956, is hereby amended by striking out, in line 4, the words "drug addicts" and inserting in place thereof the words:—drug dependent persons.

SECTION 5A. The second sentence of said section 3 of said chapter 123, as so appearing, is hereby amended by striking out, in line 4, the words "drug addicts" and inserting in place thereof the words:—drug dependent persons.

SECTION 6. The first sentence of section 16 of said chapter 123, as amended by chapter 520 of the acts of 1966, is hereby amended by striking out, in lines 6 and 7, the words ", nor addicted to intemperate use of narcotics or stimulants,".

SECTION 7. The first sentence of section 33 of said chapter 123, as appearing in the Tercentenary Edition, is hereby amended by striking

out, in lines 3 and 4, the words "and persons addicted to the intemperate use of narcotics or stimulants,".

SECTION 8. Said section 33 of said chapter 123, as so appearing, is hereby amended by striking out the third sentence.

SECTION 9. The first sentence of section 62 of said chapter 123, as amended by section 10 of chapter 715 of the acts of 1956, is hereby further amended by striking out, in lines 13, 14 and 15, the words ", or who is so addicted to the intemperate use of narcotics, habit-forming stimulants or sedatives as to have lost the power of self-control".

SECTION 10. The first sentence of section 63 of said chapter 123, as appearing in the Tercentenary Edition is hereby amended by striking out, in lines 2 and 3, the words ", or as addicted to the intemperate use of narcotics or stimulants,".

SECTION 11. Section 68 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 7 and 8, the words "or is so addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control".

SECTION 12. Section 71 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 2, 3 and 4, the words ", inebriates, or persons addicted to the intemperate use of narcotics or stimulants," and inserting in place thereof the words:—or inebriates.

SECTION 13. The first sentence of section 74 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 3 and 4, the words ", inebriate or one addicted to the intemperate use of narcotics or stimulants" and inserting in place thereof the words:—or inebriate.

SECTION 13A. The third sentence of section 74 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 4 and 5, the words ", inebriate or one addicted to the intemperate use of narcotics or stimulants" and inserting in place thereof the words:—or inebriate.

SECTION 14. The first sentence of section 80 of said chapter 123, as appearing in chapter 632 of the acts of 1962, is hereby amended by striking out, in lines 12 and 13, the words "narcotics, stimulants, alcoholic beverages or other drugs," and inserting in place thereof the words:—alcoholic beverages.

SECTION 15. The first sentence of section 86 of said chapter 123, as appearing in section 15 of chapter 637 of the acts of 1955, is hereby amended by striking out, in line 3, the words "an alcoholic or a drug addict" and inserting in place thereof the words:—or alcoholic.

SECTION 16. The first paragraph of section 115 of said chapter 123, as appearing in section 2 of chapter 684 of the acts of 1947, is hereby amended by striking out the second sentence.

SECTION 17. Section 117 of said chapter 123 is hereby amended by striking out the second sentence, as appearing in section 6 of chapter 770 of the acts of 1955.

SECTION 18. The third sentence of said section 117 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 3 and 4, the words "or for male drug addicts, as the case may be".

SECTION 19. The fourth sentence of said section 117 of said chapter 123, as so appearing, is hereby amended by striking out, in line 3, the words "or for female drug addicts, as the case may be".

SECTION 20. The fifth sentence of said section 117 of said chapter 123, as so appearing, is hereby amended by striking out, in line 3, the words "or for drug addicts".

SECTION 20A. Section one hundred and nineteen of chapter one hundred and twenty-three of the General Laws is hereby repealed.

SECTION 21. The second sentence of section 124 of said chapter 123, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 7 and 8, the words "or for the care and treatment of drug addicts, as the case may be".

SECTION 22. The second sentence of the first paragraph of section 19 of chapter 125 of the General Laws, as appearing in section 16 of chapter 715 of the acts of 1956, is hereby amended by striking out, in line 1, the words "and drug addicts".

SECTION 23. Section 111A of chapter 127 of the General Laws, inserted by chapter 169 of the acts of 1933, is hereby amended by striking out, in line 3, the words "or for drug addicts".

SECTION 23A. Chapter one hundred and eleven A of the General Laws is hereby repealed.

SECTION 23B. Chapter 147 of the General Laws is hereby amended by striking out section 4E, inserted by section 3 of chapter 749 of the acts of 1969, and inserting in place thereof the following section:—

Section 4E. The narcotics unit within the bureau of criminal information of the state police shall be charged with the following duties and functions:—to investigate all violations of the narcotic and harmful drug laws of the commonwealth; to arrest all violators of such laws; and to cooperate with the department of the attorney general in training men assigned to the narcotics unit in practices and procedures relating to the narcotic and harmful drug laws pursuant to section eleven B of chapter twelve.

SECTION 24. All books, papers, records, documents, and equipment in the custody of or maintained for the use of the drug addiction rehabilitation board established pursuant to chapter one hundred and eleven A of the General Laws are hereby transferred to the custody and control of the division of drug rehabilitation created by this act.

All moneys heretofore appropriated for expenditure by the drug addiction rehabilitation board established under chapter one hundred and eleven A and remaining unexpended on the effective date of this section are hereby transferred to, and shall remain immediately available for expenditure by, the division of drug rehabilitation created by this act.

All duly existing contracts, leases and obligations of the drug addiction rehabilitation board entered into by said board shall remain in effect and shall be performed by the division of drug rehabilitation created by this act. This act shall not affect any renewal provisions or options to renew contained in any such lease in existence on the effective date of this section. Without limiting the generality of the foregoing, all approvals of the plans, projects and federal and state financial aid applications heretofore granted shall remain in full force and effect; provided, however, that nothing in this section shall prevent the division of drug rehabilitation created by this act from withdrawing such approval if such action is otherwise in accordance with law.

All gifts and special grants made to the drug addiction rehabilitation board established under said chapter one hundred and eleven A and remaining unexpended on the effective date of this act shall be available for expenditure by the division of drug rehabilitation created by this act in accordance with the conditions of the gift or grant.

All drug rehabilitation centers and facilities established pursuant to section two of said chapter one hundred and eleven A shall remain subject to the control and supervision of the division of drug rehabilitation created by this act.

All officers and employees of the drug addiction rehabilitation board who, immediately prior to the effective date of this act, hold permanent appointments in positions classified under chapter thirty-one of the General Laws, or have tenure in their positions by reason of section nine A of chapter thirty of the General Laws, are hereby transferred to the division of drug rehabilitation created by this act, every such transfer to be without impairment of civil service status, seniority, retirement and other rights of the employee, without interruption of service within the meaning of said chapter thirty-one or section nine A of said chapter thirty, and without reduction in compensation or salary grade, notwithstanding any change in his title or duties made as a result of such transfer, subject, however, to the provisions of chapter thirty-one and the rules and regulations established thereunder. All such officers and employees who, immediately prior to said effective date, do not hold permanent appointment in such positions, or do not hold such tenure, are hereby transferred to the division of drug rehabilitation created by this act without impairment of service within the meaning of said section nine A of chapter thirty, and without reduction in compensation or salary grade. Nothing in this section shall be construed to confer upon any officer or employee any rights not held prior to the transfer or to prohibit any subsequent change in compensation or salary grade not prohibited prior to the transfer.

SECTION 25. This act shall take effect conformably to law except that sections one hundred and thirty-two to one hundred and thirty-seven, inclusive, and section one hundred and thirty-nine, and the second, fourth and fifth paragraphs of section one hundred and thirty-one of chapter one hundred and twenty-three of the General Laws, inserted by section one of this act, shall take effect on January first, nineteen hundred and seventy-one. *Approved August 29, 1969.*

Chap. 890. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO SELL AND CONVEY TO THE CITY OF WESTFIELD CERTAIN LAND IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The department of public health is hereby authorized and directed to sell and convey, in the name and on behalf of the commonwealth, to the city of Westfield, for the sum of one dollar, land located in said city and shown on a plan entitled "Commonwealth of Massachusetts, Department of Public Health, State Sanatorium, West-

field, Property Plan, Scale 1″=100′-0″ Mar. 27, 1933, prepared by Emergency Planning & Research Bureau, Inc., Boston, Massachusetts" and bounded and described as follows: —

Beginning at a stone monument on the easterly side of East Mountain Road at the southwesterly corner of land of John S. Lane & Son, Inc., thence S 76° 36′ 15″ E 721.05′ to an iron monument thence S 24° 03′ W about 520.38′ to an iron monument, the last two courses being along land of said John S. Lane & Son, Inc., thence in the same direction 560′ to a point thence N 70° 00′ 40″ W 548.27′ to the easterly side of the East Mountain Road, the last two courses being along other land of grantors thence northerly 1,000′ along said road to the point of beginning containing 15 acres more or less. Said parcel of land is to be used by said city solely for playground purposes.

SECTION 2. Title to the land described in section one shall revert to and revest in the commonwealth whenever such land shall cease to be used for the purposes set forth in this act.

SECTION 3. Chapter three hundred and thirty-four of the acts of nineteen hundred and fifty-seven is hereby repealed.

Approved August 29, 1969.

Chap. 891. AN ACT AUTHORIZING THE MAYOR OF THE CITY OF WALTHAM TO APPOINT JOSEPH R. MAHER AS SUPERVISOR OF REGISTRATION AND EQUIPMENT OF THE PARKS AND RECREATION DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section eight of chapter thirty-nine of the General Laws or of any other provision of law to the contrary except the provisions of chapter thirty-one of the General Laws, the mayor of the city of Waltham may appoint Joseph R. Maher as supervisor of registration and equipment of the parks and recreation department of said city; provided, however, that said Joseph R. Maher resigns as a member of the city council of said city prior to said appointment.

SECTION 2. This act shall take effect upon its acceptance by the city of Waltham. *Approved August 29, 1969.*

Chap. 892. AN ACT AUTHORIZING THE ADDITIONAL PAYMENT OF MONEY FOR THE PREPARATION OF PLANS, SPECIFICATIONS AND LAND ACQUISITION RELATIVE TO CONSTRUCTING AND ORIGINALLY EQUIPPING THE COURT HOUSE FOR THE DISTRICT COURT OF EAST NORFOLK.

Be it enacted, etc., as follows:

Section 1 of chapter 208 of the acts of 1969 is hereby amended by inserting after the word "sums", in line 5, the words: — , including any sum required to be paid for the preparation of plans, specifications and land acquisition over and above the sum authorized by chapter five hundred and seventy of the acts of nineteen hundred and sixty-eight,.

Approved August 29, 1969.

Chap. 893. AN ACT AUTHORIZING THE COMMISSIONER OF YOUTH SERVICES TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF WESTBOROUGH TO THE COUNTY COMMISSIONERS OF WORCESTER COUNTY SAID LAND TO BE USED AS A SITE FOR A NEW COURT HOUSE FOR THE FIRST DISTRICT COURT OF EASTERN WORCESTER.

Be it enacted, etc., as follows:

The commissioner of youth services, in the name and on behalf of the commonwealth, is hereby authorized and directed to convey by deed approved as to form by the attorney general to the county commissioners of Worcester county a certain parcel of land located in the northerly part of the town of Westborough, on the easterly side of Milk Street and bounded and described as follows:

BEGINNING at a point in the easterly line of Milk St., and point being the northerly terminus of land of Glendona B. Nourse on the easterly side of Milk St.

THENCE North 3°14'18" West by the easterly line of Milk St. a distance of 109 feet more or less to a point at the intersection of the easterly line of Milk St. and the southerly line of Oak St.,

THENCE by a curve to the right of radius 102.47 feet by the southerly line of Oak St. a distance of 139.44 feet,

THENCE North 74°43'35" East by the southerly line of Oak St. a distance of 258.67 feet,

THENCE by a curve to the right of radius 371.64 feet by the southerly line of Oak St. a distance of 265.67 feet,

THENCE South 25°41'05" West by other land of the Commonwealth of Massachusetts a distance of 450 feet, more or less, to a point,

THENCE Westerly by other land of the Grantor a distance of 120 feet, more or less, to the south easterly corner of land of Glendona B. Nourse,

THENCE Northerly by land of Glendona B. Nourse a distance of 165 feet to a corner,

THENCE Westerly by land of Glendona B. Nourse a distance of 264 feet to the place of beginning.

Containing an area of 3.7 Acres, more or less.

Said land shall be used as a site for a new court house for the first district court of eastern Worcester. *Approved August 29, 1969.*

Chap. 894. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY MAY BORROW AND EXPEND FOR THE CONSTRUCTION AND EQUIPPING OF THE COURT HOUSE FOR THE FIRST DISTRICT COURT OF BARNSTABLE AND FOR CERTAIN OTHER MATTERS RELATIVE THERETO.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 771 of the acts of 1967 is hereby amended by striking out, in lines 14 and 15, the words "one million, nine hundred and seventy thousand" and inserting in place thereof the words: — three million.

SECTION 2. Section 2 of said chapter 771 is hereby amended by striking out, in lines 4 and 5, the words "one million, nine hundred and seventy thousand" and inserting in place thereof the words: — three million. *Approved August 29, 1969.*

Chap. 895. AN ACT PERMITTING THE CITY OF BOSTON AND A CERTAIN NONPROFIT CORPORATION TO CONSTRUCT, MAINTAIN AND OPERATE TENNIS AND OTHER RECREATION FACILITIES IN FRANKLIN FIELD.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, acting through its parks and recreation commission, and The Sportsmen's Tennis Club, Inc., a corporation organized under chapter one hundred and eighty of the General Laws, its successors and assigns, are hereby authorized to build, construct, maintain and operate buildings and facilities in excess of six hundred square feet on the ground available for use by the general public for tennis or other athletic and recreational activities on land not in excess of four acres in the southwesterly portion of Franklin Field in the Dorchester district of the city of Boston, with the exact location and dimensions to be determined by said parks and recreation commission.

SECTION 2. This act shall take effect upon its acceptance by the city council and the mayor of Boston. *Approved August 29, 1969.*

Chap. 896. AN ACT RELATIVE TO PROMOTIONS UNDER THE CIVIL SERVICE LAW IN THE DIVISION OF EMPLOYMENT SECURITY.

Be it enacted, etc., as follows:

Section 15 of chapter 31 of the General Laws is hereby amended by inserting after paragraph B, as most recently amended by section 3 of chapter 652 of the acts of 1968, the following paragraph: —

Notwithstanding the provisions of paragraph B, all promotions in the official service of the division of employment security in the department of labor and industries shall be in accordance with paragraph A, or after a departmental examination open to permanent employees in the division (1) who have been employed therein, after certification, whether in a permanent or temporary status, for at least one year preceding the date of examination in a position determined by the director to be directly qualifying for the position for which the examination is held, or (2) who meet such experience or education and training requirements as shall be determined by the director to be qualifying for the position for which the examination is held. Such experience, education or training may have been acquired within or without the division, and shall be creditable only upon presentation of evidence satisfactory to the director that such experience or training was of the length, type and quality determined by the director to be appropriate for the classification; provided, that no such promotional examination shall be open to any employee of the division who has not been employed therein, after certification and in a permanent status, for at least one year next preceding the date of examination, or to any employee who has permanent status, after certification, in a grade higher than that of the position for which the examination is held.

Approved August 29, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 29, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 896 of the Acts of 1969, entitled "AN ACT RELATIVE TO PROMOTIONS UNDER THE CIVIL SERVICE LAW IN THE DIVISION OF EMPLOYMENT SECURITY." and the enactment of which received my approval on August 29, 1969, should take effect forthwith.

Examinations to fill thirty positions in the Division of Employment Security have been held up pending passage of this legislation. So that the Division may be allowed to fill the positions, after the necessary examinations have taken place, I declare said law is an emergency law and the above facts constitute the emergency.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, September 2, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at eleven 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 eight hundred and ninety-six of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 897. AN ACT FURTHER REGULATING THE ASSESSMENT TO THE CITY OF BOSTON OF THE COST OF CERTAIN SERVICE OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Be it enacted, etc., as follows:

Section 8 of chapter 161A of the General Laws, as appearing in section 18 of chapter 563 of the acts of 1964, is hereby amended by inserting after the word "towns", in line 9, the words: —, but in no event shall the city of Boston's share of such assessment be less than thirty per cent of such seventy-five per cent assessment of the net cost of service.

Approved August 29, 1969.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 29, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 897 of the Acts of 1969, entitled "AN ACT FURTHER REGULATING THE ASSESSMENT TO THE CITY OF BOSTON OF THE COST OF CERTAIN SERVICE OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY." and the enactment of which received my approval on August 29, 1969, should take effect forthwith.

This law establishes a more equitable formula than the one presently in effect for apportioning the operating deficit of the Massachusetts Bay Transportation Authority among the communities served by the Authority. So that this more equitable formula may be realized without unnecessary delay, I declare this law is an emergency law and the above facts constitute the emergency.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, September 2, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at eleven o'clock and eleven minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter eight hundred and ninety-seven of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 898. AN ACT TO PROVIDE FUNDS FOR THE ESTABLISHMENT OF A CAMPUS OF THE UNIVERSITY OF MASSACHUSETTS IN THE AREA KNOWN AS COLUMBIA POINT IN THE CITY OF BOSTON, AND TO AUTHORIZE THE ACQUISITION OF LAND AND THE PLANNING AND CONSTRUCTION OF IMPROVEMENTS THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. To provide for the acquisition and development of a site for a campus of the University of Massachusetts in the area known as Columbia Point in the city of Boston and for the preparation of long-range plans for the development of said campus and of plans for the development of said site and buildings, utilities and other improvements for said purposes, for the construction of buildings, utilities and other improvements, and for the initial equipping of such buildings, the sum set forth in 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 Education.

Board of Higher Education.

University of Massachusetts.

Item		
7490-0102	For the acquisition of certain land and interests in land, or land with buildings or trees thereon, in the city of Boston for a site for a campus of the University of Massachusetts, and for utilities and other improvements thereon, by eminent domain under the provisions of chapter seventy-nine of the General Laws or by purchase or otherwise; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value thereof has been made by one or more qualified, disinterested appraisers; for the preparation of long-range plans for the development of such	

campus, and of plans for the development of such site for a campus of the University of Massachusetts, including utilities and other improvements thereon, and of plans for the construction of buildings, utilities and other improvements on such site; for the construction of one or more such buildings, utilities and other improvements, including equipment and furnishings therefor as authorized by the board of trustees of the University of Massachusetts; for consulting, supervisory and other services related to the foregoing; and for all purposes authorized by this act, total project cost, including construction escalation costs, not to exceed three hundred and fifty-five million dollars **$50,000,000**

SECTION 3. The board of trustees of the University of Massachusetts, hereinafter called the board, acting for and on behalf of the commonwealth, is hereby authorized, after any necessary consultation with the metropolitan district commission, the department of public works of the commonwealth, the city of Boston, the Boston Housing Authority and any other land owner affected, to acquire by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the power of eminent domain, all land, public and private, and all rights in land, including all buildings and trees and growing things thereon, in the city of Boston within the area hereinafter referred to as the Columbia Point Site and generally described as follows: — Beginning at a point in the southerly line of Mt. Vernon Street at its point of intersection with the southeasterly line of land now or formerly of S. L. Tomasello Corp., thence running southerly, easterly, westerly and northerly by said S. L. Tomasello Corp. land to its point of intersection with the southerly line of land now or formerly of Mary Teebagy; thence running westerly and northerly by said Mary Teebagy land to the point of intersection with the southerly line of Mt. Vernon Street; thence running westerly by said southerly line of Mt. Vernon Street to the point of intersection with the southeasterly line of land now or formerly of the city of Boston; thence running southerly, westerly and southerly by land of the city of Boston; thence turning and running northerly and westerly by the southwesterly line of said city of Boston land and the southwesterly line of land now or formerly of the Roman Catholic Archbishop of Boston; thence turning and running northerly by the westerly line of said land of the Roman Catholic Archbishop of Boston to the point of intersection of the southerly line of land now or formerly of Rob-Ern Trust; thence turning and running westerly to the point of intersection with the easterly sideline of William T. Morrissey Boulevard; thence turning and running generally southerly along said easterly sideline of William T. Morrissey Boulevard to its intersection with the United States pierhead line as shown on Sheet No. 13 of a plan entitled "Harbor Lines Boston Harbor, Mass." prepared by the United States Engineer Office, Boston, Massachusetts, June 30, 1939; thence turning and running southeasterly along said pierhead line and said pierhead line extended to a point at the limit of private ownership in Dorchester Bay; thence turning and running northeasterly, northerly and northwesterly along the limit of private ownership in Dorchester Bay and Old Harbor to a point; thence turning and running due south to a point in the northerly sideline of land of the city of Boston; thence turning and running north sixty-eight degrees fifteen minutes ten seconds west, six hundred feet more or less, along the line between land of the city of

Boston and land of the Boston Housing Authority to a point; thence turning and running south twenty-six degrees seven minutes twenty-seven seconds west along the boundary between said city of Boston land and said Boston Housing Authority land to a point on the northeasterly sideline of Mt. Vernon Street; thence turning and running southeasterly, southerly and northwesterly by the line of Mt. Vernon Street to the point of beginning; but excepting and excluding from the above-described premises the following two parcels of land, bounded and described as follows: —

Parcel One: — Beginning at a point on the northeasterly sideline of Mt. Vernon Street, thence running northwesterly by Mt. Vernon Street by three courses as follows: on a curved line having a radius of eighty feet, two hundred nine and forty-four one hundredths feet; on another curved line having a radius of eighty feet, eighty-three and seventy-eight one hundredths feet; and north sixty-five degrees four minutes thirty-six seconds west, thirteen and seventy-one one hundredths feet; thence turning and running north twenty-six degrees seven minutes twenty-four seconds east, four hundred sixty feet to a point; thence turning and running south sixty-eight degrees fifteen minutes ten seconds east, five hundred fifty feet to a point; thence turning and running south twenty-one degrees forty-four minutes fifty seconds west, two hundred ninety-nine and twelve one hundredths feet to a point; thence turning and running south four degrees eleven minutes thirty seconds west, eighteen and seven one hundredths feet to a point; thence turning and running south forty degrees eight minutes fifty-four seconds west, one hundred thirty feet to a point; thence turning and running south forty-nine degrees fifty-one minutes six seconds east, two hundred seventy and ten one hundredths feet to a point; thence turning and running south forty degrees eight minutes fifty-four seconds west, three hundred seventy feet to a point; thence turning and running north forty-nine degrees fifty-one minutes six seconds west, four hundred twenty feet to a point; thence turning and running north nine degrees thirty-six minutes thirty-six seconds east, one hundred forty-four and seventy-two one hundredths feet to a point; thence turning and running north twenty-six degrees seven minutes twenty-four seconds east, seventy-eight and sixty-two one hundredths feet to a point; thence turning and running north eleven degrees twenty-nine minutes six seconds west, sixty-two and thirteen one hundredths feet to the point of beginning, containing four hundred eighteen thousand sixty-five square feet of land more or less.

Said excluded parcel shall be subject to a restriction, imposed for the benefit of that portion of the Columbia Point Site acquired by the board pursuant to the provisions of this act, prohibiting the use of said parcel except for the operation, maintenance, repair, rebuilding and replacement of one or more sewer pumping stations and other sewage disposal facilities and uses related thereto. The board may acquire said excluded parcel, or portions thereof from time to time, by purchase or by the exercise of the power of eminent domain, within one year after a determination by the commissioner of public works of the city of Boston and by the metropolitan district commission that said excluded parcel or any such portion thereof is no longer required for sewage disposal purposes. Such a determination shall be deemed to have been made when a certificate thereof signed by said commissioner of public works

and by the commissioner of the metropolitan district commission has been recorded in the registry of deeds for Suffolk county, and a copy thereof mailed by registered mail or delivered in hand to the treasurer of the University of Massachusetts.

There shall be appurtenant to the excluded parcel above described the right to maintain, install, repair and replace one or more sewer lines in a portion of the Columbia Point Site bounded and described as follows: — Beginning at a point which is two hundred feet northwesterly of the southeasterly boundary of said excluded parcel on a bearing of north forty degrees eight minutes fifty-four seconds east; thence turning and running one thousand four hundred twenty-six and ninety-four one hundredths feet on a bearing of south forty-nine degrees fifty-one minutes six seconds east; thence turning and running two hundred sixty-six and sixty-nine one hundredths feet on the Harbor Commissioner's Line on a bearing of south one degree sixteen minutes one second east; thence turning and running one thousand six hundred three and forty-six one hundredths feet on a bearing of north forty-nine degrees fifty-one minutes six seconds west to the point of beginning, containing three hundred three thousand forty square feet more or less.

Parcel Two: — Starting at a point which is on the easterly sideline of William T. Morrissey Boulevard, which point is fifty feet more or less northwesterly of the intersection of the United States bulkhead line as shown on Sheet No. 13 of a plan entitled, "Harbor Lines Boston Harbor, Mass." prepared by the United States Engineer Office, Boston, Mass. June 30, 1939 extended with the easterly sideline of William T. Morrissey Boulevard (said point being the intersection of the southwesterly sideline of a service road or driveway with the easterly sideline of William T. Morrissey Boulevard); thence running northeasterly six hundred ninety feet, more or less, to a point at an angle in said bulkhead line which point is seven hundred feet more or less measured along said bulkhead line and bulkhead line extended northeasterly from the easterly sideline of William T. Morrissey Boulevard; thence turning and running southeasterly five hundred feet more or less to a point on a line extending southwesterly on the southwesterly line of land now or formerly of S. L. Tomasello Corp., which point is seven hundred feet more or less measured along said line from the southwesterly corner of said S. L. Tomasello Corp. land; thence turning and running northeasterly one thousand twenty feet more or less along said southwesterly line and southwesterly line extended of said S. L. Tomasello Corp. land to its point of intersection with the southerly line of land now or formerly of Mary Teebagy; thence running westerly and northerly by said Mary Teebagy land to the point of intersection with the southerly line of Mt. Vernon Street; thence running westerly by said southerly line of Mt. Vernon Street to the point of intersection with the southeasterly line of land now or formerly of the city of Boston; thence running southerly, easterly and southerly by land of the city of Boston; thence turning and running northerly and westerly by the southwesterly line of said city of Boston land and the southwesterly line of land now or formerly of the Roman Catholic Archbishop of Boston; thence turning and running northerly by the westerly line of said land of the Roman Catholic Archbishop of Boston to the point of intersection of the southerly line of land now or formerly of Rob-Ern Trust; thence turning and running westerly to the point of intersection with the easterly

sideline of William T. Morrissey Boulevard; thence turning and running generally southerly along said easterly sideline of William T. Morrissey Boulevard to the point of beginning.

The board may acquire said excluded Parcel Two, subject to a subsequent appropriation by the general court, by the exercise of the power of eminent domain or by purchase or otherwise, on such terms and conditions and in such manner as the board may deem proper.

The board shall pay to the city of Boston an amount equal to the appraised value of any land of said city acquired by the board pursuant to the provisions of this act. Such appraised value shall be determined by an independent appraisal made by one or more qualified, disinterested appraisers engaged by the board pursuant to section two. If the board obtains more than one such appraisal and if such appraisals are not the same, the amount so to be paid shall be the average of such appraisals.

All public lands and rights and interests in land of the commonwealth which are located within the Columbia Point Site, including lands and rights and interests in land therein which are under the control of the metropolitan district commission for reservation or boulevard purposes, are hereby transferred to the control of the board.

The board, acting for and on behalf of the commonwealth, is further authorized to acquire, in the manner hereinbefore provided, easements in, or the benefit of restrictions upon, property abutting the Columbia Point Site to preserve and protect the interests of the University of Massachusetts in said Site.

SECTION 4. The metropolitan district commission is hereby authorized and directed to enter into an agreement with the board whereby said commission shall construct, from funds available for the purpose, a grade-separated interchange with William T. Morrissey Boulevard and a connecting road from said interchange to a point within the Columbia Point Site. The board is hereby authorized to transfer to said commission, without consideration, the control of so much of the land and rights therein acquired by the board pursuant to section three as may be reasonably required for the construction by said commission of such interchange and road.

The board is further authorized and directed to transfer to the metropolitan district commission the control of any land and rights therein acquired by the board pursuant to section three which are located within twenty-five feet of the easterly sideline of William T. Morrissey Boulevard as presently laid out, as said commission may deem necessary for the reconstruction or widening of said William T. Morrissey Boulevard. Any transfer of control made under this paragraph shall be subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended.

SECTION 5. The commonwealth hereby consents to the filling, and to the use for any or all of the purposes provided in this act, of any and all of the land or flats lying upland of a line described as follows: — Beginning at a point in that portion of the United States bulkhead line shown on the plan of June 30, 1939, referred to in section three, to be one thousand nine hundred sixty-five feet long, which point is two hundred feet from the intersection of said portion with that portion of said bulkhead line shown on said plan to be six hundred feet long, according to said plan; thence turning and running northeasterly on a line

parallel to said six hundred foot line, four hundred feet to a point; thence turning and running southeasterly on a line parallel to and two hundred feet distant from that portion of said bulkhead line which is two thousand feet in length, according to said plan, to a point in the United States pierhead line as shown on said plan; thence turning and running northeasterly on said pierhead line one thousand six hundred seventy-five feet more or less to a point; thence turning and running northerly on said pierhead line one thousand three hundred fifty feet more or less to a point; thence turning and running north sixty-eight degrees fifteen minutes ten seconds west, six hundred fifty feet more or less to the bulkhead line as shown on said plan.

Notwithstanding any provision of this act, the board shall not commence any of the filling or use authorized by the preceding paragraph until plans for such filling or use have been approved in writing by the department of public works of the commonwealth. No public hearing shall be required as a condition to such approval, but said department may consult with such other public agencies as it deems appropriate before granting the same. Said department is hereby authorized to modify any existing licenses or permits to fill within the Columbia Point Site.

The board shall not perform the work authorized by this section in any manner which will adversely affect the present or future operation and maintenance of sewage pumping stations and other sewage disposal facilities on or adjacent to the Columbia Point Site.

SECTION 6. The board is hereby authorized to accept any federal or other funds, public or private, which may be or become available for the purposes of this act, and to accede to such conditions and obligations as may be imposed as a prerequisite to the availability of such funds, insofar as the same are consistent with law and the purposes of this act. Such funds may be expended in addition to those made available by this act.

SECTION 7. The provisions of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as amended, and all other general and special laws or parts thereof, which prohibit, restrict, limit or regulate the height, bulk, location or use of buildings, and the provisions of the Boston Building Code and of ordinances of the city of Boston shall be inapplicable to any building, structure, tunnel or facility constructed under this act.

SECTION 8. The executive office for administration and finance shall establish in the bureau of building construction a special unit to be assigned exclusively to the planning, development and supervision of construction of the University of Massachusetts campus as authorized by this act. The director of building construction may, with the approval of the commissioner of administration, temporarily assign any permanent or temporary employee of said bureau as may be required for the supervision of the project; provided, that the salaries and expenses of all such employees during the period of such assignment shall be paid from funds made available by this act, as a part of the cost of the development and construction of the project. No increase in the number of permanent positions in said bureau shall be allowed on account of this act.

SECTION 9. No expenditure shall be allowed from sums appropriated in this act for consultant services, so-called, or services coded in accordance with the expenditure code manual under the subsidiary title "03 Services-Non-employees" unless the rate of compensation for such services shall have been approved by the commissioner of administration. Said commissioner shall, immediately upon the approval of any such rate or rates, file copies of the schedule or schedules of approved rates with the comptroller and with the house and senate committees on ways and means. Before engaging such consultant services under said subsidiary title "03", as so coded, as "professional", the board or the director of building construction, as the case may be, 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 10. 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, 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-four. Notwithstanding any provisions of this act, such notes shall be general obligations of the commonwealth.

SECTION 11. To meet the expenditure necessary in carrying out the provisions of section two or to refinance notes issued as provided in section ten, 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 million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face University of Massachusetts Boston Campus Loan, Act of 1969, and shall be on the serial payment plan for such maximum term, not exceeding twenty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-five. *Approved August 29, 1969.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, August 29, 1969.

The Honorable JOHN F. X. DAVOREN, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Francis W. Sargent, 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 898 of the Acts of 1969, entitled "AN ACT TO PROVIDE FUNDS FOR THE ESTABLISHMENT OF A CAMPUS OF THE UNIVERSITY OF MASSACHUSETTS IN THE AREA KNOWN AS COLUMBIA POINT IN THE CITY OF BOSTON, AND TO AUTHORIZE THE ACQUISITION OF LAND AND THE PLANNING AND CONSTRUCTION OF IMPROVEMENTS THEREFOR." and the enactment of which received my approval on August 29, 1969, should take effect forthwith.

In order to provide funds immediately for the acquisition of land and the planning, construction, and development of urgently needed facilities for the University of Massachusetts at Columbia Point in the city of Boston, I declare this to be an emergency law and the above facts constitute the emergency.

Sincerely,

FRANCIS W. SARGENT,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, September 2, 1969.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Acting Governor of the Commonwealth of Massachusetts at eleven o'clock and twelve minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter eight hundred and ninety-eight of the acts of nineteen hundred and sixty-nine.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 899. AN ACT RELATIVE TO PLANS OF ACQUISITION IN RESPECT OF STOCK OF TRUST COMPANIES.

Be it enacted, etc., as follows:

Chapter 167A of the General Laws is hereby amended by inserting after section 4 the following section: —

Section 4A. 1. A company having capital stock divided into shares which desires to acquire all the capital stock of one or more corporations, organized under or subject to the provisions of chapter one hundred and seventy-two, shall, together with such corporation or corporations, submit in duplicate to the commissioner a written plan of acquisition of such stock. Such plan shall be in form satisfactory to the commissioner, shall specify each corporation the stock of which is to be ac-

quired by the company and shall prescribe the terms and conditions of the acquisition and the mode of carrying it into effect, including the manner of exchanging the shares of each of the corporations for shares or other securities of the company. Any such plan may provide for the payment of cash in lieu of the issuance of fractional shares of the company. At the time of submitting said written plan of acquisition of stock, an investigation fee of two hundred fifty dollars shall be paid to the commissioner by the company.

There shall also be submitted, in duplicate, with said plan of acquisition of stock, a certificate of the president or clerk or secretary of the company, certifying that such plan has been approved by the board of directors or other governing body of his company by a majority vote of all the members thereof, and a certificate of the president, secretary or treasurer of each corporation, the acquisition of all the capital stock of which is provided for, certifying that such plan has been approved by the board of directors of his corporation by a majority vote of all the members thereof, and that such plan was thereafter submitted to the stockholders of such corporation at a meeting thereof held upon notice of at least fifteen days, specifying the time, place and object of such meeting and addressed to each stockholder at the address appearing upon the books of the corporation and published at least once a week for two successive weeks in one newspaper in the county in which such corporation has its principal place of business and that such plan has been approved at such meeting by the vote of stockholders owning at least two thirds in amount of the stock of such corporation.

2. The commissioner shall examine the plan of acquisition of stock so submitted, and after making such investigation thereof as he deems appropriate he shall within sixty days after receipt thereof (*i*) either approve or disapprove such plan of acquisition in case such company is not, and would not upon the effectiveness of such plan become, a bank holding company, or (*ii*) submit such plan of acquisition, together with his recommendations in regard thereto, to the board of bank incorporation in case such company is, or would upon the effectiveness of such plan become, a bank holding company. In approving any such plan, the commissioner may attach such conditions thereto as he deems advisable.

3. At the time of submission to the commissioner of the written plan of acquisition of stock, the company shall, in case such plan requires the approval of the board of bank incorporation, file a petition with said board for approval of such plan, including the right to vote the stock of each corporation the acquisition of all the capital stock of which is provided for in such plan, and said board shall hold a public hearing thereon pursuant to the provisions of chapter thirty A. Such hearing shall be held within sixty days of the time of submission to said board of the commissioner's recommendations in respect to such plan. In determining whether or not to approve said petition the decision of the board shall be based on a finding whether or not competition among banking institutions will be unreasonably affected, and whether or not public convenience and advantage will be promoted. Such decision shall be rendered within sixty days of the conclusion of the public hearing and shall be subject to review in the manner provided for in chapter thirty A.

4. If the commissioner or the board of bank incorporation, as the case may be, shall approve such plan of acquisition, the commissioner or such board shall endorse his or its approval thereon and a copy of the plan bearing such endorsement shall be filed within thirty days thereafter in the office of the commissioner or such board, as the case may be. Upon such filing, the plan, and the acquisition or acquisitions provided for therein, shall become effective, unless a later date is specified in the plan, in which event the plan and such acquisition or acquisitions shall become effective upon such later date.

5. A stockholder of any such corporation which shall have approved such plan of acquisition, who objects to such action, in the manner provided in section eighty-six of chapter one hundred and fifty-six B, shall be entitled, if such plan shall have become effective, to demand payment for his stock from the company and an appraisal thereof in accordance with the provisions of sections eighty-six to ninety-eight, inclusive, of chapter one hundred and fifty-six B, which provisions, as modified for the purposes of this paragraph by the provisions hereof, are hereby made applicable in all such cases, and such stockholder and the company shall have the rights and duties and follow the procedure set forth in said sections. For the purposes of this paragraph, in applying the provisions of said sections eighty-six to ninety-eight, such corporation shall be deemed to have been merged into the company as a result of such plan and the company shall be deemed to be the resulting or surviving corporation.

6. Any corporation organized under or subject to the provisions of chapter one hundred and seventy-two shall have power to organize a company for the purposes contemplated by this section; and in connection with such organization and the development of a plan of acquisition any such corporation may incur organization and other expenses in such amounts, in the aggregate, not exceeding two per cent of its capital stock, surplus account and guaranty fund, as the commissioner may approve.

7. Any such company shall engage directly or indirectly only in such activities as are now or may hereafter be proper activities for bank holding companies registered under the Federal Bank Holding Company Act of 1956, including, without limiting the generality of the foregoing, the issuance and sale of commercial paper.

Approved August 29, 1969.

Chap. 900. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO PAY A CERTAIN SUM OF MONEY TO THE SALEM ENGINEERING & CONSTRUCTION COMPANY, CORP.

Be it enacted, etc., as follows:

SECTION 1. In order to discharge a moral obligation, the metropolitan district commission is hereby authorized and directed to pay the Salem Engineering & Construction Company, Corp., a New Hampshire corporation, the sum of twelve thousand seven hundred and eighty dollars, which amount is in payment of a claim for services rendered by said corporation for said commission under the provisions of "Metropolitan District Commission Parks Division Contract No. 1464, Pro-

posed Sanitary Sewer and Pump House Rehabilitation, Castle Island, South Boston District of Boston", and which amount cannot be recovered because action was not brought within the time fixed by law.

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

Approved September 3, 1969.

Chap. 901. AN ACT PROVIDING FOR A SECOND ASSISTANT CLERK IN THE DISTRICT COURT OF SOUTHERN NORFOLK.

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 third sentence and inserting in place thereof the following sentence: — Second assistant clerks with salaries payable by the county may be appointed in the municipal court of the Roxbury district, the East Boston district court, the municipal court of the Charlestown district, the municipal court of the Dorchester district, the municipal court of the Brighton district, the municipal court of the West Roxbury district, the municipal court of the South Boston district, the central district court of Worcester, the district court of Newton, the district court of Brockton, the second district court of Plymouth, the first district court of Barnstable, the district court of Lawrence, 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 second district court of eastern Middlesex, the third district court of eastern Middlesex, the fourth district court of eastern Middlesex, the district court of Lowell, the district court of Hampshire, 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 southern Norfolk, the district court of Somerville and the district court of Chelsea.

Approved September 3, 1969.

Chap. 902. AN ACT INCREASING THE SALARY OF THE CLERK OF THE FOURTH DISTRICT COURT OF BRISTOL AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS OFFICIAL DUTIES.

Be it enacted, etc., as follows:

SECTION 1. Class IV of paragraph 1 of section 79 of chapter 218 of the General Laws is hereby amended by striking out the line reading "fourth district court of Bristol,".

SECTION 2. Class V of said paragraph 1 of said section 79 of said chapter 218, as appearing in section 3 of chapter 818 of the acts of 1967, is hereby amended by inserting after the line reading "second district court of Bristol," the following line: — fourth district court of Bristol,.

Approved September 3, 1969.

Chap. 903. AN ACT REQUIRING THE BOARD OF FIRE PREVENTION REGULATIONS TO MAKE RULES AND REGULATIONS FOR THE KEEPING, STORAGE, MANUFACTURE, SALE AND USE OF MODEL ROCKET ENGINES AND FOR THE LAUNCHING, OPERATION AND FLYING OF MODEL ROCKETS.

Be it enacted, etc., as follows:

Chapter 148 of the General Laws is hereby amended by inserting after section 9 the following section: —

Section 9A. The board shall make rules and regulations for the keeping, storage, manufacture, sale and use of model rocket engines and for the launching, operation and flying of model rockets in accordance with nationally recognized standards for model rocketry as promulgated by the National Fire Protection Association. As used in this section, "model rocket engine" shall mean a solid propellant rocket engine produced by a commercial manufacturer in which all chemical ingredients of a combustible nature are preloaded and ready for use, and "model rocket" shall mean an aero model that ascends into the air without use of aerodynamic lifting forces against gravity that is propelled by means of a model rocket engine that includes a device for returning it to the ground in a condition to fly again and whose structural parts are made of nonmetallic material. *Approved September 3, 1969.*

Chap. 904. AN ACT INCREASING THE STATE SCHOOL CONSTRUCTION GRANTS FOR REGIONAL SCHOOL DISTRICTS IN WHICH ALL THE MEMBER CITIES AND TOWNS ARE IN DEPRESSED AREAS.

Be it enacted, etc., as follows:

Clause (*b*) of section 9 of chapter 645 of the acts of 1948, as most recently amended by section 2 of chapter 467 of the acts of 1963, is hereby amended by inserting after the word "cost", in line 8, the following: — ; and provided, further, that regional school districts in which all the member municipalities are designated as depressed areas or which have substantial or persistent unemployment shall be eligible for maximum state aid from the school building assistance commission for new construction. For the purpose of this clause a depressed area shall be considered as cities and towns which are designated as Groups D, E or F, in "Area Trends in Employment and Unemployment" published by the United States Department of Labor or which are listed in said publication as areas which have substantial or persistent unemployment, and that the basis for the eligibility of a regional school district for maximum state aid for new school construction for any buildings initiated thereafter shall be the October-November issue of "Area Trends in Employment and Unemployment" by the United States Department of Labor in the year in which, or the year preceding, said regional school districts request such assistance;. *Approved September 3, 1969.*

Chap. 905. 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 COURT HOUSE OF THE FIRST DISTRICT COURT OF EASTERN 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 eastern Middlesex, the county commissioners of Middlesex county may plan, erect, equip and furnish an addition to, and provide for the alteration of, said accommodations and facilities. Said commissioners may take by eminent domain or acquire, by purchase or otherwise, any land and buildings that may be necessary for the purpose of this act, including a sufficient area for parking of 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 amounts as may be necessary, not exceeding, in the aggregate, one million seven 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 to be expended hereunder.

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, one million seven hundred thousand dollars and may issue bonds or notes of the county therefor which shall bear on their face the words, First District Court of Eastern Middlesex Court House Loan, Act of 1969. 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 said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than the par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved September 4, 1969.

Chap. 906. AN ACT PROVIDING FOR THE CONSTRUCTION AND ADMINISTRATION OF RECREATIONAL FACILITIES BY THE DEPARTMENT OF NATURAL RESOURCES AND THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

SECTION 1. The department of natural resources, hereinafter called the department, is hereby authorized and directed to expend a sum not to exceed ten million dollars, in addition to any other appropriations which may have heretofore been made, for projects for the construction and development, redevelopment and improvement of swimming pools, swimming areas, skating rinks and associated facilities throughout the commonwealth outside the metropolitan parks district, including all expenses in connection therewith, including the costs of

engineering, site feasibility tests and the cost of planning therefor and the design thereof. The department shall prepare and publish a plan setting forth the areas in which said pools and rinks are to be constructed and setting forth the criteria and standards employed in selecting said areas, and said areas shall be chosen in accordance therewith.

SECTION 2. In accordance with chapter five hundred and one of the acts of nineteen hundred and sixty-eight, the department shall designate the department of public works as its contracting agent to design and construct such swimming pools, swimming areas, skating rinks or associated facilities and the department shall allocate to the department of public works such funds as may be required for engineering, tests, design and construction, provided that the department shall establish and approve the criteria and design of all such facilities, and further provided that all such facilities shall, upon completion, be held and administered by the department under the provisions of chapter one hundred and thirty-two A of the General Laws. Notwithstanding any contrary provision of law, plans, specifications and contracts necessary to construct the recreational facilities authorized by this act shall not be subject to the approval, control or jurisdiction of the executive office for administration and finance, the bureau of building construction or the bureau of state buildings.

SECTION 3. The land necessary for these facilities and associated parking shall be provided by the city or town in which the facility is to be located on a site approved by the department and the department of public works, and said land shall be transferred to the department. For this purpose, a city or town may acquire by eminent domain or by purchase, gift, or otherwise, such land or rights in land as may be necessary, and may transfer to the department any land. Such city or town shall provide all necessary utilities at the site at no cost to the commonwealth.

SECTION 4. The department may enter into contracts with agencies of the United States, including but not limited to the Department of the Interior and the Department of Housing and Urban Development, to obtain federal funds, grants or reimbursements.

SECTION 5. No expenditure shall be made 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. Said commissioner shall, immediately upon the approval of any such rate, file copies of the schedule or schedules of approved rates with the comptroller and with the house and senate committees on ways and means. Before engaging such consultant services under the subsidiary title "03", as so coded, as "Professional", the department shall certify to the budget director that funds are available for the purpose and shall then file a statement of intent with the budget director, the comptroller and the house and senate committees on ways and means. Such statement shall include the rate of compensation, the period of time for which the services are to be engaged or scope of work to be done, and such other pertinent information as may be necessary to establish the maximum limit of the commonwealth's obligation.

SECTION 6. To meet the expenditure necessary in carrying out the provisions of 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 ten million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Department of Natural Resources Recreational Facilities Capital Outlay Loan, Act of 1969, 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, maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-five.

SECTION 7. All interest payments and payments on account of principal on the bonds authorized by this act shall be paid from the State Recreation Areas Fund, established by section ten of chapter one hundred and thirty-two A of the General Laws.

Approved September 4, 1969.

Chap. 907. AN ACT PROVIDING THAT CERTAIN LICENSES ISSUED OR TO BE ISSUED FOR PURPOSE OF MAINTAINING FILL OR ERECTING STRUCTURES OVER CERTAIN FORMER TIDEWATER AREAS IN LYNN HARBOR BE IRREVOCABLE.

Be it enacted, etc., as follows:

SECTION 1. The licenses granted by the harbor and land commissioners, being licenses numbered 1928, 1992 and 3683 dated June eight, eighteen hundred and ninety-six, February twenty-four, eighteen hundred and ninety-seven, and June four, nineteen hundred and twelve, respectively, and the license granted by the department of public works, being license numbered 5008 dated January twelve, nineteen hundred and sixty-six, to construct and maintain dikes and to place and maintain solid fill in certain tidewaters in the city of Lynn, shall, notwithstanding any provision of general or special law to the contrary, be irrevocable; provided, however, that applicable provisions of chapter ninety-one of the General Laws are or have been complied with, and 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 licenses, 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 four per cent annually from the date any such cost was incurred.

SECTION 2. Any license hereafter granted by the department of public works or any successor authority pursuant to chapter ninety-one of the General Laws to fill or maintain fill or to erect or maintain pile or other structures on parts of the area shown as lots 2A, 2B and 2C on "Plan

of land belonging to Etta B. Lamper Estate, et. al., Situated in Lynn, Mass., February 10, 1956, Bradford and Weed, Civil Engineers, Lynn, Mass.", recorded in Essex South registry of deeds Plan Book 87, Plan 97, 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, that the payment of compensation for the assessment of tidewater displacement 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 four per cent annually from the date any such cost was incurred.

Approved September 5, 1969.

Chap. 908. AN ACT PROVIDING THAT CERTAIN LICENSES FOR THE PURPOSE OF MAINTAINING EXISTING SOLID FILL, PLACING AND MAINTAINING SOLID FILL AND THE ERECTING AND MAINTAINING OF CERTAIN BUILDINGS IN CERTAIN TIDEWATERS OF THE MALDEN RIVER AND ADJOINING TIDAL CREEKS IN THE CITY OF EVERETT BE IRREVOCABLE.

Be it enacted, etc., as follows:

SECTION 1. License numbered 177 granted by the Port of Boston Authority to the City of Everett on April twentieth, nineteen hundred and fifty-one to maintain existing fill and to place and maintain solid fill in certain tidewaters of the Malden river and adjoining tidal creeks in the city of Everett, shall, notwithstanding any provision of law to the contrary, be irrevocable; provided, however, that applicable provisions of chapter ninety-one of the General Laws are or have been complied with, and 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 four per cent annually from the date any such cost was incurred.

SECTION 2. License numbered 5461, granted by the department of public works to Avco Corporation on November sixth, nineteen hundred and sixty-eight, to maintain existing solid fill, to place and maintain solid fill and to erect and maintain buildings in filled areas in and over the tidewaters of Malden river and adjoining tidal creeks in the city of Everett, shall, notwithstanding any provision of law to the contrary, be irrevocable; provided, however, that applicable provisions of chapter ninety-one of the General Laws are or have been complied with, and 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 four per cent annually from the date any such cost was incurred.

SECTION 3. All licenses or permits granted or hereafter granted by the metropolitan district commission or other authority having jurisdiction in the matter to Avco Corporation to maintain existing solid fill, to place and to maintain solid fill, and to erect and maintain buildings in filled areas in the parcel of land situated in the city of Everett as hereinafter described and in tidewaters of the Malden River and adjoining tidal creeks in the city of Everett, shall, notwithstanding any provision of general or special law to the contrary, be irrevocable; said parcel of land being more particularly described as follows: a certain parcel of land in Everett, Middlesex County, Massachusetts, on Santilli Highway, Revere Beach Parkway and Malden River, containing 821,870 square feet, more or less, shown on a plan entitled "Remainder of O'Riordan Estate, Santilli Highway, Everett, Massachusetts", dated November 1966, Thomas DeLeo, City Engineer, recorded in Middlesex South Registry of Deed Book 11268, Page 251; provided, however, that applicable provisions of chapter ninety-one of the General Laws and of chapter six hundred and forty-seven of the acts of nineteen hundred and fifty-seven are or have been complied with, and that if the commonwealth or any of its political subdivisions shall take, within ten years after each such license or permit is granted, any land which has the benefit of such license or permit, 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 four per cent annually from the date any such cost was incurred.

Approved September 5, 1969.

Chap. 909. AN ACT PROVIDING FOR DEDUCTING CERTAIN ESTIMATED RECEIPTS IN COMPUTING THE AMOUNT FOR WHICH TAXES ARE TO BE ASSESSED IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section 4A of chapter 717 of the acts of 1957 is hereby amended by adding after the word "year", in line 15, the words: — ; provided, however, that anything in this section to the contrary notwithstanding, deductions may be made on account of estimated receipts for general health supplies, care, services and accommodations up to such amounts as the rate setting commission in the executive office for administration and finance shall approve as likely to be received during the year.

Approved September 5, 1969.

RESOLVES.

Chap. 1. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE JUDICIAL COUNCIL RELATIVE TO THE FEASIBILITY OF LOWERING THE AGE OF MAJORITY TO EIGHTEEN YEARS.

Resolved, That the judicial council be requested to make an investigation and study relative to the feasibility of lowering the age of majority to eighteen years, and to include its conclusions and its recommendations, if any, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved February 5, 1969.*

Chap. 2. RESOLVE PROVIDING FOR THE ERECTION IN THE HOUSE CHAMBER OF A MEMORIAL CONTAINING THE TEXT OF THE ADDRESS WHICH JOHN F. KENNEDY, AS PRESIDENT-ELECT, DELIVERED TO A JOINT CONVENTION OF THE TWO BRANCHES OF THE GENERAL COURT ON JANUARY NINTH, NINETEEN HUNDRED AND SIXTY-ONE.

Resolved, That the art commission for the commonwealth is hereby authorized and directed to cause to be placed in the chamber of the house of representatives a memorial of bronze or other appropriate material containing the address which John F. Kennedy, as President-elect of the United States, delivered to a joint convention of the two branches of the general court on January ninth, nineteen hundred and sixty-one. In determining the form of such memorial, said commission shall consult with the house committee on rules and the council on the arts and humanities and shall cause said memorial to be officially installed in the chamber of the house of representatives with appropriate ceremonies on Thursday, May twenty-ninth, nineteen hundred and sixty-nine. *Approved February 5, 1969.*

Chap. 3. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO DEVELOPING A MASTER PLAN AND PROGRAM FOR TAXATION WITHIN THE COMMONWEALTH AND AUTHORIZING SAID COMMISSION TO TRAVEL WITHOUT THE COMMONWEALTH.

Resolved, That the special commission established by chapter one hundred and sixty-two of the resolves of nineteen hundred and sixty-seven is hereby revived and continued. Said commission is hereby authorized to travel without the commonwealth. Said commission may report from time to time to the general court.

Approved February 20, 1969.

Chap. 4. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE EXTENT OF THE USE OF HARMFUL, INJURIOUS OR ILLEGAL DRUGS WITHIN THE COMMONWEALTH.

Resolved, That the special commission established by chapter one hundred and sixty-four of the resolves of nineteen hundred and sixty-seven is hereby revived and continued.

Approved February 28, 1969.

Chap. 5. RESOLVE REVIVING AND CONTINUING CERTAIN SPECIAL COMMISSIONS.

Resolved, That the special commissions established under the provisions of chapters seventy-seven of the resolves of nineteen hundred and fifty-two, eighty-nine of the resolves of nineteen hundred and sixty-one, eighty-eight, one hundred and twenty-nine and one hundred and thirty-eight of the resolves of nineteen hundred and sixty-two, seventy, seventy-four and one hundred and thirty-six of the resolves of nineteen hundred and sixty-three, seventy-two and eighty-two of the resolves of nineteen hundred and sixty-four, sixty-five, seventy-nine, eighty, eighty-eight, ninety-four, ninety-six, one hundred and nineteen, one hundred and twenty-six, one hundred and thirty, one hundred and thirty-six, one hundred and thirty-nine, one hundred and forty-one and one hundred and forty-three of the resolves of nineteen hundred and sixty-five, twenty-four, thirty-five, forty-eight, sixty-one, seventy-seven, seventy-nine, eighty-six, ninety, one hundred and eight, one hundred and ten and one hundred and eleven of the resolves of nineteen hundred and sixty-six, fifty, fifty-one, sixty-one, sixty-six, ninety-eight, ninety-nine, one hundred and twenty-six, one hundred and thirty, one hundred and thirty-one, one hundred and forty-six and one hundred and fifty of the resolves of nineteen hundred and sixty-seven and seventeen, seventy-seven and ninety-seven of the resolves of nineteen hundred and sixty-eight are hereby revived and continued. *Approved March 25, 1969.*

Chap. 6. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE BOARD OF EDUCATION RELATIVE TO THE FEASIBILITY OF SETTING UP A CONTINUING PROGRAM OF EDUCATION FOR THE ELDERLY.

Resolved, That the board of education in the department of education is hereby authorized and directed to make an investigation and study relative to the feasibility of setting up a continuing program of education for the elderly. Said board shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry 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-nine. *Approved April 3, 1969.*

Chap. 7. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO LIMITING THE REMARRIAGE OF DIVORCED PARTIES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 3493, relative to limiting the remarriage of divorced parties, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved April 8, 1969.*

Chap. 8. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PERMITTING A JUDGE OF PROBATE TO ORDER A HUSBAND OR WIFE TO VACATE THE MARITAL HOME.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 671, relative to permitting a judge of probate to order a husband or wife to vacate the marital home, 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 17, 1969.*

Chap. 9. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS AND THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE CLEANING OF CERTAIN BROOKS.

Resolved, That the department of public works, acting through its division of waterways, and the department of natural resources, acting as a joint board, are hereby authorized and directed to make an investigation and study relative to the dredging and cleaning of North Branch brook of the Mill river in the town of Wilbraham and the South Branch brook of the Mill river in the city of Springfield and the towns of Hampden and Wilbraham and the feasibility of promoting the area for recreational facilities. Said board shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry 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 seventy. *Approved May 6, 1969.*

Chap. 10. RESOLVE CONTINUING AN ANNUITY FOR JAMES J. MURPHY OF FALL RIVER, A FORMER MEMBER OF THE STATE POLICE.

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury to James J. Murphy of Fall River, formerly a member of the state police, an annuity of twelve hundred dollars per year, payable in equal monthly installments, for a period of five years commencing June first, nineteen hundred and sixty-nine. Said annuity shall cease upon

the death of said James J. Murphy if it occurs prior to the expiration of said period of five years. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said James J. Murphy that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the maximum amount payable hereunder.

Approved May 9, 1969.

Chap. 11. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO CONSTRUCTING FISH LADDERS ON THE OBSTRUCTIONS IN THE LITTLE RIVER AND WESTFIELD RIVER.

Resolved, That the department of natural resources, through its division of fisheries and game, 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 3296, relative to constructing fish ladders on the obstructions in the Little river and Westfield river. 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 seventy. *Approved May 14, 1969.*

Chap. 12. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR ENFORCEMENT IN THE DISTRICT COURTS OF CERTAIN ORDERS AND DECREES OF THE PROBATE COURT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1650, relative to providing for enforcement in the district courts of certain orders and decrees of the probate court, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved May 14, 1969.*

Chap. 13. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE FURNISHING OF ERRONEOUS INFORMATION BY A CREDIT RATING BUREAU OR ANY PERSON OR ORGANIZATION WHICH FURNISHES CREDIT RATING INFORMATION.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 3870, relative to the furnishing of erroneous information by a credit rating bureau or any person or organization which furnishes credit rating information, 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 14, 1969.

Chap. 14. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT AN APPEAL SHALL BE ALLOWED TO THE SUPREME JUDICIAL COURT FROM A DISPOSITION OF PROBATION OR A SUSPENDED SENTENCE WHERE PROBATION HAS BEEN GIVEN.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 667, relative to providing that an appeal shall be allowed to the supreme judicial court from a disposition of probation or a suspended sentence where probation has been given, 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 15, 1969.*

Chap. 15. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ESTABLISHING STATUTORY TRUSTEES' POWERS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 1319, relative to establishing statutory trustees' powers, 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 15, 1969.*

Chap. 16. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF MERGING THE LOWELL TECHNOLOGICAL INSTITUTE OF MASSACHUSETTS AND THE STATE COLLEGE AT LOWELL.

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 member of the board of higher education, one a member of the faculty of the Lowell Technological Institute of Massachusetts and one a member of the faculty of the state college at Lowell, is hereby established for the purpose of making an investigation and study relative to the feasibility of merging the Lowell Technological Institute and the state college at Lowell. *Approved May 20, 1969.*

Chap. 17. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO CONFORMING CERTAIN PROVISIONS OF THE SMALL LOANS LAW TO THE UNIFORM COMMERCIAL CODE.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1249, relative to conforming certain provisions of the small loans law to the Uniform Commercial Code, 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 20, 1969.*

Chap. 18. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO EXEMPTING CERTAIN PROPERTY FROM EXECUTION.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 3488, relative to exempting certain property from execution, 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 20, 1969.*

Chap. 19. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE REVISION OR REVOCATION OF CERTAIN SENTENCES IMPOSED UPON PLEA OF GUILTY OR NOLO CONTENDERE.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 4458, relative to the revision or revocation of certain sentences imposed upon plea of guilty or nolo contendere, 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 20, 1969.*

Chap. 20. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO INCREASING THE AMOUNT OF EXEMPTION ALLOWED BY LAW TO OWNERS OF ESTATES OF HOMESTEAD.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1644, relative to increasing the amount of exemption allowed by law to owners of estates of homestead, 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, 1969.*

Chap. 21. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROTECTING CONFIDENTIAL COMMUNICATIONS OF PERSONS ADDICTED TO THE EXCESSIVE USE OF ALCOHOLIC BEVERAGES AND BEING TREATED IN ALCOHOLIC CLINICS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 4956, relative to protecting confidential communications of persons addicted to the excessive use of alcoholic beverages and being treated in alcoholic clinics, 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, 1969.*

Chap. 22. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR PROCEEDINGS IN FORMA PAUPERIS IN THE COURTS OF THE COMMONWEALTH.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 668, relative to providing for proceedings in forma pauperis in the courts of the commonwealth, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved May 27, 1969.*

Chap. 23. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PERMITTING AN INDIVIDUAL TO PROSECUTE OR DEFEND ANY ACTION OR APPEAL IN ANY COURT WITHOUT THE PAYMENT OF AN ENTRY FEE BY PROCEEDING IN FORMA PAUPERIS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 348, relative to permitting an individual to prosecute or defend any action or appeal in any court without the payment of an entry fee by proceeding in forma pauperis, 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 27, 1969.*

Chap. 24. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO INCREASING HOMESTEAD EXEMPTIONS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1240, relative to increasing homestead exemptions, 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 27, 1969.*

Chap. 25. RESOLVE 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 by chapter five of the resolves of nineteen hundred and sixty-nine, shall, in the course of its investigation and study, consider the subject matter of the investigation and study proposed by current house documents numbered 520, relative to the feasibility of adopting the Michigan proposal for a department of family relations and 1421, relative to the advisability of establishing a family court system in the commonwealth.

Approved June 3, 1969.

Chap. 26. RESOLVE FURTHER CONTINUING THE INVESTIGATION AND STUDY BY A JOINT BOARD RELATIVE TO THE COLLECTION AND DISPOSAL OF SEWAGE IN CERTAIN MUNICIPALITIES IN THE COUNTY OF WORCESTER.

Resolved, That the department of public health, the department of community affairs, the metropolitan district commission and the Central Massachusetts Regional Planning District, acting as a joint board, is hereby authorized and directed to continue the investigation and study authorized by chapter one hundred and two of the resolves of nineteen hundred and sixty-six and continued by chapter thirteen of the resolves of nineteen hundred and sixty-seven relative to the collection, treatment and disposal, at a regional facility or otherwise, of sanitary sewage and industrial waste originating in the city of Worcester and the towns of Auburn, Boylston, Douglas, Grafton, Holden, Leicester, Millbury, Northbridge, Paxton, Princeton, Rutland, Shrewsbury, Sutton, Uxbridge and West Boylston, and to prepare estimates of the costs thereof. Said board shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry 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-nine. *Approved June 3, 1969.*

Chap. 27. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING COURTS TO MAKE RULES PROVIDING FOR SERVICE OF PROCESS BY REGISTERED MAIL.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 5000, Appendix A, relative to authorizing courts to make rules providing for service of process by registered mail, 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 5, 1969.*

Chap. 28. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE EXTENT OF THE USE OF HARMFUL, INJURIOUS OR ILLEGAL DRUGS WITHIN THE COMMONWEALTH.

Resolved, That the special commission established by chapter one hundred and sixty-four of the resolves of nineteen hundred and sixty-seven and revived and continued by chapter four of the resolves of the current year shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 661, requiring that high school students be furnished information relative to the harmful effects of narcotic drugs; 2463, requiring courses to be taught in certain grades of the public schools, relating to the harmful effects of the illegal use of drugs and narcotics; and 2971, establishing mandatory courses in public schools on the harmful effects of certain drugs.

Approved June 10, 1969.

Chap. 29. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO DEVELOPING A MASTER PLAN AND PROGRAM FOR TAXATION WITHIN THE COMMONWEALTH.

Resolved, That the special commission established by chapter one hundred and sixty-two of the resolves of nineteen hundred and sixty-seven and revived and continued by chapter three of the resolves of the current year shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 1046, providing for reasonable assessments for police and fire protection to owners of certain real property exempt from taxation; 1047, providing for taxation of faculty houses and dormitories of literary and educational institutions; 1049, providing for the imposition of a service charge in lieu of taxes on all tax exempt institutions in the city of Boston; 1050, to provide for the taxation of faculty houses and dormitories of literary and educational institutions; 1088, requiring local consent to the exemption from local taxation of real estate acquired by or in trust for a charitable organization after June thirtieth in the current year; and of current house documents numbered 762, providing a tax ceiling of seven per cent on fair assessed market value of real property within the confines of the commonwealth — tax in excess shall be illegal and void, seven per cent clause shall also apply to limit of tax on corporate income tax; 1338, to tax commercial activities of charitable and certain other tax exempt organizations; of the study proposed by current house document numbered 1523, relative to the impact and possible remedies for private school tax exemptions as applied to cities and towns; of the investigation and study proposed by current house document numbered 2117, relative to the centralized collection, by the commonwealth, of property taxes on industrial plants and redistribution among neighboring municipalities according to a formula of need; of current house documents numbered 2416, that provision be made for the taxation of faculty houses and dormitories of literary and educational institutions; 2417, authorizing cities and towns to impose charges on certain tax-exempt institutions, including public authorities, for fire protection services actually provided, and authorizing certain other negotiated arrangements; 3150, limiting the tax exemption of certain agricultural and horticultural societies; 3157, directing the Massachusetts Port Authority to contribute a certain sum to the city of Chelsea as reimbursement for loss of tax revenue as a result of land takings by said Authority; 3378, limiting taxes on real estate for the year nineteen hundred and sixty-nine; 4290, freezing real estate tax rates; and of the subject matter of the investigations and studies proposed by current house documents numbered 4301, relative to the feasibility of establishing a ceiling on real estate taxes along the lines of the state of Pennsylvania procedures; and 4535, relative to developing a master plan and program for taxation within the commonwealth.

Approved June 10, 1969.

Chap. 30. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE GRAND JURY SYSTEM OF THE COMMONWEALTH.

Resolved, That the special commission established by chapter ninety of the resolves of nineteen hundred and sixty-six and most recently revived and continued by chapter five of the resolves of the current year shall, in the course of its investigation and study, consider the subject matter of the investigation and study proposed by current house document numbered 1034, relative to the method of selecting jurors and any other related matters; and of the subject matter of the investigation and study proposed by current house document numbered 4443, relative to the feasibility of adopting the federal jury selection act for use in the courts of the commonwealth. *Approved June 10, 1969.*

Chap. 31. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING THE CITY CLERK OF HAVERHILL AND THE STATE SECRETARY TO CHANGE A CERTAIN RECORD.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 4766, relative to authorizing the city clerk of Haverhill and the state secretary to change a certain record, 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 10, 1969.*

Chap. 32. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PUNISHMENTS FOR CORPORATIONS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2240, providing punishments for corporations, 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 10, 1969.*

Chap. 33. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO DEFINING THE CRIMINAL LIABILITY OF CORPORATIONS AND ESTABLISHING CRIMINAL LIABILITY OF INDIVIDUALS FOR CORPORATE CONDUCT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2241, defining the criminal liability of corporations and establishing criminal liability of individuals for corporate conduct, and to include its conclusions and 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 10, 1969.*

Chap. 34. RESOLVE CONTINUING THE STUDY BY THE METROPOLITAN DISTRICT COMMISSION OF THE DIVERSION OF EXCESS WATER FROM MILLERS RIVER AND OTHER SOURCES INTO QUABBIN RESERVOIR.

Resolved, That the metropolitan district commission, directed by chapter six hundred and six of the acts of nineteen hundred and sixty-four, as amended by sections one and two of chapter four hundred and thirty-nine of the acts of nineteen hundred and sixty-six and by chapter forty-six of the resolves of nineteen hundred and sixty-seven, to make a study of and prepare plans for the diversion of excess water from Millers river and other sources into Quabbin reservoir, is hereby authorized and directed to continue said study and preparation of said plans. Said commission shall report to the general court the results of its study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday in December, nineteen hundred and seventy. *Approved June 16, 1969.*

Chap. 35. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE LAWS OF THE COMMONWEALTH RELATIVE TO EMINENT DOMAIN.

Resolved, That the special commission, established by chapter one hundred and forty-one of the resolves of nineteen hundred and sixty-five, and most recently revived and continued by chapter five of the resolves of nineteen hundred and sixty-nine, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 47, of the investigation and study proposed by current senate document numbered 48, and the subject matter of current senate documents numbered 626, 635, 636 and 655 and of current house documents numbered 36, 201, 202, 694, 1035, 1407, 1932, 2238, 2255, 2509, 2734, 2736, 2746, 3269 and 4454.

Approved June 16, 1969.

Chap. 36. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING SPECIAL JUSTICES OF THE DISTRICT COURTS TO SIT IN THE SUPERIOR COURT ON MOTOR TORT CASES AND IN MISDEMEANOR SESSIONS IN CRIMINAL CASES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 3691, relative to authorizing special justices of the district courts to sit in the superior court on motor tort cases and in misdemeanor sessions 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 June 16, 1969.

Chap. 37. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE FINANCES AND OPERATION OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY AND AUTHORIZING SAID COMMISSION TO REPORT FROM TIME TO TIME.

Resolved, That the special commission established by chapter one hundred and twenty-six of the resolves of nineteen hundred and sixty-seven, and most recently revived and continued by chapter five of the resolves of nineteen hundred and sixty-nine, shall, in the course of its investigation and study consider the subject matter of current senate document numbered 1095, providing that the general court shall establish the fares on lines of the Massachusetts Bay Transportation Authority. Said commission may report from time to time.

Approved June 18, 1969.

Chap. 38. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO DEVELOPING A MASTER PLAN AND PROGRAM FOR TAXATION WITHIN THE COMMONWEALTH.

Resolved, That the special commission established by chapter one hundred and sixty-two of the resolves of nineteen hundred and sixty-seven, and revived and continued by chapter three of the resolves of the current year, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 2217, to further regulate off-track betting by licensing thereof; and 2225, establishing the pari-mutuel off-track wagering agency and providing for off-track wagering. *Approved June 18, 1969.*

Chap. 39. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE FINANCES AND OPERATION OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Resolved, That the special commission, established by chapter one hundred and twenty-six of the resolves of nineteen hundred and sixty-seven and most recently revived and continued by chapter five of the resolves of the current year, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 3834, relative to reducing the fare on surface lines of the Massachusetts Bay Transportation Authority to ten cents; 3840, authorizing and directing the Massachusetts Bay Transportation Authority to establish reduced fares for students attending institutions of higher learning in the commonwealth; 3841, requiring the Massachusetts Bay Transportation Authority to hold a public hearing before proposed changes in fares may be approved by the advisory board; 4307, authorizing the Massachusetts Bay Transportation Authority to issue special permits providing for a reduced fare to residents of certain communities; and 4545, authorizing and directing the Massachusetts Bay Transportation Authority to establish a certain fare program.

Approved June 18, 1969.

Chap. 40. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE CONNECTION OF THE VARIOUS ISLANDS OF BOSTON HARBOR TO EACH OTHER AND TO THE MAINLAND, AND RELATIVE TO THE USE AND DEVELOPMENT OF CERTAIN OTHER LANDS AND AUTHORIZING SAID COMMISSION TO REPORT FROM TIME TO TIME.

Resolved, That the special commission established by chapter eighty-six of the resolves of nineteen hundred and sixty-six and most recently revived and continued by chapter five of the resolves of nineteen hundred and sixty-nine shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 159, relative to authorizing the department of natural resources to acquire islands in Boston harbor for outdoor recreation purposes, and to develop and maintain the same. Said commission may report from time to time.

Approved June 24, 1969.

Chap. 41. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE EXTENT OF THE USE OF HARMFUL, INJURIOUS OR ILLEGAL DRUGS WITHIN THE COMMONWEALTH.

Resolved, That the special commission established by chapter one hundred and sixty-four of the resolves of nineteen hundred and sixty-seven, and revived and continued by chapter four of the resolves of the current year, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 76, amending the drug addiction legislation; 169, classifying a drug as a harmful drug in cases of emergency; 743, extending the definition of a drug addict to include certain persons dependent upon harmful drugs; 744, extending the time within which certain examinations of drug addicts may be conducted; 2602, providing for the establishment of a hospital for the treatment of drug addicts and certain persons who use narcotic or harmful drugs; 2854, relative to the distribution of harmful or injurious medicines; 3119, further defining harmful drugs; 3368, extending the definition of harmful drug; 3570, authorizing and directing the department of mental health to establish regional treatment centers for the treatment of drug addicts and users; 3803, authorizing the department of public health to establish clinics for the treatment of users of harmful drugs in Suffolk county; and of the investigation and study proposed by current house documents numbered 4043, relative to the use of narcotics and the laws pertaining thereto; and 4047, relative to the advisability of implementing the methadome maintenance treatment program for heroin addicts in the commonwealth.

Approved June 30, 1969.

Chap. 42. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO INCREASING A SPOUSE'S SHARE OF PROPERTY NOT DISPOSED OF BY WILL.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 347, relative to

increasing a spouse's share of property not disposed of by will, 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 30, 1969.

Chap. 43. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO MAKING PROVISION FOR INJUNCTIVE RELIEF FOR THE UNAUTHORIZED USE OF THE NAME, PORTRAIT OR PICTURE OF A PERSON.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2248, relative to making provision for injunctive relief for the unauthorized use of the name, portrait or picture of a person, 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 30, 1969.*

Chap. 44. RESOLVE EXTENDING THE TIME WITHIN WHICH THE METROPOLITAN DISTRICT COMMISSION AND THE DEPARTMENT OF NATURAL RESOURCES SHALL COMPLETE THEIR JOINT INVESTIGATION AND STUDY RELATIVE TO AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES TO CARRY OUT CERTAIN WATER MANAGEMENT PROJECTS ON THE NEPONSET RIVER AND TO ACQUIRE CERTAIN LANDS ADJACENT TO THE RIVER FOR CONSERVATION AND RECREATION PURPOSES.

Resolved, That the time within which the metropolitan district commission and the department of natural resources are required to complete their joint investigation and study authorized by chapter seventy-two of the resolves of nineteen hundred and sixty-eight and file their final report is hereby extended to the fourth Wednesday in December, nineteen hundred and sixty-nine. *Approved July 3, 1969.*

Chap. 45. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO DEVELOPING A MASTER PLAN AND PROGRAM FOR TAXATION WITHIN THE COMMONWEALTH.

Resolved, That the special commission established by chapter one hundred and sixty-two of the resolves of nineteen hundred and sixty-seven, and revived and continued by chapter three of the resolves of the current year, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 1073, accelerating the payment of inheritance taxes upon future interests; 1074, to improve the collection of property taxes through changes in fiscal cycles of cities, towns, counties and certain districts; and of current house documents numbered 610, relative to the collection of local property taxes; 2120, relating to the taxation of security corpora-

tions; 2616, to improve the collection of property taxes through changes in the fiscal cycles of cities, towns, counties, and certain districts; 3830, to provide semiannual payments of local property taxes; and 4534, imposing a general excise on all retail sales.

Approved July 3, 1969.

Chap. 46. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE SOLVENCY ACCOUNT PROVISIONS IN THE EMPLOYMENT SECURITY LAW.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the director of the division of employment security in the department of labor and industries or his designee, and three persons to be appointed by the governor, one of whom shall be a representative of the Associated Industries of Massachusetts, and one of whom shall be a representative of the Massachusetts State Labor Council, AFL-CIO, is hereby established for the purpose of making an investigation and study relative to the solvency account provisions in the Employment Security Law. The governor shall designate one of the members as chairman. *Approved July 9, 1969.*

Chap. 47. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADVISABILITY AND FEASIBILITY OF USING THE MIDDLESEX COUNTY HOSPITAL FOR A CENTER FOR TREATMENT OF DRUG ADDICTS.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the county commissioners of Middlesex county and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the advisability and feasibility of using the Middlesex county hospital for a center for treatment of drug addicts. Said commission may travel without the commonwealth.

Approved July 9, 1969.

Chap. 48. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE EFFICACY OF PRESENT PROCEDURES FOR COMPLETING SERVICE OF PROCESS AND THE DESIRABILITY OF UTILIZING CERTIFIED OR REGISTERED MAIL.

Resolved, That the judicial council be requested to investigate the subject matter of the investigation and study proposed by current house document numbered 2491, relative to the efficacy of present procedures for completing service of process and the desirability of utilizing certified or registered mail, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved July 9, 1969.*

Chap. 49. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE REMOVAL OF AQUATIC WEEDS AND OTHER GROWTH FROM CERTAIN LAKES AND STREAMS IN THE COMMONWEALTH AND OTHER RELATED MATTERS.

Resolved, That the department of public health is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 372, 539, 1262, 1434, 1442, 1665, 1672, 1679, 1945, 2777, 2780, 2789, 3037, 3042, 3044, 3046, 3289, 3293 and 4946. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of such legislation as may be 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-nine.

Approved July 9, 1969.

Chap. 50. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE SHORTAGE OF BLOOD IN THE HOSPITALS OF THE COMMONWEALTH.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the current shortage of blood of all types in blood banks, the lack of available blood in the hospitals of the commonwealth, the reasons for such shortage, the methods used in obtaining blood donors, ways and means of facilitating donations of blood and the methods of collecting, preserving, storing and distributing the same. *Approved July 11, 1969.*

Chap. 51. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE REQUIREMENTS FOR REGISTERING AND LICENSING STORES FOR TRANSACTION OF THE RETAIL DRUG BUSINESS AND MATTERS RELATING THERETO.

Resolved, That an unpaid special commission to consist of two members of the senate, three members of the house of representatives and four persons to be appointed by the governor is hereby established for the purpose of making an investigation and study of the subject matter of current senate document numbered 386, relative to the requirements for registering and licensing stores for transaction of the retail drug business. Said commission shall also study the effect licensing restrictions would have on retail drug prices. *Approved July 11, 1969.*

Chap. 52. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE ADMINISTRATION OF THE DEPARTMENT OF MENTAL HEALTH AND OF THE LAWS OF THE COMMONWEALTH RELATIVE TO THE ADMITTANCE, TREATMENT AND RELEASE OF PATIENTS IN INSTITUTIONS UNDER THE CONTROL OF SAID DEPARTMENT.

Resolved, That 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 five of the resolves of nineteen hundred and sixty-nine, shall in the course of its investigation and study consider the subject matter of current house documents numbered 118, 581, 595, 927, 1318, 3358, of the investigation and study proposed by current house document numbered 3790 and of current house document numbered 3793. *Approved July 16, 1969.*

Chap. 53. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE FEASIBILITY OF ESTABLISHING A PUBLIC AUTHORITY TO ALLEVIATE THE PROBLEMS OF SOLID WASTE DISPOSAL AND ALL MATTERS RELATIVE THERETO.

Resolved, That the special commission established by chapter sixty-five of the resolves of nineteen hundred and sixty-five, and most recently revived and continued by chapter five of the resolves of nineteen hundred and sixty-nine, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 583, 1793, 2092, 2093, 2387, 2846, 3125, 4021, 4228, 4247, 4260 and 4524. *Approved July 16, 1969.*

Chap. 54. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE EXTENT OF THE USE OF HARMFUL, INJURIOUS OR ILLEGAL DRUGS WITHIN THE COMMONWEALTH.

Resolved, That the special commission, established by chapter one hundred and sixty-four of the resolves of nineteen hundred and sixty-seven and revived and continued by chapter four of the resolves of nineteen hundred and sixty-nine, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 51, authorizing a police officer to arrest certain persons who are suspected of being in illegal possession of harmful drugs; 52, authorizing a police officer to arrest a person for uttering a false prescription to procure drugs; and of current house documents numbered 3257, increasing penalties for unlawful possession of certain drugs; 3265, to further regulate the sale, possession or use of harmful drugs; and 3270, modifying the penalty for being present where cannabis is kept, and defining the term "cannabis". *Approved July 24, 1969.*

Chap. 55. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF ESTABLISHING AN EMERGENCY AND OUTPATIENT MEDICAL CLINIC ON THE GROUNDS OF THE PLYMOUTH COUNTY HOSPITAL.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the chairman of the board of county commissioners of Plymouth county, the superintendent of the Plymouth County Hospital and two 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 an emergency and outpatient medical clinic on the grounds of said Plymouth County Hospital with a particular view of providing emergency medical treatment to residents of said county. Said commission shall also investigate the availability of federal and state funds for such purposes. *Approved July 30, 1969.*

Chap. 56. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO ESTABLISHING A PROGRAM OF SCENIC OR RECREATIONAL TRAILS IN THE COMMONWEALTH.

Resolved, That the department of natural resources is hereby authorized and directed to make an investigation and study relative to the advisability of establishing a system of recreational or scenic trails within the commonwealth designed to promote outdoor recreation opportunities, preserve natural beauty and for other public purposes. Said department shall, in the course of its investigation and study, consider the effect upon the commonwealth of federal legislation relative thereto. The department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of such legislation as may be 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 December, nineteen hundred and seventy, provided, however, the department may file an interim report on or before the last Wednesday in December, nineteen hundred and sixty-nine.

Approved July 31, 1969.

Chap. 57. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE MODERNIZATION OF COUNTY GOVERNMENT.

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, three of whom shall be representatives of the County Commissioners and Sheriffs Association of Massachusetts, is hereby established for the purpose of making an investigation and study of the subject matter of current house document numbered 4129, relative to the modernization of county government. *Approved July 31, 1969.*

Chap. 58. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO RELEASE OF CERTAIN DEFENDANTS ON THEIR PERSONAL RECOGNIZANCE INSTEAD OF BAIL IN THE DISTRICT COURTS AND RELATIVE TO PROVIDING FOR STANDARDS FOR THE SETTING OF BAIL AND CERTAIN RELATED MATTERS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 5212, relative to release of certain defendants on their personal recognizance instead of bail in the district courts and relative to providing for standards for the setting of bail and certain related matters, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved July 31, 1969.

Chap. 59. RESOLVE IN FAVOR OF THE ORANGE AND ATHOL INDUSTRIAL DEVELOPMENT DISTRICT.

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 the Orange and Athol Industrial and Development District, established by chapter six hundred and twenty-nine of the acts of nineteen hundred and sixty-six, the sum of ten thousand dollars in reimbursement of the sums expended by said district in acquiring certain land at private sale and laying out a right-of-way in order to have access to certain valuable land owned by it in the town of Orange and formerly owned by said town and known as the proposed Industrial Park.

Approved August 4, 1969.

Chap. 60. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE COMMONWEALTH'S ECONOMY IN THE EVENT HOSTILITIES CEASE IN VIETNAM, THE CAPACITY OF THE PRESENT PRIVATE AND PUBLIC PROGRAMS IN MEETING THE NEED FOR CONVERSION TO OTHER COMMERCIAL ACTIVITY AND MATTERS RELATED THERETO.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives and seven persons to be appointed by the governor, one of whom shall be a representative of the Associated Industries of Massachusetts, one a representative of the Greater Boston Chamber of Commerce, one a representative of the Massachusetts State Labor Council, AFL:CIO, and one a representative of the department of commerce and development, is hereby established for the purpose of making an investigation and study relative to the effects on the economy of the commonwealth should hostilities cease in the Vietnam conflict; the feasibility of tax concessions or other subsidy programs by cities and towns to private firms for conversion to other economic or commercial activity; the present levels of public and private programs for retraining and job replacement and other matters relative thereto which the commission deems relevant and proper. *Approved August 4, 1969.*

Chap. 61. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PUBLIC FINANCIAL AID TO NONPUBLIC PRIMARY AND SECONDARY SCHOOLS AND CERTAIN RELATED MATTERS.

Resolved, That a special commission, to consist of three members of the senate, seven members of the house of representatives, the attorney general or his designee, the commissioner of education or his designee, the Superintendent of Schools of the Archdiocese of Boston, and twenty persons to be appointed by the governor, one of whom shall be a member of the Massachusetts Bar Association, one shall be a member of the Civil Liberties Union of Massachusetts, one shall be a member of the Massachusetts Association of School Committees, Inc., one shall be a member of the Massachusetts Association of School Superintendents, one shall be a member of the Massachusetts Congress of Parents and Teachers Incorporated, one shall be a member of the Massachusetts Teachers' Association, one shall be a member of the Massachusetts Federation of Teachers, AFT, AFL-CIO, one shall be a member of the Independent School Association of Massachusetts, one shall be a member of the Urban League of Greater Boston, Inc., one shall be a member of the Massachusetts Council of Churches, one shall be a member of the Jewish Community Council of Metropolitan Boston, one shall be a member of the Massachusetts Council of Rabbis, one shall be a member of the Massachusetts Taxpayers Foundation, Incorporated, one shall be a member of the Massachusetts Selectmen's Association, Inc., one shall be a member of the Massachusetts Mayors' Association, Incorporated, one shall be a member of the Massachusetts Advisory Council on Education, and four shall be representative of the general public, is hereby established for the purpose of making an investigation and study relative to public financial aid to nonpublic primary and secondary schools. Said commission shall specifically, but without limiting the generality of the foregoing, consider the degree of need for public aid by nonpublic primary and secondary schools, the effects on local tax rates in the event of the closing of said nonpublic schools, the effects on public schools of providing aid to nonpublic schools, the cost in terms of taxation of providing public aid to nonpublic schools, the need to impose further public standards and regulations on nonpublic schools, the implications of certain provisions of the Constitution of the United States and the constitution of the commonwealth, the possible proliferation of nonpublic schools resulting from public aid, the possible alternatives to financial aid, the results of other states involved with public financial aid to nonpublic primary and secondary schools and any other related matter. Said commission may travel outside the commonwealth. Said commission shall report to the general court on or before the first Wednesday of January, nineteen hundred and seventy-one.

Approved August 4, 1969.

Chap. 62. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL BIPARTISAN COMMISSION RELATIVE TO THE LAWS PERTAINING TO THE CONDUCT AND OPERATION OF POLITICAL PARTIES, THE NOMINATION OF CANDIDATES FOR STATE OFFICE AND THE SELECTION OF DELEGATES TO NATIONAL PARTY CONVENTIONS.

Resolved, That a special bipartisan commission to consist of four members of the senate, two of whom shall be members of the minority party, six members of the house of representatives, three of whom shall be members of the minority party, the chairman of the Democratic state committee and the chairman of the Republican state committee and four persons to be appointed by the governor, two of whom shall be registered democrats and two registered republicans, is hereby established for the purpose of making an investigation and study of the laws of the commonwealth relative to the conduct and operation of political parties, the nomination of candidates for state office, the selection of delegates to the national party conventions and specifically to consider and review the composition, structure, methods and time of election, duties and responsibilities of the state committees of the political parties; the preprimary convention system, its abolition or retention, the selection of delegates directly by the voters in party primaries or party caucuses as opposed to the present method of selection by ward and town committees, the timing of the preprimary convention, including the selection of convention committees and the strengthening or weakening of a convention endorsement; the composition, structure, methods and time of election, duties and responsibilities of the ward, city and town committees of the state political parties; the composition, structure, methods and timing of elections of delegates to the national party conventions, including the conduct of the presidential preferential primaries and its effect, binding or otherwise, upon the delegates to the national party conventions; and any other matter affecting the process of selection of delegates to the national or state party conventions, the conduct of state party conventions, the structure or conduct of the party at the state or local level, the process of nominating and electing candidates for state office and any other phase of party or electoral practice and procedure in the commonwealth. *Approved August 6, 1969.*

Chap. 63. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO COMPULSORY BASIC PROTECTION INSURANCE FOR ALL REGISTERED MOTOR VEHICLES AND AMENDING AND REPEALING LAWS RELATED THERETO AND CERTAIN OTHER MATTERS RELATED TO MOTOR VEHICLE LIABILITY INSURANCE.

Resolved, That the special commission, established by chapter ninety-seven of the resolves of nineteen hundred and sixty-eight, and revived and continued by chapter five of the resolves of nineteen hundred and sixty-nine, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 45, 134, 272, 275, 280, 587 and 593; of current house document numbered 186; of

the investigation and study proposed by current house document numbered 313; of current house documents numbered 687, 1029, 1030, 1223 and 1224; of the investigation and study proposed by current house document numbered 1225; and of current house documents numbered 1626, 1909, 2230, 2486, 2488, 2720, 3000, 3001, 3251, 3478, 3659, 3661, 3664, 3665, 3923, 3925, 3926, 3927, 4165, 4438, 4440, 4563, 4564 and 4565. *Approved August 6, 1969.*

Chap. 64. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO HUNGER AND MALNUTRITION IN THE COMMONWEALTH AND CERTAIN RELATED MATTERS.

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 public welfare or his designee, the commissioner of agriculture or his designee, the director of the office of school lunches in the department of education or his designee, the deputy commissioner of the department of community affairs, division of social and economic opportunity, or his designee, and four persons appointed by the governor is hereby established for the purpose of making an investigation and study relative to hunger and malnutrition in the commonwealth. Said commission shall specifically, but without limiting the generality of the foregoing, consider the extent and degree of hunger and malnutrition existing in the commonwealth, the impact and effects of existing federal, state, local and private programs upon the alleviation of hunger and malnutrition in the commonwealth, the conduct, operation, and effectiveness of the commodity distribution program, the food stamp program, the school lunch program, the school breakfast program and the hot lunch program for the elderly, the adequacy of existing training programs and counseling on nutrition and food preparation, particularly for low-income families, the conduct, operation and effectiveness of existing maternal care and infant nutritional programs, both public and private, in the commonwealth, the adequacy of the dietary situation, the needs of preschool children, school age children, expectant mothers, welfare recipients and elderly citizens who live alone and have no working facilities in their living quarters, and any other related matters. *Approved August 6, 1969.*

Chap. 65. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PROPOSED AMENDMENTS TO THE EMPLOYMENT SECURITY LAW AND THE WORKMEN'S COMPENSATION ACT.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the director of the division of employment security in the department of labor and industries or his designee, the commissioner of administration or his designee, the chairman of the state advisory council in said division of employment security or his designee, and five persons to be appointed by the governor, one of whom shall be a representative of the

Associated Industries of Massachusetts, one of whom shall be a representative of the Greater Boston Chamber of Commerce, and one of whom shall be a representative of the Massachusetts State Labor Council, AFL-CIO, is hereby established for the purpose of making an investigation and study of the subject matter of current senate documents numbered 215, 219, 222, 223, 224, 240, 242, 446, 448, 449, 450, 455, 456, 457, 458, 469 and 470. *Approved August 6, 1969.*

Chap. 66. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO DEVELOPING THE WATER RESOURCES OF THE COMMONWEALTH AND THE ADVISABILITY OF CREATING WATER BASIN COMMISSIONS.

Resolved, That a special commission, to consist of one member of the senate, two members of the house of representatives, the chairman of the water resources commission or his designee, the attorney general or his designee, and two persons to be appointed by the governor, is hereby established to make an investigation and study of the feasibility of developing and administering the water resources of the commonwealth on a regional basis by the creation of river basin commissions. *Approved August 6, 1969.*

Chap. 67. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE DIVISION OF FAIRS OF THE DEPARTMENT OF AGRICULTURE AND THE RECEIPTS AND THE DISTRIBUTION OF THE AGRICULTURAL PURPOSES FUND.

Resolved, That a special commission, to consist of two 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 of the division of fairs of the department of agriculture and the receipts and the distribution of the agricultural purposes fund.

Said commission shall also investigate the conduct of racing at such fairs and the income derived therefrom by the commonwealth, the identity of the true owners, and whether or not racing at such fairs is a nonprofit venture. Said commission may require by summons the attendance and testimony of witnesses and the production of books and papers. *Approved August 6, 1969.*

Chap. 68. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE CONSTRUCTION OF A NEW COURT HOUSE FOR THE DISTRICT COURT OF CHELSEA.

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, one of whom shall be a member of the city council of the city of Revere, one of whom shall be a member of the board of aldermen of the city of Chelsea, and two of

whom shall be members of the Chelsea-Revere Bar Association, is hereby established for the purpose of making an investigation and study relative to the desirability and feasibility of constructing a new court house for the district court of Chelsea.

Approved August 6, 1969.

Chap. 69. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC UTILITIES RELATIVE TO THE HIGH ACCIDENT RATE AND SAFETY CONDITIONS AT THE INDUSTRIAL AVENUE RAILROAD CROSSING IN THE CITY OF LOWELL.

Resolved, That the department of public utilities is hereby authorized and directed to make an investigation and study of the causes for the high accident rate at the Industrial avenue crossing at the same level with trackage of the Penn Central Company in the city of Lowell, the sufficiency and effectiveness of existing signals and other matters relative to the safety of the public. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and seventy. *Approved August 6, 1969.*

Chap. 70. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO EXTENDING THE STATE FISH PIER IN GLOUCESTER.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 363, authorizing the department of public works to extend the state fish pier in Gloucester.

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 seventy. *Approved August 6, 1969.*

Chap. 71. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC UTILITIES RELATIVE TO REQUIRING RAILROADS TO ERECT FENCES ALONG CERTAIN RAILROAD TRACKS.

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 documents numbered 767, establishing a procedure for requiring railroads to erect fences along certain railroad tracks; and 4543, providing that railroads may be required to erect a fence along its railroad track. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any,

together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives not later than the last Wednesday in January, nineteen hundred and seventy. *Approved August 6, 1969.*

Chap. 72. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF MENTAL HEALTH RELATIVE TO THE FEASIBILITY OF ESTABLISHING A PILOT PROGRAM FOR CHILD DEVELOPMENT IN THE GREATER LYNN AREA.

Resolved, That the department of mental health is hereby authorized and directed to make an investigation and study of the feasibility of establishing a pilot program for child development in the greater Lynn area. Said department shall, in the course of its investigation and study, consider the subject matter of current house document numbered 4202, relative to the health, education and welfare of children in the city of Lynn. 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 seventy. *Approved August 6, 1969.*

Chap. 73. RESOLVE AUTHORIZING THE SPECIAL COMMISSION, ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO INCREASING THE REVENUE OF THE MARINE FISHERIES FUND, TO FILE REPORTS FROM TIME TO TIME.

Resolved, That the special commission, established by chapter seventeen of the resolves of nineteen hundred and sixty-eight and revived and continued by chapter five of the resolves of the current year, is hereby authorized to file reports from time to time. *Approved August 6, 1969.*

Chap. 74. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF ESTABLISHING A STATE PROGRAM TO PROVIDE ASSISTANCE TO CITIES AND TOWNS IN FOSTERING PROGRAMS TO PREVENT JUVENILE DELINQUENCY.

Resolved, That a special commission, to consist of three members of the senate, five 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 feasibility of establishing a state program to provide assistance to cities and towns in fostering programs to prevent juvenile delinquency.

Approved August 7, 1969.

Chap. 75. RESOLVE CONTINUING THE INVESTIGATION AND STUDY BY THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY AND THE MASSACHUSETTS PORT AUTHORITY RELATIVE TO THE FEASIBILITY OF OPERATING A HIGH SPEED TRANSPORTATION SYSTEM FROM GENERAL EDWARD LAWRENCE LOGAN INTERNATIONAL AIRPORT TO DOWNTOWN BOSTON.

Resolved, That the Massachusetts Bay Transportation Authority and the Massachusetts Port Authority are hereby authorized and directed to continue the joint investigation and study authorized by chapter ninety of the resolves of nineteen hundred and sixty-eight. Said authorities shall report to the general court the results of their joint investigation and study, and their 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 seventy. *Approved August 7, 1969.*

Chap. 76. RESOLVE IN FAVOR OF CHESTER R. KROL.

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 Chester R. Krol of the town of Hardwick the sum of one thousand forty dollars and ninety cents as reimbursement for medical and hospital expenses incurred as the result of the hospitalization of his wife on October thirtieth, nineteen hundred and sixty-five, after his discharge from the United States Air Force on October twenty-ninth, nineteen hundred and sixty-five, notwithstanding the fact that he was ineligible to receive veterans' benefits as a Vietnam veteran on either of said dates. *Approved August 12, 1969.*

Chap. 77. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO MARINE BOUNDARIES AND RESOURCES OF THE COMMONWEALTH.

Resolved, That a special commission, to consist of three members of the senate, six members of the house of representatives, the attorney general or his designee, the commissioner of natural resources or his designee, the commissioner of public works or his designee, and four persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the marine boundaries and resources of the commonwealth. Said commission shall consider lateral seaward boundaries of the commonwealth for the purpose of attempting to reach agreement with the adjacent states of New Hampshire and Rhode Island as to seaward extensions of the present boundaries between Massachusetts and those states; the existing statutes of the commonwealth relating to exploitation, utilization and regulation of the waters within the boundaries of the commonwealth and of the seabed and subsoil lying beneath those waters; and a long range orderly plan for the management of the commonwealth's resources and assets in coastal, estuarine and submerged areas, as well as the protection of the commonwealth's interest in deep ocean research and related activities.
Approved August 13, 1969.

Chap. 78. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE FEASIBILITY OF LICENSING AND REGULATING THE USE OF SNOW TRAVELING VEHICLES.

Resolved, That the special commission, established by chapter seventy-seven of the resolves of nineteen hundred and sixty-eight, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 1332, providing for the registration of certain snow traveling vehicles by the division of motorboats and regulating the use thereof. *Approved August 13, 1969.*

Chap. 79. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE WORKMEN'S COMPENSATION LAW.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the chairman of the industrial accident board or his designee, and five persons to be appointed by the governor, one of whom shall be a representative of the Associated Industries of Massachusetts, one of whom shall be a representative of the Massachusetts State Labor Council, AFL–CIO, and one of whom shall be a representative of insurers issuing workmen's compensation insurance policies in the commonwealth, is hereby established for the purpose of making an investigation and study of the subject matter of current house documents numbered 637, providing for the establishment and administration of a competitive fund for disability compensation; 649, to reduce the waiting period in workmen's compensation; 794, providing for an exclusive state fund for workmen's compensation; 795, increasing payments to certain injured employees under the workmen's compensation law; 976, removing the maximum limitation of compensation for partial disability under the workmen's compensation law; 1566, increasing the amount paid for dependents under the workmen's compensation act; 1567, increasing benefits to widows and children of employees killed in industrial accidents; 1571, to give to future totally and permanently incapacitated paraplegics, and other permanently and totally incapacitated employees, the benefit of later increases in weekly payments; 1572, to help paraplegics and other permanently handicapped employees by providing elective lifetime weekly payments; 1573, to provide a more equitable method for determining temporary and partial incapacity for paraplegics and other partially incapacitated employees; 1574, to give paraplegics and other permanently handicapped employees, whether totally or partially incapacitated, the benefits of subsequent increases in weekly payment; 1575, to help paraplegics and other permanently handicapped employees, by providing for permanent and partial weekly payments; 2450, providing payment for certain property damage sustained by persons covered by workmen's compensation law; 2655, to clarify compensation rates for aggravated and reoccurring injuries; 2657, protecting the rights of injured employees under the workmen's compensation law; 2659, to reduce the waiting period in workmen's compensation; of the investigation and study proposed by current house document numbered 2663, relative to the reasons for the backlog of cases in the

industrial accident board; of current house document numberd 2957, increasing the total amount that an injured employee may receive as weekly compensation under workmen's compensation; 3192, providing for the notification of injured employees of their rights under the workmen's compensation law for payments due to disfigurement and loss of function; 3198, increasing the maximum total weekly benefits for incapacity under the workmen's compensation act; 3432, providing for payments by insurers to union welfare and pension funds under the workmen's compensation act; 3436, requiring employers to continue accident and health insurance coverage and life insurance coverage of employees drawing workmen's compensation pay or sick pay; 3631, increasing the number of weeks that payments may be made for certain injuries under workmen's compensation law; 4116, relative to the liability of a person other than the insured under the workmen's compensation act; 4120, requiring employers to continue to pay salaries to injured employees until said employees start to receive workmen's compensation; 4121, relative to live-in domestic employees; and 4126, to continue unemployment benefits for disabled persons. The governor shall designate one of the members as chairman.

Approved August 13, 1969.

Chap. 80. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO EMPLOYMENT SECURITY LAW AND THE LAWS RELATIVE TO LABOR RELATIONS AND DISPUTES.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the director of the division of employment security in the department of labor and industries or his designee, the commissioner of administration or his designee, the chairman of the state advisory council in said division of employment security or his designee, and five persons to be appointed by the governor, one of whom shall be a representative of the Associated Industries of Massachusetts, one of whom shall be a representative of the Greater Boston Chamber of Commerce, and one of whom shall be a representative of the Massachusetts State Labor Council, AFL–CIO, is hereby established for the purpose of making an investigation and study of the subject matter of current house documents numbered 570, amending the law providing for the election of representative bargaining agents with political subdivisions of the commonwealth; 647, to continue unemployment benefits for disabled persons; 798, providing an assessment basis for computation for new employers within the employment security law; of the investigation and study proposed by current house document numbered 1290, relative to the feasibility of imposing fact finding and compulsory arbitration in disputes involving employees of the commonwealth and its political subdivisions and employing agencies; of current house documents numbered 1301, excepting employees who bargain collectively with their municipal employer from certain provisions of the municipal finance act; 1367, to assist an interstate plan for combining wages for unemployment compensation payments; 1718, authorizing a housing authority to enter into union shop agreements; 1997, further amending the elections of representative bargaining agents with political subdivisions of the commonwealth; 2034, relative to collective bargaining; 2045, relative to working con-

ditions of employees; 2340, relative to collective bargaining for municipal employees; 2341, relative to collective bargaining for employees of the commonwealth; 2342, relative to collective bargaining for state employees; 2360, providing for collective bargaining for employees of the commonwealth; 2371, to further define the collective bargaining rights of public employees; 2451, further regulating the time within which requests for hearing may be made in connection with claims for benefits under the employment security law; 2545, clarifying the resolution of dispute provisions of the law relative to providing for the election of representative bargaining agents; 2546, clarifying the unfair labor practice provisions of the law relative to providing for the election of representative bargaining agents; 2547, relating to agreements executed pursuant to chapter 149 of the General Laws; 2550, clarifying fact-finding provisions of the law relative to providing for the election of representative bargaining agents; 2564, requiring written contracts made by bargaining agents with political subdivisions to be included in town warrants; 2565, to permit public employees to engage in a strike following a labor dispute; 2566, providing that the terms of a collective bargaining agreement shall prevail over a law, ordinance or by-law with which it is in conflict; 2664, prohibiting private employers from dismissing, penalizing or otherwise discriminating against any employee who refuses to work more than forty hours in any scheduled work week; 2814, relative to collective bargaining by employees of the commonwealth; 3434, including telephone in the definition of "Essential Goods and Services" in the law relating to peaceful settlement of industrial disputes dangerous to public health and safety; 3626, to clarify the coverage of the employment security law as it concerns employment in the construction industry; 4373, relative to collective bargaining by municipal employees; and 4413, to prohibit unlawful discrimination against persons suffering from physical or mental impairment. The governor shall designate one of the members as chairman.

Approved August 13, 1969.

Chap. 81. RESOLVE AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO CONDUCT A COMPREHENSIVE STUDY OF THE DEVELOPMENT OF HORSENECK BEACH AND GOOSEBERRY ISLAND IN THE TOWN OF WESTPORT.

Resolved, That the department of natural resources is hereby authorized to make an investigation and study of the comprehensive development of Horseneck beach and Gooseberry island in the town of Westport, including in its considerations the following factors: general recreational facility development; camping and trailer sites; boating facilities; beach facilities; water supply; utilities; comfort stations, including sewage disposal; problems of access, including the consideration of widening or removal of the existing causeway or the provision of an alternate bridge; and shore protection of the island and mainland.

Said department shall report to the general court the results of its investigation and study, together with its recommendations, if any, and drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, in the year nineteen hundred and sixty-nine. *Approved August 13, 1969.*

Chap. 82. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO FLOODING CONDITIONS IN THE QUINCY POINT AND SOUTH QUINCY SECTIONS OF THE CITY OF QUINCY.

Resolved, That a special commission, to consist of three members of the senate, four members of the house of representatives, the commissioner of public works or his designee, the commissioner of community affairs or his designee, and three persons to be appointed by the governor, one of whom shall be a member of the metropolitan area planning council, is hereby established for the purpose of making an investigation and study relative to flooding conditions in the Quincy Point and South Quincy sections of the city of Quincy for the purpose of correcting and eliminating a serious health hazard to the residents of said sections.

Approved August 13, 1969.

Chap. 83. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE MAJOR NEEDS AND PROBLEMS OF ELDERLY PERSONS IN THE COMMONWEALTH.

Resolved, That a special commission, to consist of three members of the senate, six 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 of the major needs and problems of elderly persons in the commonwealth, the state and municipal structures for administering to these problems and such other matters relative thereto which it deems reasonable and proper. The majority of the appointees made by each appointing authority shall be sixty years of age or older. *Approved August 13, 1969.*

Chap. 84. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO ENTERING INTO A CONTRACT FOR THE PURPOSE OF PLACING OFF-SHORE FEMALE LOBSTERS IN AREAS IN-SHORE.

Resolved, That the department of natural resources, through its division of marine fisheries, is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 856, authorizing and directing the department of natural resources to enter into a contract for the purpose of placing off-shore female lobsters in areas in-shore. 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 seventy. *Approved August 13, 1969.*

Chap. 85. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES AND THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE ISSUANCE OF LICENSES AND PERMITS BY THE DEPARTMENT OF NATURAL RESOURCES FOR THE PURPOSE OF EXCAVATING MINERALS.

Resolved, That the department of natural resources and the department of public works, acting jointly, are hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 4220, pertaining to the issuance of licenses and permits by the department of natural resources for the purpose of excavating minerals. Said departments shall report to the general court the results of their investigation and study, and their recommendations, if any, together with drafts of legislation necessary to carry their recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of January, nineteen hundred and seventy. *Approved August 13, 1969.*

Chap. 86. RESOLVE CONTINUING THE INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO CERTAIN BENEFITS PROVIDED FOR WIDOWS AND WIDOWERS UNDER THE RETIREMENT LAW AND THE FEASIBILITY OF INCREASING SUCH BENEFITS.

Resolved, That the retirement law commission is hereby authorized and directed to continue the investigation and study authorized by chapter twenty-four of the resolves of nineteen hundred and sixty-eight. Said commission shall file its final report not later than the last Wednesday of January, nineteen hundred and seventy.

Approved August 13, 1969.

Chap. 87. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE PROBLEMS OF SAFETY FOR THE AGED.

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 the commissioner of public health, and three persons to be appointed by the governor, one of whom shall be a representative of a charitable organization providing living accommodations for the elderly, is hereby established for the purpose of making an investigation and study of the problems of the aged, particularly as related to safety measures for those elderly persons living in private housing and institutions. *Approved August 18, 1969.*

Chap. 88. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE ACQUISITION OF CERTAIN LAND FOR CONSERVATION PURPOSES.

Resolved, That the department of natural resources is hereby authorized and directed to make an investigation and study of the subject

matter of current house documents numbered 97, 138, 142, 144, 1675, 1949, 1950, 2532, 2783, 4794 and 4795. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and sixty-nine.

Approved August 18, 1969.

Chap. 89. RESOLVE PROVIDING THAT AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF ALLOWING CERTAIN BOYS TO ATTEND VOLUNTARILY CERTAIN CLASSES OF INSTRUCTION AT TRAINING SCHOOLS.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the commissioner of education or his designee, and four persons to be appointed by the governor, one of whom shall be a county commissioner, is hereby established for the purpose of making an investigation and study relative to the feasibility of allowing boys sent to training schools to remain voluntarily at such training schools after their release for the purpose of completing their education and of providing job placement facilities for such boys. *Approved August 18, 1969.*

Chap. 90. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE USE OF PUBLIC WATER SUPPLY RESERVOIRS FOR FISHING AND RELATED ACTIVITIES.

Resolved, That the department of public health is hereby authorized and directed to make an investigation and study, relative to the use of any or all public water supply reservoirs in the commonwealth for fishing and related activities. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and sixty-nine. *Approved August 19, 1969.*

Chap. 91. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A CERTAIN OVERPASS IN THE CITY OF SPRINGFIELD.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the commissioner of public works or his designee, the chairman of the Springfield Redevelopment Authority, the superintendent of engineering in the department of streets and engineering in the city of Springfield, the traffic engineer of the bureau of traffic engineering in said city and two persons to be appointed by the governor, one of whom shall be a representative of the Boston and Maine Railroad and the other a person living

and having an interest in the area affected, is hereby established for the purpose of making an investigation and study relative to directing the state department of public works to construct an overpass from Birnie avenue to Rowland avenue over the railroad tracks in the city of Springfield. Said commission shall file its final report on or before the last Wednesday of December, nineteen hundred and seventy.

Approved August 19, 1969.

Chap. 92. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF ESTABLISHING PUBLIC SCREENING PROGRAMS FOR THE DETECTION OF AMBLYOPIA (LAZY-EYE BLINDNESS) IN CHILDREN OF THE PRESCHOOL AGE GROUP.

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, one of whom shall be a member of the Massachusetts Ophthalmological Society and one from the Massachusetts Society of Optometrists, is hereby established for the purpose of making an investigation and study relative to the feasibility of establishing public screening programs for the detection of amblyopia (lazy-eye blindness) in children of the preschool group, age three to six.

Approved August 19, 1969.

Chap. 93. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE FINANCES AND OPERATION OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Resolved, That the special commission, established by chapter one hundred and twenty-six of the resolves of nineteen hundred and sixty-seven, and most recently revived and continued by chapter five of the resolves of nineteen hundred and sixty-nine, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 956, to establish a division of transportation within the department of public works to control and direct the transportation system in the greater Boston area; and of the investigation and study proposed by current house document numbered 2427, relative to the feasibility of establishing a department of transportation.

Approved August 22, 1969.

Chap. 94. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE FINANCES AND OPERATION OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Resolved, That the special commission, established by chapter one hundred and twenty-six of the resolves of nineteen hundred and sixty-seven, and most recently revived and continued by chapter five of the resolves of nineteen hundred and sixty-nine, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 4056, relative to establishing a state department of transportation.

Approved August 22, 1969.

Chap. 95. RESOLVE EXTENDING THE TIME FOR THE INSTALLATION IN THE HOUSE OF REPRESENTATIVES OF A MEMORIAL CONTAINING THE TEXT OF THE ADDRESS WHICH JOHN F. KENNEDY, AS PRESIDENT-ELECT, DELIVERED TO A JOINT CONVENTION OF THE TWO BRANCHES OF THE GENERAL COURT.

Resolved, The time for the official installation in the chamber of the house of representatives with appropriate ceremonies of the memorial containing the address which John F. Kennedy, as President-elect of the United States, delivered to a joint convention of the two branches of the general court on January ninth, nineteen hundred and sixty-one, shall be January ninth, nineteen hundred and seventy, notwithstanding any provision of chapter two of the resolves of nineteen hundred and sixty-nine to the contrary. *Approved August 22, 1969.*

Chap. 96. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO CHANGES IN THE METHOD AND FORMULA PERTAINING TO CONSTRUCTION COST SCHOOL AID FOR ELEMENTARY AND SECONDARY SCHOOLS.

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, is hereby established for the purpose of making an investigation and study relative to changing the method and formula pertaining to current construction cost school aid and reimbursement proceedings for elementary and secondary schools with a view to eliminating inequities and potential unconstitutional aspects of school aid distributions. *Approved August 24, 1969.*

Chap. 97. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ESTABLISHING A COLLECTIVE BARGAINING COMMISSION.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, and seven persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the subject matter of current senate document numbered 1004, establishing a collective bargaining commission within the department of administration and finance; and of current house documents numbered 3356, establishing a collective bargaining commission within the executive office of administration and finance; and 3811, establishing a collective bargaining commission within the department of labor and industries.

Approved August 24, 1969.

Chap. 98. RESOLVE AUTHORIZING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO COMPULSORY BASIC PROTECTION INSURANCE FOR ALL REGISTERED MOTOR VEHICLES AND AMENDING AND REPEALING LAWS RELATED THERETO AND CERTAIN OTHER MATTERS RELATED TO MOTOR VEHICLE LIABILITY INSURANCE AND THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE FINANCES AND OPERATION OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO REPORT FROM TIME TO TIME AND TO TRAVEL WITHOUT THE COMMONWEALTH.

Resolved, That the special commission, established by chapter ninety-seven of the resolves of nineteen hundred and sixty-eight and revived and continued by chapter five of the resolves of the current year, and the special commission, established by chapter one hundred and twenty-six of the resolves of nineteen hundred and sixty-seven and revived and continued by said chapter five of the resolves of the current year, are hereby authorized to report from time to time and to travel without the commonwealth. *Approved August 26, 1969.*

Chap. 99. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE SLAUGHTERING AND PROCESSING OF CERTAIN ANIMALS.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of current senate document numbered 1569, further regulating the slaughtering and processing of certain animals. *Approved August 26, 1969.*

Chap. 100. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PROVIDING ADDITIONAL FUNDS FOR THE METROPOLITAN DISTRICT COMMISSION FOR EXTENDING AND FURTHER DEVELOPING ITS SOURCES OF WATER SUPPLY, AND RELATIVE TO DIVERTING WATERS OF THE CONNECTICUT RIVER INTO QUABBIN RESERVOIR.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the commissioner of the metropolitan district commission or his designee, the commissioner of the department of natural resources 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 subject matter of current senate document numbered 1331, providing additional funds for the metropolitan district commission for extending and further developing its sources of water supply and relative to diverting waters of the Connecticut river into Quabbin reservoir. Said commission shall, in the course of its investigation and study, consider the advisability of adding the towns of Stoughton, Avon, Weymouth, Braintree and Holbrook to the metropolitan district commission water supply system for the purpose of relieving said towns of a serious water shortage. *Approved August 26, 1969.*

Chap. 101. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO SAFETY PROCEDURES USED IN THE TRANSMISSION AND DISTRIBUTION OF ELECTRICAL POWER.

Resolved, That a special commission, to consist of three members of the senate, five 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 safety procedures used in the transmission and distribution of electrical power. *Approved August 27, 1969.*

Chap. 102. RESOLVE PROVIDING FOR PAYMENT FROM THE STATE TREASURY OF THE BALANCE OF THE ESTATE OF EUSEBIO BUENCONSEJO, WHICH ESTATE ESCHEATED TO THE COMMONWEALTH.

Resolved, That, subject to appropriation, there be allowed and paid from the state treasury, under the direction of the attorney general, to the heirs-at-law or next of kin of the late Eusebio Buenconsejo who died in the city of Boston on November twenty-four, nineteen hundred and fifty-nine, or to their respective lawful representatives, such sum as may be found by the attorney general to have been paid into said treasury, as the balance of the assets belonging to the estate of Eusebio Buenconsejo, under section ten of chapter one hundred and ninety-four of the General Laws, notwithstanding the expiration of the time limited by said section for the recovery of such sum. *Approved August 28, 1969.*

Chap. 103. RESOLVE DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO FURNISH CERTAIN INFORMATION TO THE ATTORNEY GENERAL RELATIVE TO THE ROCKLAND REALTY TRUST.

Resolved, That the department of public works is hereby authorized and directed to furnish information to the attorney general to enable him to institute proceedings against the Rockland Realty Trust for the collection of certain money owed the commonwealth by said trust.
Approved August 29, 1969.

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 session held in 1969 passed 909 Acts and 103 Resolves of which 803 Acts and 97 Resolves received executive approval at prorogation and 6 Acts from which executive approval was withheld became law by virtue of chapter 1, section 1, Article II of the Constitution of the Commonwealth.

The governor returned 20 Acts and 1 Resolve with his objections thereto in writing. Upon said 14 Acts and 1 Resolve his objections were sustained and upon 6 Acts his objections were not sustained.

Fourteen (14) Acts and one (1) Resolve entitled, respectively, "An Act exempting rest homes from certain rules and regulations of the department of public safety relative to the prevention of fire"; "An Act authorizing the licensing of a game commonly called beano"; "An Act authorizing the city of Northampton to grant an annuity to Dora M. Walsh, the widow of Denis J. Walsh, a former fire fighter in said city"; "An Act making uniform the provisions of law prohibiting the employment of certain minors in places where alcoholic beverages are sold"; "An Act requiring the bell to be rung or whistle sounded on a locomotive about to cross a public road at grade"; "An Act providing that residents of cities and towns shall be placed ahead of nonresidents on eligible lists of applicants for appointment to the police forces of their respective municipalities"; "An Act further regulating information presented by the probation officer to a judge prior to disposition of a matter pending before said judge"; "An Act authorizing the local licensing authority in the city of New Bedford to issue an all alcoholic beverages license to Doyle Square Package Store Inc."; "An Act authorizing the local licensing authority in the city of New Bedford to issue an all alcoholic beverages license to the Washington Square Package Store Inc."; "An Act establishing the compensation and the expense and travel allowances of the members of the General Court"; "An Act authorizing the local licensing authority in the town of Fairhaven to issue an all alcoholic beverages license to Little Bay Market, Inc."; "An Act authorizing the local licensing authority in the town of Fairhaven to issue an all alcoholic beverages license to Ulric A. Benoit and Amelia M. Benoit, doing business under the firm name and style of Foodtown"; "An Act relative to the compensation of building, wiring, plumbing and gasfitting, and elevator inspectors, and building commissioners and deputy building commissioners of cities having a population of over one hundred and fifty thousand"; "An Act prohibiting the inciting of a riot"; and "Resolve in favor of Richard E. Snell of Boston" were passed and laid before the governor for his approval; were returned by him with his objections thereto, to the branch in which they respectively originated; were reconsidered and, the vote

being taken on their passage, the objections of the governor thereto notwithstanding, they were rejected, and said acts and resolve thereby became void.

Six (6) Acts entitled, respectively, "An Act relative to placing the names of certain incumbents of the position of motor vehicle examiner on an eligible list established in the year nineteen hundred and sixty-eight" (Chapter 287); "An Act authorizing the local licensing authority in the city of New Bedford to issue an all alcoholic beverages club license to St. Michael Social Club, Inc." (Chapter 450); "An Act authorizing the local licensing authority of the town of Montague to issue an all alcoholic beverages club license to Thomas Memorial Golf & Country Club, Inc." (Chapter 451); "An Act relative to the salary of employees of the commonwealth" (Chapter 547); "An Act authorizing the reinstatement of Harold E. Rosen as a member in service in the contributory retirement system" (Chapter 550) and "An Act authorizing Louise Nelson, a retired employee of the town of Stoneham, to rejoin the retirement system of said town as an active member" (Chapter 712) 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.

Thirty-six (36) Acts, Chapters 2, 37, 117, 118, 125, 193, 199, 258, 284, 285, 320, 390, 428, 447, 458, 471, 481, 504, 549, 559, 563, 577, 578, 628, 649, 727, 743, 747, 766, 768, 806, 839, 874, 896, 897 and 898, 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.

Twenty (20) Acts, having been passed by the General Court and the General Court having prorogued, failed to become effective as they did not receive executive approval within ten days.

The General Court was prorogued on Monday, August 25, 1969, at 9:01 A.M., the session having occupied 237 days.

AMENDMENT OF THE CONSTITUTION

1968

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and sixty-five, and by the Legislature of the political year one thousand nine hundred and sixty-seven, agreeably to the provisions of the Constitution, and approved by the people on the fifth day of November in the year one thousand nine hundred and sixty-eight.

NINETIETH ARTICLE OF AMENDMENT.

ARTICLE XC. *Section 1.* Article II of section I of Chapter I of Part the Second of the constitution is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

And in order to prevent unnecessary delays, if any bill or resolve shall not be returned by the governor within ten days after it shall have been presented, the same shall have the force of a law.

Section 2. Article I of the Articles of Amendment to the Constitution is hereby annulled and the following is adopted in place thereof:—

ARTICLE I. If any bill or resolve shall be objected to, and not approved by the governor, and if the general court shall adjourn within ten days after the same shall have been laid before the governor for his approbation, and thereby prevent his returning it with his objections, as provided by the constitution, such bill or resolve shall not become a law, nor have force as such.

Section 3. Article LVI of the Articles of Amendment to the Constitution is hereby annulled and the following is adopted in place thereof:—

ARTICLE LVI. The governor, within ten days after any bill or resolve shall have been laid before him, shall have the right to return it to the branch of the general court in which it originated with a recommendation that any amendment or amendments specified by him be made therein. Such bill or resolve shall thereupon be before the general court and subject to amendment and re-enactment. If such bill or resolve is re-enacted in any form it shall again be laid before the governor for his action, but he shall have no right to return the same a second time with a recommendation to amend.

Section 4. Article LXIII of the Articles of Amendment to the Constitution is hereby amended by striking out Section 5 and inserting in place thereof the following section:—

Section 5. Submission to the Governor.—The governor may disapprove or reduce items or parts of items in any bill appropriating money. So much of such bill as he approves shall upon his signing the same become law. As to each item disapproved or reduced, he shall transmit to the house in which the bill originated his reason for such disapproval or reduction, and the procedure shall then be the same as in the case of a bill disapproved as a whole. In case he shall fail so to transmit his reasons for such disapproval or reduction within ten days after the bill shall have been presented to him, such items shall have the force of law unless the general court by adjournment shall prevent such transmission, in which case they shall not be law.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

BOSTON, December 5, 1968.

I Hereby Certify that the foregoing is the Ninetieth Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Election held on the fifth day of November in the year one thousand nine hundred and sixty-eight, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

AMENDMENT OF THE CONSTITUTION

1968

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and sixty-six, and by the Legislature of the political year one thousand nine hundred and sixty-seven, agreeably to the provisions of the Constitution, and approved by the people on the fifth day of November in the year one thousand nine hundred and sixty-eight.

NINETY-FIRST ARTICLE OF AMENDMENT.

ARTICLE XCI. Whenever the governor transmits to the president of the senate and the speaker of the house his written declaration that he is unable to discharge the powers and duties of his office, the office of governor shall be deemed to be vacant within the meaning of this Constitution.

Whenever the chief justice and a majority of the associate justices of the supreme judicial court, or such other body as the general court may by law provide, transmit to the president of the senate and the speaker of the house their written declaration that the governor is unable to discharge the powers and duties of his office, the office of governor shall be deemed to be vacant within the meaning of this Constitution.

Thereafter, in either of the above cases, whenever the governor transmits to the president of the senate and the speaker of the house his written declaration that no inability exists such vacancy shall be deemed to have terminated four days thereafter and the governor shall resume the powers and duties of his office unless the chief justice and a majority of the associate justices of the supreme judicial court, or such other body as the general court may by law provide, transmit within said four days to the president of the senate and the speaker of the house their written declaration that the governor is unable to discharge the powers and duties of his office. Thereupon the general court shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the general court within twenty-one days after receipt of the latter written declaration, or, if the general court is not in session, within twenty-one days after the general court is required to assemble, determine by a vote, taken by yeas and nays, of two thirds of each house present and voting thereon, that the

governor is unable to discharge the powers and duties of his office, the office of governor shall continue to be deemed to be vacant; otherwise such vacancy shall be deemed to have terminated and the governor shall resume the powers and duties of his office.

The above provisions shall be applicable to the lieutenant governor when the lieutenant governor in case of a vacancy is performing all the duties incumbent upon the governor as provided in this Constitution.

If a vacancy in the office of governor, as described in this Article, continues for six months and if such six-month period expires more than five months prior to a biennial state election other than an election for governor, there shall be an election of governor at such biennial state election for the balance of the unexpired four-year term.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

BOSTON, December 5, 1968.

I Hereby Certify that the foregoing is the Ninety-First Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Election held on the fifth day of November in the year one thousand nine hundred and sixty-eight, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Nine.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION AUTHORIZING THE CLASSIFICATION OF PROPERTY ACCORDING TO ITS USE FOR THE PURPOSES OF TAXATION.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ARTICLE . Article IV of Section 1 of chapter 1 of Part the Second of the Constitution is hereby amended by inserting after the words "and to impose and levy proportional and reasonable assessments, rates and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said Commonwealth", the following words:—, except that the general court may classify real property according to uses, and may provide for the assessment, rating and taxation thereof at different rates in the different classes so established, but proportionately in the same class, and except, further, that the general court may grant reasonable exemptions and abatements.

IN JOINT SESSION, July 15, 1968.

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.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

IN JOINT SESSION, May 14, 1969.

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.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Nine.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROVIDING FOR A CENSUS OF THE POPULATION IN THE YEAR NINETEEN HUNDRED AND SEVENTY-ONE AND THE APPORTIONMENT, ON THE BASIS OF SAID CENSUS, OF THE COMMONWEALTH INTO TWO HUNDRED AND FORTY EQUAL REPRESENTATIVE DISTRICTS AND FORTY EQUAL SENATORIAL DISTRICTS.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ARTICLE . *Section 1.* In the year nineteen hundred and seventy-one and every tenth year thereafter a census of the inhabitants of each city and town shall be taken. Said census shall specify the number of inhabitants residing in each precinct of each town and in each precinct and ward of each city. Said census shall be the basis for determining the representative districts for the ten year period beginning with the first Wednesday in the fourth January following the taking of said census; provided that such districts as established in the year nineteen hundred and sixty-eight shall continue until the first Wednesday in January in the year nineteen hundred and seventy-five.

The house of representatives shall consist of two hundred and forty members. The general court shall, at its first regular session after the year in which said census was taken, divide the commonwealth into two hundred and forty representative districts of contiguous territory so that each representative will represent an equal number of inhabitants, as nearly as may be; and such districts shall be formed, as nearly as may be, without uniting two counties or parts of two or more counties, two towns or parts of two or more towns, two cities or parts of two or more cities, or a city and a town, or parts of cities and towns, into one district; provided, however, that the county of Dukes county and Nantucket county shall each be a representative district. Such districts shall also be so formed that no town containing less than six thousand inhabitants according to said census shall be divided. The general court may by law limit the time within which

judicial proceedings may be instituted calling in question any such division. Every representative, for one year at least immediately preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The manner of calling and conducting the elections for the choice of representatives, and of ascertaining their election, shall be prescribed by law.

Section 2. Each census of inhabitants required in section one shall likewise be the basis for determining the senatorial districts and also the councillor districts for the ten year period beginning with the first Wednesday in the fourth January following the taking of such census; provided that such districts as established prior to the year nineteen hundred and seventy-one shall continue until the first Wednesday in January in the year nineteen hundred and seventy-five. The senate shall consist of forty members. The general court shall, at its first regular session after the year in which said census is taken, divide the commonwealth into forty districts of contiguous territory, each district to contain, as nearly as may be, an equal number of inhabitants according to said census; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. The general court may by law limit the time within which judicial proceedings may be instituted calling in question such division. Each district shall elect one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth.

Section 3. Articles XXI and XXII of the Amendments to the Constitution, as appearing in Article LXXI of said Amendments, are hereby annulled.

IN JOINT SESSION, July 15, 1968.

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.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

IN JOINT SESSION, May 15, 1969.

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.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Nine.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROVIDING THAT CERTAIN CITIZENS SHALL, AFTER HAVING RESIDED IN A TOWN OR DISTRICT IN MASSACHUSETTS FOR SIX MONTHS NEXT PRECEDING A STATE ELECTION, HAVE A RIGHT TO VOTE IN SUCH ELECTION.

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 III of the Amendments to the Constitution, as amended, is hereby further amended by striking out the words "within the commonwealth one year, and".

IN JOINT SESSION, October 9, 1967.

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.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

IN JOINT SESSION, May 14, 1969.

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.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Nine.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION REDUCING THE VOTING AGE TO NINETEEN.

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 III of the Amendments to the Constitution, as amended, is hereby further amended by striking out the word "twenty-one" and inserting in place thereof the word:—nineteen.

IN JOINT SESSION, October 9, 1967.

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.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

IN JOINT SESSION, May 14, 1969.

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.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

RETURN OF VOTES ON QUESTION NO. 1, BEING A LEGISLATIVE AMENDMENT TO THE CONSTITUTION, SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 5, 1968.

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 June 16, 1965, received 210 votes in the affirmative and 26 in the negative, and in a joint session of the two branches held May 10, 1967, received 220 votes in the affirmative and 9 in the negative?

Summary.

The proposed amendment of the Constitution increases from five days to ten days the period of time the Constitution gives the Governor to act upon measures passed by the Legislature and submitted to him for approval. No other changes are made in the several Constitutional provisions relative to action by the Governor upon such measure.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	6,156	1,288	1,570	9,014
Bourne	2,121	529	586	3,236
Brewster	717	157	168	1,042
Chatham	1,861	301	374	2,536
Dennis	2,250	496	586	3,332
Eastham	712	147	160	1,019
Falmouth	4,541	1,053	1,337	6,931
Harwich	2,154	355	414	2,923
Mashpee	294	104	108	506
Orleans	1,452	217	256	1,925
Provincetown	848	207	392	1,447
Sandwich	943	220	275	1,438
Truro	316	66	89	471
Wellfleet	561	132	139	832
Yarmouth	3,872	765	818	5,455
Totals	28,798	6,037	7,272	42,107

County of Berkshire.

Adams	3,106	1,035	1,759	5,900
Alford	82	28	26	136
Becket	190	79	80	349
Cheshire	644	282	291	1,217
Clarksburg	490	156	205	851
Dalton	2,160	672	528	3,360
Egremont	323	93	110	526
Florida	156	53	81	290
Great Barrington	1,289	441	1,145	2,875
Hancock	140	57	50	247
Hinsdale	385	133	121	639
Lanesborough	625	383	237	1,245
Lee	1,086	446	875	2,407
Lenox	1,075	381	651	2,107
Monterey	208	32	42	282
Mount Washington	18	7	6	31
New Ashford	48	14	12	74
New Marlborough	244	65	104	413
NORTH ADAMS	4,883	1,408	2,355	8,646
Otis	128	59	126	313
Peru	51	24	17	92
PITTSFIELD	11,106	4,797	9,384	25,287
Richmond	348	133	76	557
Sandisfield	131	19	69	219

County of Berkshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Savoy	88	33	41	162
Sheffield	648	177	183	1,008
Stockbridge	746	176	193	1,115
Tyringham	102	18	18	138
Washington	102	32	28	162
West Stockbridge	327	84	153	564
Williamstown	2,444	349	536	3,329
Windsor	115	54	35	204
Totals	33,488	11,720	19,537	64,745

County of Bristol.

Acushnet	1,760	775	771	3,306
ATTLEBORO	7,486	2,365	2,551	12,402
Berkley	410	155	189	754
Dartmouth	5,036	1,644	2,056	8,736
Dighton	1,080	399	403	1,882
Easton	3,106	1,138	689	4,933
Fairhaven	4,219	1,348	1,558	7,125
FALL RIVER	16,937	7,306	17,491	41,734
Freetown	935	324	287	1,546
Mansfield	2,432	860	709	4,001
NEW BEDFORD	22,703	8,273	12,707	43,683
North Attleborough	4,323	1,474	1,564	7,361
Norton	1,694	662	514	2,870
Raynham	1,588	624	567	2,779
Rehoboth	1,392	454	561	2,407
Seekonk	3,057	806	907	4,770
Somerset	4,305	1,390	2,151	7,846
Swansea	3,097	1,088	1,335	5,520
TAUNTON	8,326	3,550	5,425	17,301
Westport	2,003	784	1,300	4,087
Totals	95,889	35,419	53,735	185,043

County of Dukes County.

Chilmark	112	24	27	163
Edgartown	467	108	215	790
Gay Head	26	6	30	62
Gosnold	33	7	12	52
Oak Bluffs	440	108	225	773
Tisbury	710	185	238	1,133
West Tisbury	158	45	43	246
Totals	1,946	483	790	3,219

County of Essex.

Amesbury	2,070	1,052	1,834	4,956
Andover	6,886	2,275	1,404	10,565
BEVERLY	10,357	3,269	3,132	16,758
Boxford	1,248	242	154	1,644
Danvers	6,640	2,553	1,532	10,725
Essex	734	229	237	1,200
Georgetown	1,358	473	339	2,170
GLOUCESTER	6,642	2,034	3,214	11,890
Groveland	1,282	522	286	2,090
Hamilton	2,101	464	394	2,959
HAVERHILL	10,272	4,372	5,387	20,031
Ipswich	2,939	859	1,075	4,873
LAWRENCE	13,261	7,354	9,124	29,739
LYNN	23,600	8,305	8,346	40,251
Lynnfield	3,972	864	501	5,337
Manchester	1,628	420	361	2,409
Marblehead	8,279	1,769	1,334	11,382
Merrimac	1,020	417	304	1,741
Methuen	7,750	4,368	3,779	15,897
Middleton	899	404	282	1,585
Nahant	1,295	366	244	1,905
Newbury	1,165	322	285	1,772

County of Essex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
NEWBURYPORT	3,604	1,287	1,741	6,632
North Andover	3,922	1,713	1,283	6,918
PEABODY	11,216	4,249	4,533	19,998
Rockport	1,978	409	577	2,964
Rowley	712	300	243	1,255
SALEM	9,235	4,243	4,712	18,190
Salisbury	842	528	422	1,792
Saugus	7,028	2,541	1,803	11,372
Swampscott	4,512	1,117	1,772	7,401
Topsfield	1,676	322	174	2,172
Wenham	1,224	246	161	1,631
West Newbury	643	208	149	1,000
Totals	161,990	60,096	61,118	283,204

County of Franklin.

Ashfield	355	86	91	532
Bernardston	401	134	119	654
Buckland	493	145	194	832
Charlemont	230	59	100	389
Colrain	325	126	147	598
Conway	267	104	90	461
Deerfield	974	365	333	1,672
Erving	341	114	134	589
Gill	347	127	90	564
Greenfield	4,234	1,644	2,077	7,955
Hawley	43	15	24	82
Heath	80	23	27	130
Leverett	249	75	64	388
Leyden	95	36	30	161
Monroe	42	17	21	80
Montague	2,183	889	893	3,965
New Salem	126	54	36	216
Northfield	748	201	172	1,121
Orange	1,309	495	619	2,424
Rowe	103	38	25	166
Shelburne	529	155	169	853
Shutesbury	115	37	25	177
Sunderland	394	147	134	675
Warwick	108	40	47	195
Wendell	67	40	42	149
Whately	274	136	134	544
Totals	14,432	5,302	5,838	25,572

County of Hampden.

Agawam	4,287	2,472	1,983	8,742
Blandford	250	89	56	395
Brimfield	449	171	131	751
Chester	227	82	142	451
CHICOPEE	11,923	6,592	6,699	25,214
East Longmeadow	3,380	1,095	1,228	5,703
Granville	288	72	86	446
Hampden	1,100	349	211	1,660
Holland	213	90	92	395
HOLYOKE	8,718	3,652	9,437	21,807
Longmeadow	5,634	907	775	7,316
Ludlow	3,711	1,720	1,344	6,775
Monson	1,440	547	547	2,534
Montgomery	127	57	30	214
Palmer	2,481	1,156	1,496	5,133
Russell	299	122	154	575
Southwick	1,462	465	311	2,238
SPRINGFIELD	24,826	9,690	26,255	60,771
Tolland	36	12	16	64
Wales	162	79	63	304
West Springfield	5,250	3,092	3,129	11,471
WESTFIELD	6,734	2,643	2,473	11,850
Wilbraham	3,507	878	697	5,082
Totals	86,504	36,032	57,355	179,891

County of Hampshire.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Amherst	3,456	894	875	5,225
Belchertown	979	427	316	1,722
Chesterfield	191	39	60	290
Cummington	218	50	51	319
Easthampton	3,006	1,741	1,300	6,047
Goshen	129	53	39	221
Granby	1,237	442	280	1,959
Hadley	894	434	387	1,715
Hatfield	642	325	354	1,321
Huntington	378	109	145	632
Middlefield	81	28	30	139
NORTHAMPTON	6,374	2,598	2,459	11,431
Pelham	263	102	77	442
Plainfield	75	18	21	114
South Hadley	4,398	1,432	1,148	6,978
Southampton	744	354	207	1,305
Ware	1,757	1,163	1,170	4,090
Westhampton	197	89	45	331
Williamsburg	586	227	187	1,000
Worthington	193	64	67	324
Totals	25,798	10,589	9,218	45,605

County of Middlesex.

Acton	3,965	750	389	5,104
Arlington	17,579	5,603	3,933	27,115
Ashby	491	227	177	895
Ashland	2,226	688	480	3,394
Ayer	1,153	332	326	1,811
Bedford	3,562	745	407	4,714
Belmont	10,448	2,412	2,397	15,257
Billerica	6,051	2,185	1,266	9,502
Boxborough	386	102	59	547
Burlington	5,191	2,051	907	8,149
CAMBRIDGE	23,129	6,190	8,744	38,063
Carlisle	885	162	107	1,154
Chelmsford	8,372	2,149	1,314	11,835
Concord	4,734	1,076	1,108	6,918
Dracut	4,007	2,176	1,539	7,722
Dunstable	334	103	73	510
EVERETT	6,424	3,081	9,988	19,493
Framingham	16,157	4,283	3,446	23,886
Groton	1,488	360	295	2,143
Holliston	3,026	811	460	4,297
Hopkinton	1,539	528	439	2,506
Hudson	3,584	1,157	1,173	5,914
Lexington	9,982	2,318	2,080	14,380
Lincoln	1,864	238	198	2,300
Littleton	1,685	443	259	2,387
LOWELL	21,040	8,400	9,368	38,808
MALDEN	12,327	5,208	6,127	23,662
MARLBOROUGH	6,225	2,267	2,108	10,600
Maynard	2,313	860	824	3,997
MEDFORD	16,509	5,830	7,163	29,502
MELROSE	8,978	2,865	3,342	15,185
Natick	8,006	3,021	2,728	13,755
NEWTON	29,471	6,952	8,066	44,489
North Reading	3,034	809	520	4,363
Pepperell	1,224	454	342	2,010
Reading	6,948	2,016	1,189	10,153
Sherborn	1,023	198	144	1,365
Shirley	730	273	293	1,296
SOMERVILLE	18,809	7,548	9,114	35,471
Stoneham	6,035	1,901	1,527	9,463
Stow	1,009	259	195	1,463
Sudbury	3,406	645	777	4,828
Tewksbury	4,725	1,732	1,065	7,522
Townsend	1,013	392	247	1,652
Tyngsborough	930	406	318	1,654
Wakefield	7,378	2,614	2,066	12,058
WALTHAM	11,098	3,857	7,013	21,968
Watertown	11,138	3,378	3,644	18,160
Wayland	4,626	829	561	6,016
Westford	2,617	776	650	4,043

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Weston	4,368	554	364	5,286
Wilmington	4,036	1,393	777	6,206
Winchester	7,002	1,534	2,171	10,707
WOBURN	7,529	4,100	3,730	15,359
Totals	351,809	111,241	117,987	581,037

County of Nantucket.

Nantucket	895	345	571	1,811

County of Norfolk.

Avon	1,249	610	362	2,221
Bellingham	2,787	1,015	926	4,728
Braintree	10,750	3,447	2,057	16,254
Brookline	14,254	2,885	11,057	28,196
Canton	5,075	1,408	1,153	7,636
Cohasset	2,471	497	448	3,416
Dedham	8,165	2,537	2,198	12,900
Dover	1,718	290	195	2,203
Foxborough	3,425	1,051	549	5,025
Franklin	3,857	1,192	1,172	6,221
Holbrook	2,804	1,042	714	4,560
Medfield	2,407	588	333	3,328
Medway	1,845	575	541	2,961
Millis	1,481	486	330	2,297
Milton	10,271	2,704	2,222	15,197
Needham	11,456	2,141	1,563	15,160
Norfolk	1,003	256	191	1,450
Norwood	9,043	2,581	2,205	13,829
Plainville	1,142	385	309	1,836
QUINCY	24,860	8,696	7,513	41,069
Randolph	6,656	2,256	2,059	10,971
Sharon	4,112	830	745	5,687
Stoughton	4,034	2,277	1,973	8,284
Walpole	5,385	1,353	995	7,733
Wellesley	10,643	1,637	1,267	13,547
Westwood	4,692	957	634	6,283
Weymouth	11,353	5,282	4,987	21,622
Wrentham	1,449	401	334	2,184
Totals	168,387	49,379	49,032	266,798

County of Plymouth.

Abington	3,202	1,148	758	5,108
Bridgewater	2,574	937	800	4,311
BROCKTON	18,621	8,091	6,376	33,088
Carver	480	220	181	881
Duxbury	2,414	464	419	3,297
East Bridgewater	1,933	856	506	3,295
Halifax	816	341	169	1,326
Hanover	2,486	771	458	3,715
Hanson	1,501	585	407	2,493
Hingham	6,223	1,392	976	8,591
Hull	2,205	773	876	3,854
Kingston	1,334	515	537	2,386
Lakeville	1,047	380	293	1,720
Marion	1,159	239	228	1,626
Marshfield	3,603	1,077	640	5,320
Mattapoisett	1,456	334	288	2,078
Middleborough	3,104	1,025	897	5,026
Norwell	2,325	623	304	3,252
Pembroke	2,430	893	555	3,878
Plymouth	3,423	1,756	2,225	7,404
Plympton	296	117	73	486
Rochester	428	187	128	743
Rockland	3,426	1,386	1,012	5,824
Scituate	4,644	1,242	974	6,860
Wareham	2,435	706	943	4,084
West Bridgewater	1,603	617	333	2,553
Whitman	3,056	1,219	894	5,169
Totals	78,224	27,894	22,250	128,368

County of Suffolk.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
BOSTON	86,564	34,525	110,743	231,832
CHELSEA	5,232	2,578	4,672	12,482
REVERE	9,456	4,271	6,375	20,102
Winthrop	4,188	2,552	2,614	9,354
Totals	105,440	43,926	124,404	273,770

County of Worcester.

Ashburnham	880	325	266	1,471
Athol	2,753	1,016	1,211	4,980
Auburn	3,882	2,123	1,084	7,089
Barre	858	359	474	1,691
Berlin	490	192	121	803
Blackstone	1,537	496	704	2,737
Bolton	538	138	84	760
Boylston	780	326	135	1,241
Brookfield	467	193	159	819
Charlton	892	437	355	1,684
Clinton	2,751	1,350	1,707	5,808
Douglas	739	431	348	1,518
Dudley	1,482	862	827	3,171
East Brookfield	403	188	165	756
FITCHBURG	9,098	4,511	4,419	18,028
GARDNER	4,184	2,004	2,130	8,318
Grafton	2,400	1,176	998	4,574
Hardwick	512	280	277	1,069
Harvard	1,012	188	123	1,323
Holden	3,541	1,358	878	5,777
Hopedale	1,323	377	487	2,187
Hubbardston	302	177	121	600
Lancaster	1,182	413	361	1,956
Leicester	1,906	1,135	672	3,713
LEOMINSTER	6,914	3,289	2,927	13,130
Lunenburg	1,958	779	516	3,253
Mendon	349	343	432	1,128
Milford	3,999	1,817	3,434	9,250
Millbury	2,355	1,613	1,100	5,068
Millville	411	158	261	830
New Braintree	132	60	48	240
North Brookfield	960	375	411	1,746
Northborough	2,254	788	361	3,403
Northbridge	2,204	1,404	1,468	5,076
Oakham	173	87	54	314
Oxford	1,431	1,074	984	3,489
Paxton	966	437	146	1,549
Petersham	299	111	69	479
Phillipston	181	90	50	321
Princeton	432	178	93	703
Royalston	158	104	58	320
Rutland	710	332	151	1,193
Shrewsbury	4,887	2,184	1,320	8,391
Southborough	1,518	488	262	2,268
Southbridge	2,821	1,884	2,943	7,648
Spencer	2,058	930	1,026	4,014
Sterling	1,007	433	256	1,696
Sturbridge	1,210	446	459	2,115
Sutton	919	527	370	1,860
Templeton	1,191	637	415	2,243
Upton	854	379	346	1,579
Uxbridge	1,960	910	940	3,810
Warren	775	395	467	1,637
Webster	2,844	1,699	2,101	6,644
West Boylston	1,754	741	291	2,786
West Brookfield	621	254	214	1,089
Westborough	2,851	970	566	4,387
Westminster	1,094	470	323	1,887
Winchendon	1,452	631	608	2,691
WORCESTER	39,918	21,025	15,630	76,573
Totals	139,532	68,097	59,206	266,835

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	28,798	6,037	7,272	42,107
BERKSHIRE	33,488	11,720	19,537	64,745
BRISTOL	95,889	35,419	53,735	185,043
DUKES COUNTY	1,946	483	790	3,219
ESSEX	161,990	60,096	61,118	283,204
FRANKLIN	14,432	5,302	5,838	25,572
HAMPDEN	86,504	36,032	57,355	179,891
HAMPSHIRE	25,798	10,589	9,218	45,605
MIDDLESEX	351,809	111,241	117,987	581,037
NANTUCKET	895	345	571	1,811
NORFOLK	168,387	49,379	49,032	266,798
PLYMOUTH	78,224	27,894	22,250	128,368
SUFFOLK	105,440	43,926	124,404	273,770
WORCESTER	139,532	68,097	59,206	266,835
Totals	1,293,132	466,560	588,313	2,348,005

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 5, 1968.

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 August 30, 1966, received 188 votes in the affirmative and 46 in the negative and in a joint session of the two branches held May 10, 1967, received 174 votes in the affirmative and 78 in the negative?

Summary.

The proposed amendment of the Constitution authorizes the Legislature to impose an income tax graduated according to total income, and authorizes the granting of reasonable exemptions, deductions and abatements, as an alternative to the exercise of the Legislature's existing power to tax income under Article 44 of the Amendments to the Constitution. Without limiting the foregoing authorization, the proposed amendment permits any such tax to be imposed at a uniform percentage of an individual's federal income tax liability or at graduated rates applied to his total income taxable federally, and it permits reasonable variations of any federal provision. It requires that the graduated rates, exemptions, and deductions be set without regard to the kind of income being taxed.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	2,071	5,596	1,347	9,014
Bourne	872	1,832	532	3,236
Brewster	284	618	140	1,042
Chatham	742	1,425	369	2,536
Dennis	906	1,883	543	3,332
Eastham	329	542	148	1,019
Falmouth	2,088	3,562	1,281	6,931
Harwich	829	1,714	380	2,923
Mashpee	193	214	199	506
Orleans	592	1,092	241	1,925
Provincetown	377	685	385	1,447
Sandwich	384	820	234	1,438
Truro	157	219	95	471
Wellfleet	259	438	135	832
Yarmouth	1,392	3,371	692	5,455
Totals	11,475	24,011	6,621	42,107

County of Berkshire.

Adams	1,528	2,864	1,508	5,900
Alford	50	60	26	136
Becket	109	169	71	349
Cheshire	316	647	254	1,217
Clarksburg	221	461	169	851
Dalton	1,102	1,835	423	3,360
Egremont	185	245	96	526
Florida	71	139	80	290
Great Barrington	690	1,166	1,019	2,875
Hancock	75	126	46	247
Hinsdale	190	354	95	639

County of Berkshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Lanesborough	389	635	221	1,245
Lee	629	998	780	2,407
Lenox	593	945	569	2,107
Monterey	130	105	47	282
Mount Washington	14	12	5	31
New Ashford	21	38	15	74
New Marlborough	122	185	106	413
North Adams	2,458	4,272	1,916	8,646
Otis	64	123	126	313
Peru	24	56	12	92
Pittsfield	6,010	11,042	8,235	25,287
Richmond	151	341	65	557
Sandisfield	73	80	66	219
Savoy	52	70	40	162
Sheffield	354	466	188	1,008
Stockbridge	418	502	195	1,115
Tyringham	52	69	17	138
Washington	57	77	28	162
West Stockbridge	179	247	138	564
Williamstown	1,289	1,568	472	3,329
Windsor	64	115	25	204
Totals	17,680	30,012	17,053	64,745

County of Bristol.

Acushnet	580	2,035	691	3,306
Attleboro	2,726	7,430	2,246	12,402
Berkley	150	449	155	754
Dartmouth	1,694	5,301	1,741	8,736
Dighton	411	1,106	365	1,882
Easton	1,155	3,187	591	4,933
Fairhaven	1,405	4,437	1,283	7,125
Fall River	7,677	18,146	15,911	41,734
Freetown	361	917	268	1,546
Mansfield	1,044	2,358	599	4,001
New Bedford	8,178	24,548	10,957	43,683
North Attleborough	1,692	4,372	1,297	7,361
Norton	687	1,734	449	2,870
Raynham	598	1,740	441	2,779
Rehoboth	718	1,115	574	2,407
Seekonk	1,672	2,117	981	4,770
Somerset	1,841	4,049	1,956	7,846
Swansea	1,460	2,772	1,288	5,520
Taunton	2,860	10,121	4,320	17,301
Westport	896	1,970	1,221	4,087
Totals	37,805	99,904	47,334	185,043

County of Dukes County.

Chilmark	64	57	42	163
Edgartown	207	378	205	790
Gay Head	18	16	28	62
Gosnold	15	25	12	52
Oak Bluffs	225	322	226	773
Tisbury	372	534	227	1,133
West Tisbury	98	101	47	246
Totals	999	1,433	787	3,219

County of Essex.

Amesbury	968	2,594	1,394	4,956
Andover	2,408	7,055	1,102	10,565
Beverly	3,758	10,417	2,583	16,758
Boxford	420	1,074	150	1,644
Danvers	2,840	6,502	1,383	10,725
Essex	261	743	196	1,200
Georgetown	508	1,372	290	2,170
Gloucester	2,434	6,660	2,796	11,890

County of Essex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Groveland	383	1,457	250	2,090
Hamilton	814	1,797	348	2,959
HAVERHILL	3,924	11,828	4,279	20,031
Ipswich	1,155	2,772	946	4,873
LAWRENCE	4,930	17,448	7,361	29,739
LYNN	8,738	24,589	6,924	40,251
Lynnfield	1,171	3,729	437	5,337
Manchester	658	1,413	338	2,409
Marblehead	2,675	7,656	1,051	11,382
Merrimac	383	1,104	254	1,741
Methuen	2,506	10,459	2,932	15,897
Middleton	339	1,022	224	1,585
Nahant	471	1,203	231	1,905
Newbury	480	1,032	260	1,772
NEWBURYPORT	1,350	3,787	1,495	6,632
North Andover	1,341	4,453	1,124	6,918
PEABODY	4,055	12,115	3,828	19,998
Rockport	783	1,662	519	2,964
Rowley	277	785	193	1,255
SALEM	3,758	10,763	3,669	18,190
Salisbury	345	1,072	375	1,792
Saugus	2,599	7,271	1,502	11,372
Swampscott	1,546	4,381	1,474	7,401
Topsfield	543	1,472	157	2,172
Wenham	425	1,029	177	1,631
West Newbury	262	605	133	1,000
Totals	59,508	173,321	50,375	283,204

County of Franklin.

Ashfield	162	247	123	532
Bernardston	177	362	115	654
Buckland	234	408	190	832
Charlemont	127	164	98	389
Colrain	152	306	140	598
Conway	164	218	79	461
Deerfield	486	881	305	1,672
Erving	157	314	118	589
Gill	159	335	70	564
Greenfield	1,798	4,422	1,735	7,955
Hawley	26	30	26	82
Heath	47	55	28	130
Leverett	160	170	58	388
Leyden	44	87	30	161
Monroe	18	48	14	80
Montague	1,005	2,245	715	3,965
New Salem	54	129	33	216
Northfield	383	569	169	1,121
Orange	479	1,435	510	2,424
Rowe	50	93	23	166
Shelburne	241	450	162	853
Shutesbury	56	93	28	177
Sunderland	213	329	133	675
Warwick	59	94	42	195
Wendell	37	72	40	149
Whately	115	313	116	544
Totals	6,603	13,869	5,100	25,572

County of Hampden.

Agawam	1,562	5,419	1,761	8,742
Blandford	90	244	61	395
Brimfield	190	439	122	751
Chester	107	218	126	451
CHICOPEE	4,353	15,150	5,711	25,214
East Longmeadow	960	3,683	1,060	5,703
Granville	105	246	95	446
Hampden	395	1,036	229	1,660
Holland	99	204	92	395
HOLYOKE	3,888	9,125	8,794	21,807

County of Hampden — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Longmeadow	1,652	4,947	717	7,316
Ludlow	1,336	4,283	1,156	6,775
Monson	601	1,430	503	2,534
Montgomery	38	152	24	214
Palmer	1,037	2,810	1,286	5,133
Russell	135	299	141	575
Southwick	626	1,320	292	2,238
SPRINGFIELD	8,029	29,127	23,615	60,771
Tolland	22	25	17	64
Wales	87	167	50	304
West Springfield	2,171	6,669	2,631	11,471
WESTFIELD	2,593	7,081	2,176	11,850
Wilbraham	1,109	3,302	671	5,082
Totals	31,185	97,376	51,330	179,891

County of Hampshire.

Amherst	2,089	2,290	846	5,225
Belchertown	440	1,015	267	1,722
Chesterfield	82	151	57	290
Cummington	111	155	53	319
Easthampton	1,046	3,917	1,084	6,047
Goshen	68	120	33	221
Granby	475	1,223	261	1,959
Hadley	426	455	834	1,715
Hatfield	249	772	300	1,321
Huntington	174	312	146	632
Middlefield	43	67	29	139
NORTHAMPTON	2,456	7,002	1,973	11,431
Pelham	139	237	66	442
Plainfield	40	49	25	114
South Hadley	1,855	4,010	1,113	6,978
Southampton	250	866	189	1,305
Ware	684	2,446	960	4,090
Westhampton	88	204	39	331
Williamsburg	262	581	157	1,000
Worthington	97	155	72	324
Totals	11,074	26,027	8,504	45,605

County of Middlesex.

Acton	1,529	3,243	332	5,104
Arlington	7,434	16,316	3,365	27,115
Ashby	208	508	179	895
Ashland	795	2,204	395	3,394
Ayer	501	1,009	301	1,811
Bedford	1,577	2,761	376	4,714
Belmont	4,411	8,829	2,017	15,257
Billerica	2,366	6,016	1,120	9,502
Boxborough	141	343	63	547
Burlington	2,227	5,115	807	8,149
CAMBRIDGE	13,107	17,160	7,796	38,063
Carlisle	367	688	99	1,154
Chelmsford	2,631	8,158	1,046	11,835
Concord	2,396	3,594	928	6,918
Dracut	1,181	5,358	1,183	7,722
Dunstable	122	325	63	510
EVERETT	2,690	7,848	8,955	19,493
Framingham	6,690	14,236	2,960	23,886
Groton	577	1,305	261	2,143
Holliston	1,144	2,738	415	4,297
Hopkinton	595	1,523	388	2,506
Hudson	1,450	3,467	997	5,914
Lexington	4,910	7,635	1,835	14,380
Lincoln	936	1,184	180	2,300
Littleton	671	1,494	222	2,387
LOWELL	7,102	24,331	7,375	38,808
MALDEN	5,321	12,691	5,650	23,662
MARLBOROUGH	2,435	6,249	1,916	10,600
Maynard	970	2,368	659	3,997
MEDFORD	7,180	15,662	6,660	29,502

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
MELROSE	3,858	8,449	2,878	15,185
Natick	3,430	7,855	2,470	13,755
NEWTON	13,794	24,017	6,678	44,489
North Reading	1,344	2,522	497	4,363
Pepperell	510	1,198	302	2,010
Reading	2,843	6,232	1,078	10,153
Sherborn	419	828	118	1,365
Shirley	362	668	266	1,296
SOMERVILLE	9,063	18,460	7,948	35,471
Stoneham	2,577	5,484	1,402	9,463
Stow	346	936	181	1,463
Sudbury	1,499	2,645	684	4,828
Tewksbury	1,600	5,015	907	7,522
Townsend	430	1,013	209	1,652
Tyngsborough	318	1,091	245	1,654
Wakefield	3,004	7,256	1,798	12,058
WALTHAM	4,447	10,726	6,795	21,968
Watertown	5,238	9,683	3,239	18,160
Wayland	1,953	3,567	496	6,016
Westford	916	2,586	541	4,043
Weston	1,672	3,251	363	5,286
Wilmington	1,443	4,078	685	6,206
Winchester	2,938	5,905	1,864	10,707
WOBURN	3,136	8,895	3,328	15,359
Totals	150,804	326,718	103,515	581,037

County of Nantucket.

Nantucket	380	884	547	1,811

County of Norfolk.

Avon	478	1,429	314	2,221
Bellingham	1,276	2,571	881	4,728
Braintree	4,077	10,391	1,786	16,254
Brookline	7,326	11,245	9,625	28,196
Canton	2,066	4,576	994	7,636
Cohasset	941	2,098	377	3,416
Dedham	2,777	8,299	1,824	12,900
Dover	592	1,432	179	2,203
Foxborough	1,380	3,106	539	5,025
Franklin	1,871	3,281	1,069	6,221
Holbrook	1,094	2,882	584	4,560
Medfield	927	2,097	304	3,328
Medway	761	1,775	425	2,961
Millis	587	1,411	299	2,297
Milton	3,686	9,519	1,992	15,197
Needham	4,235	9,424	1,501	15,160
Norfolk	435	852	163	1,450
Norwood	3,777	8,096	1,956	13,829
Plainville	494	1,063	279	1,836
QUINCY	10,334	24,319	6,416	41,069
Randolph	2,873	6,449	1,649	10,971
Sharon	1,580	3,483	624	5,687
Stoughton	1,850	4,672	1,762	8,284
Walpole	2,194	4,664	875	7,733
Wellesley	4,073	8,267	1,207	13,547
Westwood	1,723	3,981	579	6,283
Weymouth	4,508	12,906	4,208	21,622
Wrentham	731	1,147	306	2,184
Totals	68,646	155,435	42,717	266,798

County of Plymouth.

Abington	1,423	3,026	659	5,108
Bridgewater	1,156	2,456	699	4,311
BROCKTON	7,122	20,640	5,326	33,088
Carver	198	524	159	881

County of Plymouth — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Duxbury	911	2,004	382	3,297
East Bridgewater	742	2,089	464	3,295
Halifax	345	837	144	1,326
Hanover	897	2,314	504	3,715
Hanson	576	1,584	333	2,493
Hingham	2,265	5,523	803	8,591
Hull	992	2,146	716	3,854
Kingston	622	1,318	446	2,386
Lakeville	418	1,023	279	1,720
Marion	346	1,059	221	1,626
Marshfield	1,428	3,348	544	5,320
Mattapoisett	442	1,398	238	2,078
Middleborough	1,281	2,920	825	5,026
Norwell	817	2,181	254	3,252
Pembroke	918	2,512	448	3,878
Plymouth	1,467	3,861	2,076	7,404
Plympton	129	301	56	486
Rochester	147	497	99	743
Rockland	1,377	3,610	837	5,824
Scituate	1,862	4,169	829	6,860
Wareham	945	2,166	973	4,084
West Bridgewater	575	1,673	305	2,553
Whitman	1,081	3,314	774	5,169
Totals	30,482	78,493	19,393	128,368

County of Suffolk.

BOSTON	41,796	93,239	96,797	231,832
CHELSEA	2,295	6,131	4,056	12,482
REVERE	4,229	10,289	5,584	20,102
Winthrop	2,031	5,016	2,307	9,354
Totals	50,351	114,675	108,744	273,770

County of Worcester.

Ashburnham	379	866	226	1471
Athol	1,142	2,854	984	4,980
Auburn	1,925	4,254	910	7,089
Barre	436	846	409	1,691
Berlin	242	446	115	803
Blackstone	823	1,221	693	2,737
Bolton	260	421	79	760
Boylston	355	762	124	1,241
Brookfield	262	437	120	819
Charlton	430	914	340	1,684
Clinton	1,220	3,160	1,428	5,808
Douglas	401	789	328	1,518
Dudley	676	1,813	682	3,171
East Brookfield	200	417	139	756
FITCHBURG	4,627	9,518	3,883	18,028
GARDNER	1,681	5,024	1,613	8,318
Grafton	1,146	2,524	904	4,574
Hardwick	269	570	230	1,069
Harvard	417	797	109	1,323
Holden	1,360	3,655	762	5,777
Hopedale	517	1,256	414	2,187
Hubbardston	152	340	108	600
Lancaster	486	1,103	367	1,956
Leicester	975	2,095	643	3,713
LEOMINSTER	3,272	7,160	2,698	13,130
Lunenburg	862	1,935	456	3,253
Mendon	267	635	222	1,124
Milford	1,761	4,611	2,878	9,250
Millbury	1,235	2,806	1,027	5,068
Millville	245	320	265	830
New Braintree	59	134	47	240
North Brookfield	562	845	339	1,746
Northborough	1,052	2,002	349	3,403
Northbridge	1,284	2,669	1,123	5,076

County of Worcester — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Oakham	98	177	39	314
Oxford	760	1,832	897	3,489
Paxton	386	1,034	129	1,549
Petersham	147	265	67	479
Phillipston	96	188	37	321
Princeton	193	423	87	703
Royalston	78	188	54	320
Rutland	374	668	151	1,193
Shrewsbury	2,099	5,099	1,193	8,391
Southborough	584	1,445	239	2,268
Southbridge	1,239	3,780	2,629	7,648
Spencer	1,137	1,921	956	4,014
Sterling	453	1,015	228	1,696
Sturbridge	489	1,239	387	2,115
Sutton	440	1,040	336	1,816
Templeton	502	1,416	325	2,243
Upton	408	863	308	1,579
Uxbridge	864	2,099	847	3,810
Warren	436	837	364	1,637
Webster	1,327	3,498	1,819	6,644
West Boylston	667	1,783	336	2,786
West Brookfield	304	613	172	1,089
Westborough	1,197	2,699	491	4,387
Westminster	478	1,135	274	1,887
Winchendon	638	1,532	521	2,691
WORCESTER	20,406	42,157	14,010	76,573
Totals	66,780	148,145	51,910	266,835

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	11,475	24,011	6,621	42,107
BERKSHIRE	17,680	30,012	17,053	64,745
BRISTOL	37,805	99,904	47,334	185,043
DUKES COUNTY	999	1,433	787	3,219
ESSEX	59,508	173,321	50,375	283,204
FRANKLIN	6,603	13,869	5,100	25,572
HAMPDEN	31,185	97,376	51,330	179,891
HAMPSHIRE	11,074	26,027	8,504	45,605
MIDDLESEX	150,804	326,718	103,515	581,037
NANTUCKET	380	884	547	1,811
NORFOLK	68,646	155,435	42,717	266,798
PLYMOUTH	30,482	78,493	19,393	128,368
SUFFOLK	50,351	114,675	108,744	273,770
WORCESTER	66,780	148,145	51,910	266,835
Totals	543,772	1,290,303	513,930	2,348,005

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 5, 1968.

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 July 20, 1966, received 225 votes in the affirmative and 1 in the negative, and in a joint session of the two branches held June 15, 1967, received 210 votes in the affirmative and 2 in the negative?

Summary.

The proposed amendment of the Constitution defines the circumstances in which a Governor's inability to perform his functions shall cause his office to become vacant, and it establishes a procedure for making the necessary determinations. The office will become vacant following a declaration of disability by the Governor himself or by the Chief Justice and a majority of the Associate Justices of the Supreme Judicial Court, or such other body as the Legislature may provide. The vacancy will terminate four days after the Governor declares that no disability exists, unless (1) within that period the Chief Justice and majority of the Associate Justices, or such other body provided by the Legislature, should make a contrary declaration and (2) within another stated period the Legislature, by two-thirds of each branch present and voting, then determines the issue contrary to the Governor's declaration.

The same procedure will also apply to a Lieutenant Governor who in the case of a vacancy is performing the Governor's duties.

The proposed amendment also requires the election of a Governor for the unexpired balance of the four-year term if a vacancy in the office of Governor as described in the proposed amendment continues for a six-month period expiring more than five months prior to a biennial state election other than an election for Governor.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	5,960	1,113	1,941	9,014
Bourne	2,087	466	683	3,236
Brewster	702	152	188	1,042
Chatham	1,781	280	475	2,536
Dennis	2,168	444	720	3,332
Eastham	695	126	198	1,019
Falmouth	4,391	888	1,652	6,931
Harwich	2,036	368	519	2,923
Mashpee	302	88	116	506
Orleans	1,351	245	329	1,925
Provincetown	827	189	431	1,447
Sandwich	903	210	325	1,438
Truro	301	60	110	471
Wellfleet	525	129	178	832
Yarmouth	3,706	738	1,011	5,455
Totals	27,735	5,496	8,876	42,107

County of Berkshire.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Adams	2,911	958	2,031	5,900
Alford	82	20	34	136
Becket	192	71	86	349
Cheshire	627	235	355	1,217
Clarksburg	485	120	246	851
Dalton	2,193	581	586	3,360
Egremont	319	88	119	526
Florida	129	130	31	290
Great Barrington	1,271	407	1,197	2,875
Hancock	146	41	60	247
Hinsdale	382	118	139	639
Lanesborough	614	363	268	1,245
Lee	1,062	427	918	2,407
Lenox	1,056	355	696	2,107
Monterey	197	24	61	282
Mount Washington	19	6	6	31
New Ashford	47	11	16	74
New Marlborough	234	57	122	413
NORTH ADAMS	4,680	1,279	2,687	8,646
Otis	110	71	132	313
Peru	49	26	17	92
PITTSFIELD	11,028	4,377	9,882	25,287
Richmond	369	94	94	557
Sandisfield	115	24	80	219
Savoy	84	26	52	162
Sheffield	646	132	230	1,008
Stockbridge	712	139	264	1,115
Tyringham	94	16	28	138
Washington	105	21	36	162
West Stockbridge	301	89	174	564
Williamstown	2,316	351	662	3,329
Windsor	109	53	42	204
Totals	32,684	10,710	21,351	64,745

County of Bristol.

Acushnet	1,667	584	1,055	3,306
ATTLEBORO	6,765	2,533	3,104	12,402
Berkley	370	158	226	754
Dartmouth	4,863	1,352	2,521	8,736
Dighton	1,043	365	474	1,882
Easton	3,039	987	907	4,933
Fairhaven	4,198	1,088	1,839	7,125
FALL RIVER	15,878	6,666	19,190	41,734
Freetown	924	273	349	1,546
Mansfield	2,302	818	881	4,001
NEW BEDFORD	21,914	7,131	14,638	43,683
North Attleborough	4,216	1,254	1,891	7,361
Norton	1,610	623	637	2,870
Raynham	1,543	590	646	2,779
Rehoboth	1,383	376	648	2,407
Seekonk	2,945	725	1,100	4,770
Somerset	4,243	1,123	2,480	7,846
Swansea	2,995	908	1,617	5,520
TAUNTON	7,754	3,170	6,377	17,301
Westport	1,891	664	1,532	4,087
Totals	91,543	31,388	62,112	185,043

County of Dukes County.

Chilmark	111	20	32	163
Edgartown	443	105	242	790
Gay Head	26	3	33	62
Gosnold	29	11	12	52
Oak Bluffs	409	102	262	773
Tisbury	675	174	284	1,133
West Tisbury	158	30	58	246
Totals	1,851	445	923	3,219

County of Essex.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Amesbury	2,023	1,044	1,889	4,956
Andover	6,561	2,366	1,638	10,565
Beverly	9,803	3,028	3,927	16,758
Boxford	1,162	254	228	1,644
Danvers	6,732	2,222	1,771	10,725
Essex	722	189	289	1,200
Georgetown	1,324	399	447	2,170
Gloucester	6,298	1,772	3,820	11,890
Groveland	1,286	412	392	2,090
Hamilton	1,981	454	524	2,959
Haverhill	9,902	3,897	6,232	20,031
Ipswich	2,802	774	1,297	4,873
Lawrence	12,622	6,955	10,162	29,739
Lynn	22,873	7,421	9,957	40,251
Lynnfield	3,615	1,039	683	5,337
Manchester	1,539	399	471	2,409
Marblehead	7,779	1,840	1,763	11,382
Merrimac	1,003	349	389	1,741
Methuen	7,407	4,077	4,413	15,897
Middleton	902	342	341	1,585
Nahant	1,225	366	314	1,905
Newbury	1,132	285	355	1,772
Newburyport	3,414	1,103	2,115	6,632
North Andover	3,803	1,566	1,549	6,918
Peabody	10,392	4,064	5,542	19,998
Rockport	1,836	427	701	2,964
Rowley	674	280	301	1,255
Salem	8,843	3,899	5,448	18,190
Salisbury	819	461	512	1,792
Saugus	6,724	2,296	2,352	11,372
Swampscott	4,145	1,251	2,005	7,401
Topsfield	1,526	398	248	2,172
Wenham	1,143	272	216	1,631
West Newbury	617	183	200	1,000
Totals	154,629	56,084	72,491	283,204

County of Franklin.

Ashfield	338	79	115	532
Bernardston	419	101	134	654
Buckland	458	133	241	832
Charlemont	209	61	119	389
Colrain	325	106	167	598
Conway	267	93	101	461
Deerfield	953	331	388	1,672
Erving	336	101	152	589
Gill	331	133	100	564
Greenfield	4,022	1,739	2,194	7,955
Hawley	44	11	27	82
Heath	83	15	32	130
Leverett	257	58	73	388
Leyden	99	31	31	161
Monroe	40	14	26	80
Montague	2,137	790	1,038	3,965
New Salem	119	47	50	216
Northfield	729	184	208	1,121
Orange	1,252	437	735	2,424
Rowe	104	29	33	166
Shelburne	503	129	221	853
Shutesbury	112	30	35	177
Sunderland	380	134	161	675
Warwick	110	29	56	195
Wendell	78	25	46	149
Whately	262	128	154	544
Totals	13,967	4,968	6,637	25,572

County of Hampden.

Agawam	4,013	2,572	2,157	8,742
Blandford	215	102	78	395
Brimfield	434	158	159	751

County of Hampden — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Chester	204	86	161	451
CHICOPEE	10,035	6,425	8,754	25,214
East Longmeadow	2,994	1,401	1,308	5,703
Granville	231	104	111	446
Hampden	1,018	378	264	1,660
Holland	205	85	105	395
HOLYOKE	7,743	3,865	10,199	21,807
Longmeadow	4,705	1,608	1,003	7,316
Ludlow	3,446	1,717	1,612	6,775
Monson	1,343	543	648	2,534
Montgomery	104	70	40	214
Palmer	2,322	1,104	1,707	5,133
Russell	271	126	178	575
Southwick	1,359	482	397	2,238
SPRINGFIELD	19,600	12,862	28,309	60,771
Tolland	33	13	18	64
Wales	159	59	86	304
West Springfield	5,027	3,336	3,108	11,471
WESTFIELD	6,050	2,782	3,018	11,850
Wilbraham	3,065	1,127	890	5,082
Totals	74,576	41,005	64,310	179,891

County of Hampshire.

Amherst	3,208	974	1,043	5,225
Belchertown	922	417	383	1,722
Chesterfield	162	54	74	290
Cummington	200	52	67	319
Easthampton	2,913	1,598	1,536	6,047
Goshen	128	45	48	221
Granby	1,154	448	357	1,959
Hadley	861	400	454	1,715
Hatfield	624	295	402	1,321
Huntington	355	113	164	632
Middlefield	78	23	38	139
NORTHAMPTON	5,939	2,548	2,944	11,431
Pelham	264	91	87	442
Plainfield	62	23	29	114
South Hadley	4,126	1,354	1,498	6,978
Southampton	723	340	242	1,305
Ware	1,739	1,038	1,313	4,090
Westhampton	193	84	54	331
Williamsburg	575	215	210	1,000
Worthington	185	62	77	324
Totals	24,411	10,174	11,020	45,605

County of Middlesex.

Acton	3,636	902	566	5,104
Arlington	16,105	6,033	4,977	27,115
Ashby	520	157	218	895
Ashland	2,108	676	610	3,394
Ayer	1,065	324	422	1,811
Bedford	3,242	927	545	4,714
Belmont	9,103	3,237	2,917	15,257
Billerica	5,977	1,911	1,614	9,502
Boxborough	361	100	86	547
Burlington	4,994	1,956	1,199	8,149
CAMBRIDGE	19,688	8,153	10,222	38,063
Carlisle	803	194	157	1,154
Chelmsford	8,074	2,010	1,751	11,835
Concord	4,151	1,617	1,150	6,918
Dracut	3,961	1,911	1,850	7,722
Dunstable	327	88	95	510
EVERETT	5,495	3,350	10,648	19,493
Framingham	15,287	4,228	4,371	23,886
Groton	1,395	351	397	2,143
Holliston	2,857	813	627	4,297
Hopkinton	1,488	462	556	2,506
Hudson	3,462	1,025	1,427	5,914
Lexington	8,531	3,441	2,408	14,380

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Tota Ballots.
Lincoln	1,604	420	276	2,300
Littleton	1,576	432	379	2,387
LOWELL	20,476	7,245	11,087	38,808
MALDEN	10,425	5,802	7,435	23,662
MARLBOROUGH	6,047	2,009	2,544	10,600
Maynard	2,184	778	1,035	3,997
MEDFORD	15,106	5,848	8,548	29,502
MELROSE	7,869	3,629	3,687	15,185
Natick	7,382	3,363	3,010	13,755
NEWTON	26,229	8,897	9,363	44,489
North Reading	2,851	760	752	4,363
Pepperell	1,202	400	408	2,010
Reading	6,424	2,248	1,481	10,153
Sherborn	948	219	198	1,365
Shirley	739	215	342	1,296
SOMERVILLE	17,562	7,453	10,456	35,471
Stoneham	5,495	1,963	2,005	9,463
Stow	931	263	269	1,463
Sudbury	2,967	1,004	857	4,828
Tewksbury	4,680	1,416	1,426	7,522
Townsend	1,052	287	313	1,652
Tyngsborough	916	361	377	1,654
Wakefield	7,265	2,384	2,409	12,058
WALTHAM	9,827	3,972	8,169	21,968
Watertown	9,978	3,757	4,425	18,160
Wayland	4,083	1,176	757	6,016
Westford	2,520	715	808	4,043
Weston	3,860	871	555	5,286
Wilmington	3,839	1,326	1,041	6,206
Winchester	6,119	2,295	2,293	10,707
WOBURN	7,374	4,017	3,968	15,359
Totals	322,160	119,391	139,486	581,037

County of Nantucket.

Nantucket	875	283	653	1,811

County of Norfolk.

Avon	1,267	499	455	2,221
Bellingham	2,747	892	1,089	4,728
Braintree	10,272	3,276	2,706	16,254
Brookline	11,940	4,398	11,858	28,196
Canton	4,666	1,538	1,432	7,636
Cohasset	2,283	586	547	3,416
Dedham	7,387	2,719	2,794	12,900
Dover	1,569	378	256	2,203
Foxborough	3,273	989	763	5,025
Franklin	3,650	1,129	1,442	6,221
Holbrook	2,768	920	872	4,560
Medfield	2,236	627	465	3,328
Medway	1,762	541	658	2,961
Millis	1,438	434	425	2,297
Milton	9,519	2,820	2,858	15,197
Needham	10,326	2,681	2,153	15,160
Norfolk	944	256	250	1,450
Norwood	8,300	2,802	2,727	13,829
Plainville	1,115	340	381	1,836
QUINCY	23,649	8,243	9,177	41,069
Randolph	6,456	2,088	2,427	10,971
Sharon	3,670	1,058	959	5,687
Stoughton	4,080	2,092	2,112	8,284
Walpole	4,942	1,464	1,327	7,733
Wellesley	9,723	2,142	1,682	13,547
Westwood	4,107	1,285	891	6,283
Weymouth	11,326	4,889	5,407	21,622
Wrentham	1,365	403	416	2,184
Totals	156,780	51,489	58,529	266,798

County of Plymouth.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Abington	3,149	997	962	5,108
Bridgewater	2,557	780	974	4,311
BROCKTON	18,679	6,606	7,803	33,088
Carver	484	185	212	881
Duxbury	2,272	478	547	3,297
East Bridgewater	1,966	695	634	3,295
Halifax	847	254	225	1,326
Hanover	2,509	617	589	3,715
Hanson	1,558	422	513	2,493
Hingham	5,831	1,498	1,262	8,591
Hull	2,142	667	1,045	3,854
Kingston	1,323	427	636	2,386
Lakeville	1,049	310	361	1,720
Marion	1,122	213	291	1,626
Marshfield	3,483	1,018	819	5,320
Mattapoisett	1,399	292	387	2,078
Middleborough	3,088	865	1,073	5,026
Norwell	2,260	580	412	3,252
Pembroke	2,431	762	685	3,878
Plymouth	3,435	1,530	2,439	7,404
Plympton	290	102	94	486
Rochester	426	152	165	743
Rockland	3,370	1,209	1,245	5,824
Scituate	4,410	1,195	1,255	6,860
Wareham	2,384	593	1,107	4,084
West Bridgewater	1,630	474	449	2,553
Whitman	3,065	995	1,109	5,169
Totals	77,159	23,916	27,293	128,368

County of Suffolk.

BOSTON	74,761	40,439	116,632	231,832
CHELSEA	4,668	2,584	5,230	12,482
REVERE	8,558	4,210	7,334	20,102
Winthrop	4,013	2,553	2,788	9,354
Totals	92,000	49,786	131,984	273,770

County of Worcester.

Ashburnham	905	237	329	1,471
Athol	2,726	814	1,440	4,980
Auburn	4,420	1,349	1,320	7,089
Barre	864	298	529	1,691
Berlin	498	145	160	803
Blackstone	1,493	470	774	2,737
Bolton	516	114	130	760
Boylston	849	219	173	1,241
Brookfield	495	142	182	819
Charlton	984	302	398	1,684
Clinton	2,817	1,035	1,956	5,808
Douglas	802	320	396	1,518
Dudley	1,604	610	957	3,171
East Brookfield	442	117	197	756
FITCHBURG	9,563	3,304	5,161	18,028
GARDNER	4,226	1,589	2,503	8,318
Grafton	2,598	790	1,186	4,574
Hardwick	527	230	312	1,069
Harvard	973	192	158	1,323
Holden	3,828	1,039	910	5,777
Hopedale	1,229	369	589	2,187
Hubbardston	334	122	144	600
Lancaster	1,151	335	470	1,956
Leicester	2,097	777	839	3,713
LEOMINSTER	7,375	2,254	3,501	13,130
Lunenburg	2,101	497	655	3,253
Mendon	595	232	297	1,124
Milford	3,699	1,592	3,959	9,250
Millbury	2,652	1,133	1,283	5,068
Millville	392	148	290	830

County of Worcester — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
New Braintree	133	42	65	240
North Brookfield	965	283	498	1,746
Northborough	2,387	545	471	3,403
Northbridge	2,492	1,172	1,412	5,076
Oakham	192	57	65	314
Oxford	1,646	778	1,065	3,489
Paxton	1,085	272	192	1,549
Petersham	309	78	92	479
Phillipston	203	57	61	321
Princeton	484	106	113	703
Royalston	169	84	67	320
Rutland	794	207	192	1,193
Shrewsbury	5,335	1,417	1,639	8,391
Southborough	1,470	428	370	2,268
Southbridge	2,954	1,543	3,151	7,648
Spencer	2,179	668	1,167	4,014
Sterling	1,115	267	314	1,696
Sturbridge	1,250	330	535	2,115
Sutton	1,006	354	456	1,816
Templeton	1,223	492	528	2,243
Upton	858	306	415	1,579
Uxbridge	1,999	769	1,042	3,810
Warren	763	342	532	1,637
Webster	2,976	1,273	2,395	6,644
West Boylston	1,966	455	365	2,786
West Brookfield	625	206	258	1,089
Westborough	2,923	782	682	4,387
Westminster	1,161	330	396	1,887
Winchendon	1,487	465	739	2,691
WORCESTER	43,454	15,002	18,117	76,573
Totals	148,358	49,885	68,592	266,835

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	27,735	5,496	8,876	42,107
BERKSHIRE	32,684	10,710	21,351	64,745
BRISTOL	91,543	31,388	62,112	185,043
DUKES COUNTY	1,851	445	923	3,219
ESSEX	154,629	56,084	72,491	283,204
FRANKLIN	13,967	4,968	6,637	25,572
HAMPDEN	74,576	41,005	64,310	179,891
HAMPSHIRE	24,411	10,174	11,020	45,605
MIDDLESEX	322,160	119,391	139,486	581,037
NANTUCKET	875	283	653	1,811
NORFOLK	156,780	51,489	58,529	266,798
PLYMOUTH	77,159	23,916	27,293	128,368
SUFFOLK	92,000	49,786	131,984	273,770
WORCESTER	148,358	49,885	68,592	266,835
Totals	1,218,728	455,020	674,257	2,348,005

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 5, 1968.

Votes on Question No. 4 (Law Proposed by Initiative Petition).

Do you approve of a law summarized below, upon which the House of Representatives did not vote and upon which the Senate did not vote?

Summary.

The proposed law provides that the official ballot in the biennial State election for the year 1970 shall contain a question asking the voters whether there shall be a convention in 1971 to (1) revise, alter or amend the Constitution of the Commonwealth on the following subjects, insofar as they relate to the structure of government, and no others: the Executive Branch; the General Court; the Executive Council; the government of cities, towns and counties and their relationship to each other and to the government of the Commonwealth; (2) simplify and rearrange the constitution, and (3) provide methods of amendment thereof. The question will state that the convention shall not consider or propose any measure which relates to the Massachusetts Declaration of Rights, the provisions of the Massachusetts constitution concerning the "Judiciary Power" (other than provisions respecting the Executive Council), or any of the excluded matters enumerated in Article XLVIII, II, Section 2 of the Massachusetts constitution. The question will fix the number of delegates to the convention at 150, of whom 20 members shall be members of the General Court; the remaining 130 members shall be elected by the voters in the manner summarized below. The question will also state that the convention shall conclude its business not later than 120 days from its first session.

The proposed law provides that if a majority of the votes on the foregoing question is in the affirmative, the convention shall be held in July, 1971 to revise, alter or amend the constitution on the matters enumerated above only. The House of Representatives and the Senate shall each elect as delegates 10 of its members, not more than 6 from each branch coming from the same political party. Of the remaining 130 delegates, 10 shall be elected at large and 120 shall be elected from the 40 senatorial districts, 3 from each. Provision is made for the manner of nominating and electing these 130 delegates, without party or political designation, for filling vacancies occurring in the position of any delegate, from whatever source chosen, and for the conduct of the convention's business.

Any revisions, alterations and amendments of the Massachusetts constitution adopted by the convention shall be submitted to the people at the State election in 1972 for their ratification and adoption in such manner as the convention may direct. If a majority of the people voting thereon ratify and adopt such revision, alteration or amendment, the constitution shall be deemed to be changed accordingly.

The proposed law also provides that if the vote on the question to be submitted at the biennial State election in 1970 is in the affirmative, the Governor shall appoint a preparatory commission of 5 members to compile data to aid the convention in the discharge of its duties. Each member of

the commission shall receive compensation of $10,000 and the commission may expend a sum not in excess of $200,000, as the Governor may approve, for its expenses.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	3,868	2,386	2,760	9,014
Bourne	1,408	819	1,009	3,236
Brewster	432	353	257	1,042
Chatham	1,160	643	733	2,536
Dennis	1,385	890	1,057	3,332
Eastham	469	266	284	1,019
Falmouth	3,084	1,592	2,255	6,931
Harwich	1,340	771	812	2,923
Mashpee	188	131	187	506
Orleans	800	593	532	1,925
Provincetown	539	319	589	1,447
Sandwich	610	372	456	1,438
Truro	216	98	157	471
Wellfleet	335	232	265	832
Yarmouth	2,459	1,456	1,540	5,455
Totals	18,293	10,921	12,893	42,107

County of Berkshire.

Adams	1,930	1,423	2,547	5,900
Alford	51	43	42	136
Becket	147	105	97	349
Cheshire	431	354	432	1,217
Clarksburg	278	236	337	851
Dalton	1,475	1,021	864	3,360
Egremont	198	151	177	526
Florida	90	73	127	290
Great Barrington	1,112	522	1,241	2,875
Hancock	88	68	91	247
Hinsdale	250	178	211	639
Lanesborough	596	372	277	1,245
Lee	865	526	1,016	2,407
Lenox	782	489	836	2,107
Monterey	123	76	83	282
Mount Washington	14	5	12	31
New Ashford	29	22	23	74
New Marlborough	140	118	155	413
North Adams	3,168	2,076	3,402	8,646
Otis	82	77	154	313
Peru	31	29	32	92
Pittsfield	7,928	5,725	11,634	25,287
Richmond	223	196	138	557
Sandisfield	85	40	94	219
Savoy	54	41	67	162
Sheffield	385	274	349	1,008
Stockbridge	498	279	338	1,115
Tyringham	57	38	43	138
Washington	69	44	49	162
West Stockbridge	183	142	239	564
Williamstown	1,665	726	938	3,329
Windsor	74	63	67	204
Totals	23,101	15,532	26,112	64,745

County of Bristol.

Acushnet	1,106	928	1,272	3,306
Attleboro	4,727	3,534	4,141	12,402
Berkley	244	244	266	754
Dartmouth	3,229	2,313	3,194	8,736
Dighton	629	640	613	1,882
Easton	2,168	1,466	1,299	4,933
Fairhaven	2,808	1,925	2,392	7,125
Fall River	10,137	8,929	22,668	41,734
Freetown	570	486	490	1,546
Mansfield	1,629	1,165	1,207	4,001
New Bedford	15,033	10,848	17,802	43,683
North Attleborough	2,654	2,160	2,547	7,361

County of Bristol — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Norton	1,061	917	892	2,870
Raynham	988	920	871	2,779
Rehoboth	778	745	884	2,407
Seekonk	1,768	1,458	1,544	4,770
Somerset	2,533	2,147	3,166	7,846
Swansea	1,809	1,658	2,053	5,520
TAUNTON	4,805	4,750	7,746	17,301
Westport	1,183	1,029	1,875	4,087
Totals	59,859	48,262	76,922	185,043

County of Dukes County.

Chilmark	57	63	43	163
Edgartown	248	212	330	790
Gay Head	14	11	37	62
Gosnold	18	19	15	52
Oak Bluffs	259	188	326	773
Tisbury	392	312	429	1,133
West Tisbury	107	60	79	246
Totals	1,095	865	1,259	3,219

County of Essex.

Amesbury	1,544	1,189	2,223	4,956
Andover	4,843	3,619	2,103	10,565
BEVERLY	6,709	4,647	5,402	16,758
Boxford	831	485	328	1,644
Danvers	4,959	3,508	2,258	10,725
Essex	467	340	393	1,200
Georgetown	865	680	625	2,170
GLOUCESTER	4,142	2,867	4,881	11,890
Groveland	910	637	543	2,090
Hamilton	1,452	763	744	2,959
HAVERHILL	6,443	5,606	7,982	20,031
Ipswich	1,895	1,269	1,709	4,873
LAWRENCE	8,498	8,974	12,267	29,739
LYNN	16,139	10,791	13,321	40,251
Lynnfield	2,752	1,508	1,077	5,337
Manchester	1,123	591	695	2,409
Marblehead	5,735	2,978	2,669	11,382
Merrimac	630	570	541	1,741
Methuen	4,941	5,499	5,457	15,897
Middleton	635	492	458	1,585
Nahant	917	508	480	1,905
Newbury	769	495	508	1,772
NEWBURYPORT	2,333	1,678	2,621	6,632
North Andover	2,590	2,226	2,102	6,918
PEABODY	7,990	5,143	6,865	19,998
Rockport	1,193	714	1,057	2,964
Rowley	454	420	381	1,255
SALEM	6,149	5,148	6,893	18,190
Salisbury	559	611	622	1,792
Saugus	4,856	3,284	3,232	11,372
Swampscott	3,440	1,613	2,348	7,401
Topsfield	1,185	633	354	2,172
Wenham	799	486	346	1,631
West Newbury	433	289	278	1,000
Totals	109,180	80,261	93,763	283,204

County of Franklin.

Ashfield	212	161	159	532
Bernardston	250	204	200	654
Buckland	263	255	314	832
Charlemont	127	101	161	389
Colrain	198	186	214	598
Conway	149	162	150	461
Deerfield	667	491	514	1,672
Erving	210	161	218	589

County of Franklin — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Gill	238	169	157	564
Greenfield	2,979	2,220	2,756	7,955
Hawley	22	27	33	82
Heath	51	36	43	130
Leverett	189	95	104	388
Leyden	50	60	51	161
Monroe	24	21	35	80
Montague	1,385	1,163	1,417	3,965
New Salem	67	73	76	216
Northfield	462	350	309	1,121
Orange	744	720	960	2,424
Rowe	58	70	38	166
Shelburne	293	261	299	853
Shutesbury	76	52	49	177
Sunderland	261	186	228	675
Warwick	73	51	71	195
Wendell	42	45	62	149
Whately	164	161	219	544
Totals	9,254	7,481	8,837	25,572

County of Hampden.

Agawam	3,900	2,658	2,184	8,742
Blandford	143	133	119	395
Brimfield	271	251	229	751
Chester	129	119	203	451
CHICOPEE	7,675	11,218	6,321	25,214
East Longmeadow	2,416	1,676	1,611	5,703
Granville	152	149	145	446
Hampden	658	603	399	1,660
Holland	113	142	140	395
HOLYOKE	5,895	4,369	11,543	21,807
Longmeadow	3,287	2,422	1,607	7,316
Ludlow	2,322	2,378	2,075	6,775
Monson	851	838	845	2,534
Montgomery	60	88	66	214
Palmer	1,538	1,485	2,110	5,133
Russell	165	176	234	575
Southwick	902	747	589	2,238
SPRINGFIELD	14,203	13,970	32,598	60,771
Tolland	18	24	22	64
Wales	96	104	104	304
West Springfield	4,332	3,703	3,436	11,471
WESTFIELD	4,091	3,850	3,909	11,850
Wilbraham	2,104	1,764	1,214	5,082
Totals	55,321	52,867	71,703	179,891

County of Hampshire.

Amherst	3,065	1,081	1,079	5,225
Belchertown	641	545	536	1,722
Chesterfield	100	88	102	290
Cummington	113	108	98	319
Easthampton	1,927	2,144	1,976	6,047
Goshen	78	75	68	221
Granby	787	678	494	1,959
Hadley	595	535	585	1,715
Hatfield	442	388	491	1,321
Huntington	224	177	231	632
Middlefield	50	43	46	139
NORTHAMPTON	4,081	3,484	3,866	11,431
Pelham	204	114	124	442
Plainfield	32	40	42	114
South Hadley	2,963	1,977	2,038	6,978
Southampton	486	492	327	1,305
Ware	1,067	1,335	1,688	4,090
Westhampton	124	133	74	331
Williamsburg	355	329	316	1,000
Worthington	118	102	104	324
Totals	17,452	13,868	14,285	45,605

County of Middlesex.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Acton	2,936	1,275	893	5,104
Arlington	11,754	7,837	7,524	27,115
Ashby	334	265	296	895
Ashland	1,462	1,047	885	3,394
Ayer	679	557	575	1,811
Bedford	2,756	1,091	867	4,714
Belmont	6,956	4,085	4,216	15,257
Billerica	4,027	2,972	2,503	9,502
Boxborough	252	173	122	547
Burlington	3,761	2,498	1,890	8,149
CAMBRIDGE	16,450	8,617	12,996	38,063
Carlisle	706	230	218	1,154
Chelmsford	5,934	3,324	2,577	11,835
Concord	4,124	1,425	1,369	6,918
Dracut	2,592	2,679	2,451	7,722
Dunstable	191	157	162	510
EVERETT	4,251	3,337	11,905	19,493
Framingham	11,792	6,065	6,029	23,886
Groton	992	614	537	2,143
Holliston	2,093	1,265	939	4,297
Hopkinton	1,011	719	776	2,506
Hudson	2,473	1,532	1,909	5,914
Lexington	8,165	3,106	3,109	14,380
Lincoln	1,489	407	404	2,300
Littleton	1,110	689	588	2,387
LOWELL	13,598	10,553	14,657	38,808
MALDEN	8,616	6,485	8,561	23,662
MARLBOROUGH	4,406	2,853	3,341	10,600
Maynard	1,503	1,125	1,369	3,997
MEDFORD	10,220	7,475	11,807	29,502
MELROSE	6,102	4,278	4,805	15,185
Natick	6,338	3,658	3,759	13,755
NEWTON	21,634	11,107	11,748	44,489
North Reading	2,130	1,163	1,070	4,363
Pepperell	705	707	598	2,010
Reading	5,067	3,062	2,024	10,153
Sherborn	723	349	293	1,365
Shirley	468	378	450	1,296
SOMERVILLE	12,710	9,551	13,210	35,471
Stoneham	3,991	2,651	2,821	9,463
Stow	651	398	414	1,463
Sudbury	2,759	945	1,124	4,828
Tewksbury	3,161	2,387	1,974	7,522
Townsend	640	550	462	1,652
Tyngsborough	571	570	513	1,654
Wakefield	5,255	3,632	3,171	12,058
WALTHAM	8,067	4,670	9,231	21,968
Watertown	7,477	4,624	6,059	18,160
Wayland	3,370	1,471	1,175	6,016
Westford	1,775	1,172	1,096	4,043
Weston	3,005	1,338	943	5,286
Wilmington	2,600	2,009	1,597	6,206
Winchester	4,902	2,774	3,031	10,707
WOBURN	6,359	4,502	4,498	15,359
Totals	247,093	152,403	181,541	581,037

County of Nantucket.

Nantucket	360	749	702	1,811

County of Norfolk.

Avon	845	711	665	2,221
Bellingham	1,815	1,481	1,432	4,728
Braintree	7,311	4,819	4,124	16,254
Brookline	9,986	4,441	13,769	28,196
Canton	3,572	2,020	2,044	7,636
Cohasset	1,747	879	790	3,416
Dedham	5,397	3,619	3,884	12,900
Dover	1,271	551	381	2,203
Foxborough	2,389	1,470	1,166	5,025
Franklin	2,778	1,559	1,884	6,221
Holbrook	1,933	1,378	1,249	4,560
Medfield	1,830	827	671	3,328

County of Norfolk — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Medway	1,254	810	897	2,961
Millis	1,111	603	583	2,297
Milton	5,970	5,051	4,176	15,197
Needham	7,498	4,055	3,607	15,160
Norfolk	696	378	376	1,450
Norwood	6,342	3,485	4,002	13,829
Plainville	742	574	520	1,836
QUINCY	17,330	11,474	12,265	41,069
Randolph	4,717	2,993	3,261	10,971
Sharon	2,905	1,380	1,402	5,687
Stoughton	3,912	1,907	2,465	8,284
Walpole	3,699	2,109	1,925	7,733
Wellesley	6,979	3,928	2,640	13,547
Westwood	3,146	1,747	1,390	6,283
Weymouth	9,339	5,831	6,452	21,622
Wrentham	946	655	583	2,184
Totals	117,460	70,735	78,603	266,798

County of Plymouth.

Abington	2,201	1,513	1,394	5,108
Bridgewater	1,759	1,194	1,358	4,311
BROCKTON	13,191	9,429	10,468	33,088
Carver	293	279	309	881
Duxbury	1,512	937	848	3,297
East Bridgewater	1,295	1,052	948	3,295
Halifax	571	404	351	1,326
Hanover	1,766	1,079	870	3,715
Hanson	1,001	773	719	2,493
Hingham	4,318	2,378	1,895	8,591
Hull	1,521	949	1,384	3,854
Kingston	869	667	850	2,386
Lakeville	690	494	536	1,720
Marion	763	439	424	1,626
Marshfield	2,537	1,557	1,226	5,320
Mattapoisett	937	578	563	2,078
Middleborough	1,941	1,510	1,575	5,026
Norwell	1,561	1,012	679	3,252
Pembroke	1,650	1,220	1,008	3,878
Plymouth	2,993	1,845	2,566	7,404
Plympton	205	141	140	486
Rochester	252	265	226	743
Rockland	2,241	1,863	1,720	5,824
Scituate	3,280	1,783	1,797	6,860
Wareham	1,482	1,121	1,481	4,084
West Bridgewater	1,084	809	660	2,553
Whitman	2,021	1,599	1,549	5,169
Totals	53,934	36,890	37,544	128,368

County of Suffolk.

BOSTON	61,822	41,392	128,618	231,832
CHELSEA	3,523	2,846	6,113	12,482
REVERE	6,208	4,974	8,920	20,102
Winthrop	3,495	2,561	3,298	9,354
Totals	75,048	51,773	146,949	273,770

County of Worcester.

Ashburnham	573	460	438	1,471
Athol	1,598	1,438	1,944	4,980
Auburn	2,829	2,379	1,881	7,089
Barre	541	444	705	1,691
Berlin	332	239	232	803
Blackstone	953	744	1,040	2,737
Bolton	351	200	209	760
Boylston	574	371	296	1,241
Brookfield	287	270	262	819
Charlton	580	533	571	1,684

County of Worcester — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Clinton	1,832	1,493	2,483	5,808
Douglas	504	501	513	1,518
Dudley	1,015	902	1,254	3,171
East Brookfield	262	229	265	756
FITCHBURG	6,335	4,789	6,904	18,028
GARDNER	2,669	2,465	3,184	8,318
Grafton	1,717	1,289	1,568	4,574
Hardwick	330	310	429	1,069
Harvard	656	390	277	1,323
Holden	2,997	1,603	1,177	5,777
Hopedale	771	600	816	2,187
Hubbardston	202	199	199	600
Lancaster	677	610	669	1,956
Leicester	1,397	1,095	1,221	3,713
LEOMINSTER	4,674	3,733	4,723	13,130
Lunenburg	1,345	951	957	3,253
Mendon	349	343	432	1,124
Milford	2,424	1,981	4,845	9,250
Millbury	1,975	1,477	1,616	5,068
Millville	286	209	335	830
New Braintree	87	69	84	240
North Brookfield	603	454	689	1,746
Northborough	1,620	1,059	724	3,403
Northbridge	2,112	1,381	1,583	5,076
Oakham	117	104	93	314
Oxford	1,486	933	1,070	3,489
Paxton	742	518	289	1,549
Petersham	206	142	131	479
Phillipston	108	112	101	321
Princeton	318	221	164	703
Royalston	84	146	90	320
Rutland	497	409	287	1,193
Shrewsbury	3,406	2,565	2,420	8,391
Southborough	991	713	564	2,268
Southbridge	2,729	1,680	3,239	7,648
Spencer	1,371	1,104	1,539	4,014
Sterling	651	598	447	1,696
Sturbridge	825	565	725	2,115
Sutton	623	573	620	1,816
Templeton	717	786	740	2,243
Upton	545	458	576	1,579
Uxbridge	1,203	1,162	1,445	3,810
Warren	449	511	677	1,637
Webster	1,805	1,888	2,951	6,644
West Boylston	1,236	924	626	2,786
West Brookfield	375	360	354	1,089
Westborough	1,901	1,367	1,119	4,387
Westminster	699	610	578	1,887
Winchendon	879	821	991	2,691
WORCESTER	28,585	22,305	25,683	76,573
Totals	98,005	76,785	92,045	266,835

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	18,293	10,921	12,893	42,107
BERKSHIRE	23,101	15,532	26,112	64,745
BRISTOL	59,859	48,262	76,922	185,043
DUKES COUNTY	1,095	865	1,259	3,219
ESSEX	109,180	80,261	93,763	283,204
FRANKLIN	9,254	7,481	8,837	25,572
HAMPDEN	55,321	52,867	71,703	179,891
HAMPSHIRE	17,452	13,868	14,285	45,605
MIDDLESEX	247,093	152,403	181,541	581,037
NANTUCKET	360	749	702	1,811
NORFOLK	117,460	70,735	78,603	266,798
PLYMOUTH	53,934	36,890	37,544	128,368
SUFFOLK	75,048	51,773	146,949	273,770
WORCESTER	98,005	76,785	92,045	266,835
Totals	885,455	619,392	843,158	2,348,005

APPENDIX

The following table and index have been prepared by CHARLES J. INNES, ESQ., counsel to the Senate and HARRY COLTON, ESQ., counsel to the 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 THROUGH THE YEAR NINETEEN HUNDRED AND SIXTY-NINE.*†

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 by 1956, 742 § 1; section revised, 1963, 506 § 1; act of 1963 submitted

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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.

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); sentence inserted after third sentence, 1966, 441 § 1; same sentence amended, 1966, 688 § 1; section revised, 1969, 19 § 4. (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; 1966, 441 § 3, 688 § 3; 1969, 19 § 7.) For temporary act see 1965, 271 § 1; 1966, 441 § 2, 688 § 2. (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); section revised, 1969, 19 § 5. (See 1963, 506 §§ 5–7; 1969, 19 § 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); section revised, 1969, 19 § 6. (See 1945, 248 §§ 4, 5; 1948; 655 §§ 3, 4; 1949, 784 § 3; 1951, 803 § 2; 1957, 733 § 2; 1960, 783 § 3; 1969, 19 § 7.) 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; 1967, 1. (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; 1967, 291 § 1; fourth sentence stricken out, 1967, 291 § 2.

SECT. 58 amended, 1955, 137.

SECT. 60, two sentences added at end, 1955, 579.

SECT. 62 added, under caption, 1966, 518 (establishing the municipal problems commission).

Chapter 4. — Statutes.

SECT. 1A added, 1969, 427 (relative to a reorganization plan procedure for the executive department).

SECT. 2A added, 1962, 68 (relative to the powers and duties of certain special commissions).

SECT. 4 revised, 1962, 182; 1966, 253.

SECT. 4A added, 1952, 223 (permitting certain towns to revoke their acceptance of certain special acts).

SECT. 5 revised, 1935, 69.

SECT. 6, clause Tenth added, 1967, 867 § 1.

SECT. 7, clause Third revised, 1951, 215 § 1; clause Sixth A added, 1967, 844 § 23; 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; 1968, 24 § 1; clause Twenty-sixth revised, 1958, 626 § 1; 1962, 427 § 1; amended, 1969, 831 § 2; 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; revised, 1966, 716; 1967, 437; 1968, 531 § 1; paragraph added, 1968, 531 § 2; clause Forty-fourth added, 1955, 683; clause Forty-fifth added, 1957, 765 § 3; clause Forty-sixth added, 1964, 322; clause Forty-seventh added, 1969, 544 § 1. (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; 1968, 24 § 7.)

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 section revised, 1968, 401; 1969, 150.

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; first sentence amended, 1946, 466; 1967, 294; 1969, 239; 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; 1969, 835 § 1. (See 1963, 744 § 8; 1969, 835 § 7.)

SECT. 2 amended, 1946, 591 § 2; 1949, 722; 1955, 730 § 1; 1963, 744 § 2; 1965, 844 § 1; 1969, 835 § 2. (See 1955, 730 § 43; 1963, 744 § 8; 1969, 835 § 7.)

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; 1969, 93.

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; first paragraph revised, 1969, 91 § 1; third paragraph, fourth sentence revised, 1969, 91 § 2.

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); amended, 1968, 24 § 2. (See 1968, 24 § 7.)

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; amended, 1968, 19 (providing for annual observance of Grandparents' Day); amended, 1968, 24 § 3. (See 1968, 24 § 7.)

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. 12Z added, 1967, 153 (relative to the observance of Jamaican Independence 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. 15K added, 1967, 241 (providing for the annual observance of cystic fibrosis week).

SECT. 15L added, 1968, 8 (relative to the annual observance of John F. Kennedy Day).

SECTS. 15M–15O added, 1969, 65 (providing for the annual observance of Battleship Massachusetts Memorial Day, Police Officers' Week and Keep Massachusetts Beautiful Month).

SECT. 15P added, 1969, 255 (providing for the annual observance of Traffic Safety Week).

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; 1966, 353 § 1, 444 § 4; revised, 1966, 535 § 1; amended, 1966, 624 § 1; 1967, 739 § 1, 798 § 1; 1968, 681 § 1, 770 § 2; 1969, 252 § 3; 859 § 32A. (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; 1966, 353 § 3.)

SECT. 17A added, under caption, 1969, 704 § 1 (establishing a governor's cabinet). (See 1969, 704 § 60.)

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; amended, 1966, 641; 1967, 844 § 1; revised, 1969, 766 § 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; 1969, 766 § 48.)

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; repealed, 1968, 420 § 2. (See 1968, 420 § 3.)

SECT. 28B repealed, 1968, 420 § 2. (See 1968, 420 § 3.)

SECT. 28C repealed, 1968, 420 § 2. (See 1968, 420 § 3.)

SECT. 28D repealed, 1968, 420 § 2. (See 1968, 420 § 3.)

SECT. 28E added, 1934, 208 § 2 (relative to the dissemination of information concerning the public bequest fund); repealed, 1968, 420 § 2. (See 1968, 420 § 3.)

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. 39A added, 1966, 259 (requiring copies of certain reports of public authorities to be deposited in the state library).

SECT. 42 added, under caption "MILK REGULATION BOARD", 1932, 305 § 2; revised, 1946, 496; first two sentences revised, 1953, 604 § 7; first four sentences stricken out and three sentences inserted, 1967, 230.

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; 1969, 766 § 2. (See 1969, 766 § 48.)

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. 46 repealed and heading preceding said section stricken out, 1966, 444 § 5.

SECT. 47 repealed, 1966, 444 § 5.

SECT. 48 added, under caption "STATE RACING COMMISSION", 1934, 374 § 2; third paragraph amended, 1955, 730 § 2; 1963, 801 § 5; first sentence revised, 1969, 766 § 3; last paragraph revised, 1941, 596 § 3. (See 1955, 730 § 43; 1969, 766 § 48.)

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; second paragraph amended, 1967, 844 § 2; third paragraph, first sentence revised, 1969, 766 § 4. (See 1950, 479 §§ 6, 7; 1963, 719 § 2; 1969, 766 § 48.)

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; 1967, 844 § 3.

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; second sentence revised, 1969, 704 § 2. (See 1952, 605 §§ 19–21; 1969, 704 § 60.)

SECT. 66 revised, 1952, 605 § 2; second sentence revised, 1955, 730 § 2A; 1963, 801 § 9; 1969, 766 § 5. (See 1952, 605 §§ 15, 19–21; 1955, 730 § 43; 1969, 766 § 48.)

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; second paragraph amended, 1966, 615. (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. 65–69B and caption preceding section 65 repealed, 1969, 838 § 2. (See 1969, 838 § 74.)

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. 71 revised, 1969, 470 § 1.

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; paragraph inserted after first paragraph, 1967, 765 § 4. (See 1954, 537 § 3.)

SECTS. 74–84 added, 1956, 602 § 2 (establishing the Massachusetts rehabilitation commission). (See 1956, 602 §§ 17–20.)

SECT. 75, first two sentences stricken out and one sentence inserted, 1967, 844 § 4; second sentence revised, 1969, 766 § 7; third sentence revised, 1963, 801 § 10. (See 1969, 766 § 48.)

SECT. 76 amended, 1967, 738.

SECT. 77, definition of "Vocational rehabilitation services" amended, 1959, 328 § 1.

SECT. 78 amended, 1959, 328 § 2; 1967, 486.

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; second sentence revised, 1968, 761 § 22.

SECT. 110, first paragraph amended, 1969, 139 § 1; second paragraph revised, 1969, 132.

SECT. 111 revised, 1965, 178 § 1; 1966, 588. (See 1965, 178 § 2.)

SECT. 113, first paragraph revised, 1969, 139 § 2; 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, first sentence amended, 1965, 128; revised, 1967, 468; amended, 1969, 252 § 5; caption preceding section 116 revised, 1969, 252 § 4.

SECTS. 120–123 added, under caption, 1964, 622 § 2 (establishing the commonwealth service corps).

SECT. 120, third sentence revised, 1967, 844 § 5.

SECT. 122, first sentence amended, 1969, 838 § 3. (See 1969, 838 § 74.)

SECT. 124 added, under caption, 1965, 83 § 2 (establishing the World War II Memorial Commission); last paragraph revised, 1967, 492.

SECTS. 125–128 added, under caption, 1966, 353 § 2 (establishing the health and welfare commission).

SECT. 125, first sentence amended, 1967, 29 § 1. (See 1967, 29 § 2.)

SECT. 127, first paragraph amended, 1967, 55 § 1. (See 1967, 55 § 2.)

SECTS. 129–150 added, under caption, 1966, 535 § 2 (establishing the Massachusetts commission for the blind). (See 1966, 535 §§ 15–18.)

SECT. 129, second paragraph, second sentence revised, 1969, 766 § 8. (See 1969, 766 § 48.)

SECTS. 151–153 added, under caption, 1966, 624 § 2 (establishing the advisory council on home and family).

SECT. 154 added, under caption, 1967, 477 (establishing the Committee To Keep Massachusetts Beautiful).

SECT. 155 added, under caption, 1967, 739 § 2 (establishing the governor's mansion commission); repealed, and caption preceding section stricken out, 1969, 471 § 2.

SECT. 156 added, under caption, 1967, 798 § 2 (establishing the committee on law enforcement and administration of criminal justice).

SECT. 157 added, 1968, 681 § 2 (providing for an American and Canadian French cultural exchange commission).

SECT. 158 added, 1968, 770 § 1 (establishing the Massachusetts Educational Communications Commission).

SECTS. 159–161 added, 1969, 859 § 32B (establishing a state council on juvenile behavior).

Chapter 6A. — Executive Offices.

New chapter inserted, 1969, 704 § 3. (See 1969, 704 § 60.)

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; section revised, 1969, 704 § 4; second sentence revised, 1969, 766 § 9. (See 1969, 704 § 60; 766 § 48.)

SECT. 4A, first sentence revised, 1963, 801 § 12; amended, 1967, 844 § 6; revised, 1969, 766 § 10; second paragraph, first sentence revised, 1969, 704 § 5. (See 1969, 704 § 60; 766 § 48.)

SECT. 4B amended, 1968, 492 § 1.

SECT. 4C amended, 1969, 146; first two sentences stricken out and three sentences inserted, 1969, 704 § 6. (See 1969, 704 § 60.)

SECT. 4D, first two paragraphs revised, 1969 704 § 7. (See 1969, 704 § 60.)

SECTS. 4E–4G added, 1969, 704 § 8 (further defining the powers, duties and jurisdiction of the commissioner). (See 1969, 704 § 60.)

SECT. 6 repealed, 1969, 704 § 9. (See 1969, 704 § 60.)

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; repealed, 1968, 492 § 2.

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 admin-

istration 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; fourth sentence revised, 1969, 461.

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. 22A added, 1968, 269 (authorizing political subdivisions to form groups to make collective purchases).

SECT. 23A added, 1933, 353 § 2 (providing a preference in the purchase of supplies and materials by contractors for certain state work in favor of domestic supplies and materials).

SECT. 25A added, 1943, 344 § 2 (authorizing the state purchasing agent to regulate purchases of supplies and transfers thereof from one state agency to another); revised, 1953, 201; amended, 1962, 757 § 21.

SECT. 26 amended, 1939, 451 § 2.

SECT. 28 revised, 1954, 680 § 2; second paragraph amended, 1962, 757 § 22; 1963, 352; third paragraph amended, 1955, 643 § 7; 1962, 757 § 22; fourth paragraph amended, 1962, 757 § 22. (See 1955, 643 § 12.)

SECT. 28A added, 1954, 680 § 3 (relative to the development of training programs for certain state employees by the division of personnel and standardization); paragraph added at end, 1964, 581 § 1.

SECT. 29 amended, 1945, 580 § 4. (See 1945, 580 § 9.)

SECT. 30 amended, 1952, 144; 1962, 757 § 23.

SECTS. 30A–30J added, 1953, 612 § 5 (relative to public building construction). (See 1953, 612 §§ 10–13.)

SECT. 30A, second sentence stricken out and three sentences inserted, 1956, 399; second paragraph amended, 1962, 757 § 24; repealed, 1969, 704 § 9. (See 1969, 704 § 60.)

SECT. 30B amended, 1962, 757 § 25; revised, 1966, 676; fourth paragraph first sentence revised, 1969, 704 § 10; last paragraph revised, 1969, 704 § 11. (See 1969, 704 § 60.)

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.

SECTS. 30C–30J repealed, 1969, 704 § 12. (See 1969, 704 § 60.)

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.)

SECTS. 30K, 30L and 30M stricken out and new sections 30K to 30P, inclusive, inserted, 1968, 492 § 3 (establishing rate setting commission to set rates to be paid by governmental units under medical assistance programs).

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; second paragraph revised, 1969, 584.

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; 1969, 704 § 13. (See 1953, 612 §§ 10–13; 1969, 704 § 60.)

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; revised, 1969, 796. (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; 1969, 835 § 3. (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8; 1969, 835 § 7.)

SECT. 2 revised, 1935, 416; 1939, 283; 1941, 587; 1958, 586; 1962, 18; amended, 1968, 714.

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.

SECT. 28 added, 1967, 398 (authorizing the state secretary to make

available to the public photographs of certain portraits and art objects in the state house).

SECT. 29 added, 1969, 704 § 14 (providing that the state ballot law commission and the records conservation board be within the department of the state secretary). (See 1969, 704 § 60.)

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; 1969, 835 § 4. (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8; 1969, 835 § 7.)

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; 1968, 438 § 2.

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. 17B added, 1969, 569 (authorizing the treasurer to receive the principal of certain funds).

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; 1969, 835 § 5. (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8; 1969, 835 § 7.)

SECT. 2, first sentence revised, 1941, 596 § 5.

SECT. 5 revised, 1946, 591 § 9; 1968, 458.

SECT. 6 revised, 1967, 20.

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; 1969, 835 § 6. (See 1949, 789 § 5; 1955, 730 § 43; 1963, 744 § 8; 1969, 835 § 7.)

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; revised, 1968, 207. (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); first paragraph revised, 1966, 472; 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. 11B added, 1969, 704 § 15 (providing that the board of commissioners on uniform state laws and the obscene literature commission be within the department of the attorney general). (See 1969, 704 § 60).

SECT. 11C added, 1969, 889 § 3 (establishing a training program for police officials within the department of the attorney general relating to narcotics and harmful drugs). (See 1969, 889 § 25.)

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; section revised, 1966, 662 § 1; sixth paragraph revised, 1967, 880 § 1; seventh paragraph revised, 1967, 861 § 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; amended, 1967, 376. (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; section revised, 1966, 662 § 2; second paragraph revised, 1967, 897; sixth paragraph revised, 1967, 880 § 2; seventh paragraph revised, 1967, 861 § 2; section revised, 1969, 769 § 1. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4; 1956, 686 § 3; 1963, 743 § 4; 1969, 769 § 4.)

SECT. 16 revised, 1969, 769 § 2. (See 1969, 769 § 4.)

SECT. 18 amended, 1948, 423 § 5. (See 1948, 423 § 7.)

SECT. 20 revised, 1957, 694 § 1; 1969, 145.

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; 1969, 769 § 3. (See 1947, 675 § 4; 1951, 804 § 4; 1956, 686 § 3; 1963, 743 § 4; 1969, 769 § 4.)

SECT. 20B added, 1969, 583 (authorizing the Norfolk District Attorney to appoint three special assistants).

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; repealed, 1969, 704 § 16. (See 1939, 238 §§ 52–55; 1969, 704 § 60.)

SECT. 2 revised, 1939, 238 § 2; first paragraph amended, 1945, 681 § 1; revised, 1969, 704 § 17; second paragraph amended, 1946, 591 § 11; 1948, 580; 1950, 821 § 2; 1951, 716; 1955, 730 § 9; 1957, 699; 1963, 801 § 13; last sentence revised, 1969, 766 § 11; paragraph inserted after second paragraph, 1941, 403. (See 1939, 238 §§ 52–55; 1945, 681 § 2; 1955, 730 § 43; 1969, 704 § 60; 766 § 48.)

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; 1969, 766 § 12. (See 1939, 238 §§ 52–55; 1955, 730 § 43; 1969, 766 § 48.)

SECT. 3 amended, 1932, 180 § 3; revised, 1939, 238 § 4; second sentence revised, 1967, 780 § 1. (See 1939, 238 §§ 52–55.)

SECT. 4 revised, 1939, 238 § 5.

SECT. 5 revised, 1939, 238 § 6.

SECT. 6 revised, 1939, 238 § 7; paragraph added, 1967, 284.

SECT. 8 amended, 1934, 329; 1946, 591 § 13; 1948, 601 § 1; 1949, 787; 1952, 627 § 1; first sentence revised, 1955, 730 § 11; 1963, 801 § 15; first

sentence stricken out and two sentences inserted, 1969, 704 § 18; first sentence revised, 1969, 766 § 13; second sentence (as appearing in 1952, 627 § 1) revised, 1967, 844 § 7. (See 1948, 601 § 2; 1952, 627 § 2; 1955, 730 § 43; 1969, 704 § 60; 1969, 766 § 48.)

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; amended, 1969, 508. (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; last sentence revised, 1969, 375. (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; 1966, 102.

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; 1969, 766 § 14. (See 1938, 337 § 2; 1969, 766 § 48.)

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; 1969, 766 § 15. (See 1955, 730 § 43; 1969, 766 § 48.)

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.)

SECTS. 64–66 added, under caption, 1966, 409 § 1 (establishing a board of registration of chiropractors). (See 1966, 409 § 3.)

SECT. 66, second sentence stricken out and two sentences inserted, 1968, 573.

SECTS. 67–69 added, under caption, 1968, 473 § 1 (establishing a board of registration of landscape architects).

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, first paragraph amended, 1967, 844 § 8; third paragraph amended, 1963, 801 § 32; second sentence revised, 1969, 766 § 16. (See 1969, 766 § 48.)

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.

SECT. 1A amended, 1969, 396 § 2; 684 § 1.

SECT. 1B amended, 1969, 396 § 3; 684 § 1.

SECT. 1D, twentieth paragraph amended, 1967, 789 § 1; twenty-first paragraph amended, 1967, 789 § 2; paragraph added after twenty-first paragraph, 1967, 608; revised, 1969, 716. (See 1965, 572 §§ 37–39, 41, 43–46, 53.)

SECT. 1E amended, 1966, 251 § 1.

SECT. 1F, sentence inserted after fourth sentence, 1969, 254 § 1; third paragraph amended, 1966, 549; section revised, 1969, 837 § 1.

SECT. 1G, first paragraph revised, 1969, 837 § 2; two paragraphs added after fifth paragraph, 1967, 808 § 1; seventh paragraph, sentence added at end, 1969, 52; nineteenth paragraph amended, 1967, 759 § 2.

SECT. 1H, first paragraph revised, 1966, 251 § 2; seventh paragraph revised, 1966, 428.

SECTS. 1I, IJ and IK added, 1965, 641 § 2 (requiring the board of education to furnish assistance for the elimination of racial imbalance in the public schools).

SECT. 1I, second paragraph amended, 1966, 14 § 41.

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; amended, 1969, 254 § 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. 13 repealed and caption preceding said section stricken out, 1966, 535 § 3.

SECT. 13A added, 1951, 676 § 1 (establishing certain bureaus in the division of the blind); repealed, 1966, 535 § 3.

SECT. 15 revised, 1951, 676 § 2; repealed, 1966, 535 § 3.

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; first sentence revised, 1969, 704 § 19. (See 1945, 658 § 11; 1969, 704 § 60.)

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); amended, 1967, 769 § 1.

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; 1969, 396 § 4; 684 § 1. (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; revised, 1969, 846 § 1.

SECT. 20A added, 1963, 642 § 3 (establishing a board of trustees of the state colleges); revised, 1964, 561 § 3; 1965, 572 § 3 first paragraph, first sentence amended, 1969, 286 § 1; second paragraph amended, 1969, 286 § 2; section revised, 1969, 846 § 2. (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. 20C added, 1969, 846 § 3 (providing for a student 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); caption revised, 1969, 396 § 5; 684 § 1; first sentence amended, 1965, 572 § 5; 1969, 396 § 6; 684 § 1; second sentence amended, 1964, 207 § 1; section revised, 1969, 846 § 4. (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; section revised, 1969, 846 § 5. (See 1953, 407 §§ 7, 7.)

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); amended, 1967, 59 § 1.

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; first sentence revised, 1968, 113; two sentences added at end, 1969, 269; section revised, 1969, 846 § 6.

SECT. 27A added, 1969, 846 § 7 (providing for a student advisory commission to the board of trustees of regional community colleges).

SECT. 28 revised, 1965, 572 § 7; first paragraph amended, 1969, 837 § 3; second paragraph amended, 1967, 59 § 1; fifth and sixth sentences stricken out, 1969, 866.

SECT. 35 revised, 1968, 739 § 6.

SECTS. 40–45 added, under caption, 1966, 589 § 1 (establishing a council on the arts and humanities).

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. 1, third sentence revised, 1967, 844 § 9; seventh sentence revised, 1969, 766 § 17. (See 1969, 766 § 48.)

SECT. 3A added, 1964, 563 § 1 (establishing in the department a bureau of transportation planning and development).

SECT. 4, second paragraph amended, 1968, 736 § 4; paragraph inserted after second paragraph, 1968, 736 § 5.

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, second paragraph, first sentence revised, 1969, 766 § 18; third paragraph, subparagraph (b) amended, 1969, 766 § 18A; fourth paragraph amended, 1964, 645. (See 1969, 766 § 48.)

SECT. 9, first sentence revised, 1969, 704 § 20; second and third sentences revised, 1967, 844 § 10; third sentence revised, 1969, 766 § 19. (See 1969, 704 § 60; 766 § 48.)

SECT. 12, second sentence revised, 1967, 844 § 11.

SECT. 13 revised, 1969, 704 § 21. (See 1969, 704 § 60.)

SECTS. 15, 16 and 17 repealed and caption preceding section 15 stricken out, 1964, 636 § 3. (See 1964, 636 § 12.)

SECTS. 18–24 added, under caption; 1969, 834 § 1 (establishing a bureau of solid waste disposal in the department of public works).

Chapter 17. — Department of Public Health.

SECT. 2 amended, 1946, 591 § 21; 1947, 658 § 1; 1950, 794; second sentence revised, 1967, 844 § 12; third sentence revised, 1955, 730 § 24; 1959, 570 § 1; 1963, 801 § 37; 1969, 766 § 21. (See 1955, 730 § 43; 1969, 766 § 48.)

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; revised, 1968, 504 § 1. (See 1941, 725 §§ 4–6.)

SECT. 6A added, 1966, 591 (authorizing superintendents of hospitals in the department of public health to establish programs for training of residents in medical specialties, and to grant fellowships to said residents).

SECT. 6B added, 1966, 713 § 1 (providing for the appointment of a hearings officer to hear certain matters affecting convalescent or nursing homes).

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); first paragraph amended, 1966, 67; first sentence amended 1969, 838 § 4; third paragraph third sentence revised, 1969, 766 § 22; section repealed, 1969, 889 § 4. (See 1969, 766 § 48; 838 § 74.)

Chapter 18. — Department of Public Welfare.

Chapter revised, 1967, 658, § 1.

For prior changes see Table of Changes contained in Acts and Resolves of 1968.

The following references are to chapter 18, as so revised:

SECT. 2, subsection (B) amended, 1969, 885 § 1.

SECT. 3, fourth sentence revised, 1969, 766 § 23; section revised, 1969, 885 § 2. (See 1969, 766 § 48.)

SECT. 4, fourth sentence revised, 1969, 766 § 24; section revised, 1969, 885 § 3. (See 1969, 766 § 48.)

SECT. 5, fourth paragraph revised, 1969, 885 § 4.

SECT. 5A revised, 1968, 275; second paragraph stricken out and three

paragraphs inserted, 1969, 707 § 2; same three paragraphs revised, 1969, 885 § 5.

SECTS. 5B–5F added, 1969, 885 § 6 (further defining certain frauds relating to the department of public welfare and the penalties therefor).

SECT. 6 revised, 1969, 885 § 7.

SECT. 7 revised, 1969, 855 § 8.

SECT. 8 revised, 1968, 149.

SECT. 10, two sentences inserted after the second sentence, 1969, 885 § 9.

SECT. 12, sentence added at the end, 1969, 885 § 10.

SECT. 16 revised, 1969, 885 § 11.

SECT. 17 added, 1968, 541 (providing for regulation by Comptroller of funds advanced to Department of Public Welfare); repealed, 1969, 885 § 13.

SECT. 18–27 added, 1969, 885 § 12 (further defining the powers and duties of the department, its social workers and case aides and matters relative to direct payment of recipients' rent to certain landlords).

Chapter 18A. — Department of Youth Services.

New chapter inserted, 1969, 838 § 1. (See 1969, 838 § 74.)

Chapter 19. — Department of Mental Health (former title, Department of Mental Diseases).

Title changed, 1941, 194 § 2.

Chapter revised, 1966, 735 § 1. (See 1966, 735 §§ 6A-10.)

For prior changes see Table of Changes contained in Acts and Resolves of 1966.

The following references are to chapter 19, as so revised:

SECT. 2, sixth paragraph revised, 1969, 766 § 25. (See 1969, 766 § 48.)

SECT. 4 amended, 1967, 875 § 1; last sentence revised, 1968, 689 § 1.

SECT. 5 amended, 1967, 875 § 2; last sentence revised, 1968, 689 § 2.

SECT. 6 amended, 1967, 875 § 3.

SECT. 8 amended, 1967, 875 § 4; last sentence revised, 1968, 689 § 3.

SECT. 8A added, 1969, 889 § 2 (establishing the position of assistant commissioner of drug rehabilitation).

SECT. 10, third paragraph revised, 1969, 28.

SECT. 11, fourth sentence revised, 1968, 189 § 1.

SECT. 12, fourth sentence revised, 1968, 189 § 2.

SECT. 14, second paragraph revised, 1969, 647 § 2.

SECT. 18, first paragraph amended, 1967, 595; third paragraph amended, 1967, 780 § 2.

SECT. 19, first paragraph amended, 1967, 875 § 5; last sentence stricken out and two sentences inserted, 1968, 689 § 4; second paragraph amended, 1967, 875 § 6; last sentence stricken out and two sentences inserted, 1968, 689 § 5; fourth paragraph amended, 1967, 875 § 7; revised, 1968, 689 § 6.

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. 1, sixth and seventh sentences stricken out and one sentence inserted, 1967, 844 § 13.

SECT. 2, second sentence revised, 1955, 730 § 26; 1963, 801 § 41; 1969, 766 § 26. (See 1955, 730 § 43; 1969, 766 § 48.)

SECT. 5 revised, 1963, 801 § 42; 1969, 766 § 27. (See 1969, 766 § 48.)

SECT. 6, first sentence revised, 1965, 678 § 1; 1967, 347 § 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; first paragraph, first sentence revised, 1969, 704 § 22; third paragraph amended, 1954, 484; revised, 1963, 801 § 43. (See 1945, 497 § 2; 1953, 604 §§ 6, 8; 1969, 704 § 60.)

SECT. 8 revised, 1953, 604 § 1.

SECT. 9 revised, 1953, 604 § 1.

SECTS. 10–12 added, 1969, 807 § 1 (establishing the Massachusetts standard bred agricultural fair and breeding fund committee).

(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; 1968, 736 § 1.

SECT. 2, first sentence revised, 1956, 620 § 2.

SECT. 3, first sentence revised, 1967, 844 § 14.

SECT. 3A, second sentence revised, 1963, 801 § 44; amended, 1967, 802 § 5; revised, 1969, 766 § 28. (See 1969, 766 § 48.)

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; revised, 1969, 37 § 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. 8 revised, 1969, 566 § 1.

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; first sentence amended, 1966, 155.

SECT. 17A added, 1966, 621 § 2 (authorizing the department to provide public access to certain waters); revised, 1968, 594. (See 1966, 621 § 3.)

SECTS. 18–25 added, under caption, 1963, 664 § 3 (establishing a division of conservation services). (See 1963, 664 §§ 5–7.)

SECT. 19, second, third, fourth, fifth and sixth sentences revised, 1966, 237.

SECTS. 26–50 added, under caption, 1966, 685 § 1 (establishing a division of water pollution control). (See 1966, 685 §§ 2, 3, 4.)

SECT. 26, first paragraph amended, 1967, 873 § 1; 1968, 648 § 1; second paragraph, sentence added at end, 1969, 745 § 1.

SECT. 27, clauses (8) and (9) added, 1967, 873 § 2; clause (10) added, 1968, 648 § 2.

SECT. 28, subsection (*a*) revised, 1967, 873 § 3.

SECT. 30 amended, 1967, 873 § 4.

SECT. 30A added, 1967, 873 § 5 (authorizing governmental units to construct and operate water pollution abatement facilities).

SECT. 32 amended, 1967, 873 § 6.

SECT. 33 revised, 1967, 873 § 7.

SECT. 37 amended, 1967, 873 § 8.

SECT. 38 revised, 1967, 873 § 9.

SECT. 38A added, 1968, 611 (establishing a clean waters scholarship intern program); third paragraph, sentence added at end, 1969, 745 §2.

SECT. 39 revised, 1967, 873 § 10.

SECT. 42, sentence added, 1967, 873 § 11.

SECT. 47, sentence added, 1967, 873 § 12.

SECT. 50 stricken out and sections 50–53 inserted, 1968, 648 § 3.

SECT. 50A added, 1969, 823 (requiring owners or operators of certain oil terminals or wharfs to provide a boom encircling ships or vessels depositing oil into receptacle at such terminal or wharf).

SECTS. 54–56 added, 1968, 736 § 2 (establishing a division of mineral resources).

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; section revised, 1967, 844 § 15; second sentence revised, 1969, 766 § 29. (See 1948, 517 § 2; 1955, 730 § 43; 1969, 766 § 48.)

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. 3B added, 1969, 749 § 1 (establishing within the bureau of criminal information a narcotics unit).

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. 9O, first paragraph, clause (1) revised, 1969, 193; paragraph inserted after second paragraph, 1969, 124.

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. 13A added 1967, 724 § 1 (establishing a board to adopt rules for construction of public buildings for use by physically handicapped persons).

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; first sentence revised, 1967, 844 § 16; second sentence revised, 1955, 730 § 32; 1963, 801 § 53; 1969, 766 § 30. (See 1955, 730 § 43; 1969, 766 § 48.)

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; revised, 1967, 765 § 2; 1968, 467 § 1; 1969, 704 § 23. (See 1935, 479 § 7; 1969, 704 § 60.)

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; second sentence revised, 1968, 467 § 2; first two sentences revised, 1969, 704 § 24. (See 1939, 261 § 25; 1969, 704 § 60.)

SECT. 5 amended, 1935, 479 § 3. (See 1935, 479 § 7.)

SECT. 8 amended, 1939, 261 § 2; revised, 1968, 467 § 3; repealed, 1969, 704 § 25. (See 1939, 261 § 25, 1969, 704 § 60.)

SECT. 9 revised, 1935, 60 § 1; repealed, 1969, 704 § 25. (See 1969, 704 § 60.)

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; repealed and heading preceding section stricken out, 1968, 467 § 4.

SECT. 9F repealed, 1968, 467 § 4.

SECT. 9G amended, 1939, 459 § 2; repealed, 1968, 467 § 4. (See 1939, 459 § 3.)

SECT. 9H revised, 1933, 362; 1939, 261 § 4.

SECTS. 9I–9N added, 1935, 479 § 4 (establishing the Unemployment Compensation Commission, and defining its powers and duties); same sections revised and the powers and duties of the commission conferred and imposed upon the director of the division of unemployment compensation, 1939, 20 § 1; name of said division changed to division of employment security, 1941, 685 § 4. (See 1935, 479 §§ 6, 7; 1939, 20 §§ 6–9.)

SECT. 9I paragraph (*a*) revised, 1941, 685 § 4, 709 § 4; paragraph (*b*) revised, 1941, 596 § 17; 1946, 591 § 35; section revised, 1950, 792; paragraph (*a*) amended, 1967, 844 § 17; paragraph (*b*) revised, 1955, 730 § 33; 1960, 730; 1963, 801 § 54; 1969, 766 § 31. (See 1941, 685 § 6, 709 §§ 1–3; 1955, 730 § 43; 1969, 766 § 48.)

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; 1969, 766 § 32. (See 1941, 611 §§ 2, 3, 685 § 6; 1951, 763 § 22; 1969, 766 § 48.)

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; 1969, 766 § 33; second sentence amended, 1950, 691 § 2. (See 1955, 730 § 43; 1969, 766 § 48.)

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. 10D, first sentence revised, 1969, 704 § 26. (See 1969, 704 § 60.)

SECT. 10F, third sentence stricken out, 1968, 201.

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; section repealed, 1967, 765 § 3.

SECT. 11N revised, 1962, 498 § 3; repealed, 1967, 765 § 3.

SECT. 11O amended, 1962, 498 § 4; repealed, 1967, 765 § 3.

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; 1969, 766 § 34. (See 1955, 730 § 43; 1961, 611 § 9; 1969, 766 § 48.)

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.)

Chapter stricken out and new chapter 23A (with new title) inserted, 1964, 636 § 1. (See 1964, 636 §§ 14-23.)

For prior changes see Table of Changes in Acts and Resolves of 1964.

The following references are to chapter 23A, as so inserted:

SECT. 1, second sentence revised, 1967, 844 § 18; fourth sentence revised, 1969, 766 § 35. (See 1969, 766 § 48.)

SECT. 2, clause (*a*½) added, 1965, 790 § 1; paragraphs (*a*½), (*b*) and (*c*) stricken out and paragraph (*b*) inserted, 1968, 761 § 2.

SECT. 3 amended, 1968, 761 § 3.

SECT. 4 amended, 1968, 761 § 4.

SECT. 5A added, 1965, 790 § 2 (establishing a bureau of relocation); stricken out, 1968, 761 § 5.

SECT. 6 amended, 1965, 16,790 § 3; first paragraph revised, 1967, 159; 1968, 135; amended, 1968, 761 § 6.

SECT. 10 stricken out, 1968, 761 § 7.

SECTS. 11–13 added, under caption, 1967, 772 § 2 (establishing a state industrial finance board).

Chapter 23B. — Department of Community Affairs.

New chapter inserted, 1968, 761 § 1. (See 1968, 761 § 26.)

SECT. 1, fourth sentence revised, 1969. 766 § 36. (See 1969, 766 § 48.)

SECT. 5A added, 1969, 774 § 2 (establishing a housing appeals committee within the department of community affairs).

SECT. 9 amended, 1969, 751 § 7.

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; 1969, 766 § 37. (See 1953, 296 § 2; 1955, 730 § 43; 1959, 606 § 3; 1969, 766 § 48.)

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; 1966, 372; sentence added, 1966, 545.

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; first and second sentences revised, 1967, 844 § 19; second sentence revised, 1969, 766 § 38. (See 1955, 730 § 43; 1969, 766 § 48.)

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; section revised, 1967, 844 § 20; second sentence revised, 1969, 766 § 39. (See 1955, 730 § 43; 1969, 766 § 48.)

SECT. 7 amended, 1964, 174.

SECT. 8 repealed, 1962, 434.

SECT. 8A revised, 1934, 2; amended, 1935, 419; second sentence revised, 1947, 94.

SECT. 8B added, 1968, 643 § 1 (establishing a fraudulent claims board).

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; 1969, 766 § 40; fourth sentence revised, 1967, 844 § 21. (See 1969, 766 § 48.)

SECT. 2, first sentence revised, 1963, 801 § 67; 1969, 766 § 41; third sentence amended, 1956, 16 § 1; second paragraph revised, 1957, 482 § 3. (See 1969, 766 § 48.)

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; 1969, 766 § 42. (See 1960, 765 §§ 8, 9; 1969, 766 § 48.)

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. 1, second sentence revised, 1967, 844 § 22.

SECT. 2 amended, 1946, 591 § 42; revised, 1949, 795; 1963, 801 §69; 1969, 766 § 43. (See 1969, 766 § 48.)

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); section revised, 1967, 740.

SECTS. 4B–4C added, 1967, 533 (establishing within the metropolitan district commission a civil engineering intern program and an engineering student program).

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; revised, 1969, 704 § 27. (See 1941, 509 § 9; 1969, 704 § 60.)

SECT. 2 revised, 1950, 40.

SECT. 2A added, 1966, 14 § 28 (establishing a Local Aid Fund); repealed, 1969, 546 § 5. (See 1969, 546 § 34.)

SECT. 2B added, 1967, 276 § 4 (establishing a Federal Capital Improvement Fund).

SECT 2C added, 1968, 505 (providing for reporting by the commonwealth, its agencies or employees of receipt of Federal grant funds); fourth paragraph revised, 1969, 704§ 28. (See 1969, 704 § 60.)

SECT. 3 revised, 1939, 502 § 2; amended, 1945, 242 § 3; 1962, 757 § 40; first sentence revised, 1969, 704 § 29. (See 1969, 704 § 60.)

SECT. 3A added, 1963, 161 (requiring certain officers of the commonwealth to furnish estimates of the cost of certain proposed legislation); revised, 1969, 704 § 30. (See 1969, 704 § 60.)

SECT. 4 amended, 1939, 502 § 3; 1945, 242 § 4; 1962, 757 § 41; revised, 1969, 704 § 31. (See 1969, 704 § 60.)

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; second paragraph, first sentence revised, 1969, 704 § 32. (See 1969, 704 § 60.)

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; revised, 1969, 704 § 33. (See 1969, 704 § 60.)

SECT. 8B added, 1962, 754 (further regulating bidding procedures and the awarding of certain contracts by the department of public works); seventh paragraph amended, 1966, 113; section revised, 1966, 481; seventh paragraph amended, 1967, 54.

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; third and fourth sentences stricken out and three sentences inserted, 1969, 136; last sentence revised, 1969, 704 § 34. (See 1941, 564 § 2; 1969, 704 § 60.)

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); amended, 1967, 509; paragraph added at end, 1969, 868.

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; revised, 1969, 704 § 35. (See 1969, 704 § 60.)

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; amended, 1967, 769 § 2; three paragraphs added at end, 1968, 545. (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; 1966, 139.

SECT. 38, subdivision (*h*) added, 1934, 356; subdivisions (*i*), (*j*) and (*k*)

added, 1966, 414; 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. 54 revised, 1969, 720.

SECT. 56 revised, 1953, 272. (See 1956, 625 § 6.)

SECT. 57 repealed, 1968, 536.

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; revised, 1969, 704 § 36. (See 1969, 704 § 60.)

SECT. 6 revised, 1965, 655.

SECT. 6A amended, 1965, 314.

SECT. 7 revised, 1937, 414 § 1; amended, 1941, 512; 1947, 376; 1962, 757 § 53; first sentence revised, 1968, 529; 1969, 704 § 37; amended, 1969, 780. (See 1969, 704 § 60.)

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; amended, 1969, 838 § 5. (See 1955, 643 § 12; 1969, 838 § 74.)

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); amended, 1969, 838 § 6. (See 1969, 838 § 74.)

SECT. 9E added, 1969, 570 (exempting chaplains at state institutions from the provisions of certain laws).

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; second paragraph amended, 1969, 838 § 7. (See 1969, 838 § 74.)

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; 1967, 561; first sentence revised, 1969, 808 § 1. (See 1951, 556 § 2; 1969, 808 § 12.)

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); amended, 1967, 3.

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); paragraph (*a*) amended, 1967, 535 § 4; paragraph (*b*) amended, 1967, 535 § 5. (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; sentence inserted after fifth sentence, 1966, 219.

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; 1966, 210 § 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; 1966, 210 § 1; 635 § 1; 1969, 547 § 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; 1966, 635 §§ 1A, 2.)

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); repealed, 1966, 210 § 3. (See 1963, 775, §§ 4, 10; 1966, 210 §§ 4, 5.)

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.)

SECT. 60 added, 1968, 203 (expediting employment of certain students by commonwealth in co-operative education programs).

Chapter 30A. — State Administrative Procedure.

New chapter inserted, 1954, 681 § 1. (See 1954, 681 §§ 20–22.)

SECT. 1, paragraph (1) amended, 1966, 14 § 42, 497; paragraph (2) revised, 1959, 511; 1965, 725; amended, 1968, 120 § 1; 1969, 838 § 8; paragraph (5) revised, 1969, 808 § 2. (See 1969, 808 § 12; 838 § 74.)

SECT. 2, paragraph (1) amended, 1969, 808 § 3. (See 1969, 808 § 12.)

SECT. 3, paragraph (1) amended, 1969, 808 § 4. (See 1969, 808 § 12.)

SECT. 5 revised, 1969, 808 § 5. (See 1969, 808 § 12.)

SECT. 6 revised, 1962, 545; 1969, 808 § 6. (See 1969, 808 § 12.)

SECTS. 6A–6B added, 1969, 808 § 7 (providing for publication and distribution by each agency of its regulations). (See 1969, 808 § 12.)

SECT. 7A added, 1969, 808 § 8 (providing for certain action by the attorney general against certain agencies).

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; third paragraph amended, 1966, 77. (See 1964, 730 § 2.)

SECT. 13, third paragraph amended, 1960, 245; 1962, 179.

SECT. 14, clause (1) amended, 1957, 193 § 1; last paragraph amended, 1968, 637 § 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; definition of "Continuous examination" inserted, 1967, 780 § 3; two definitions "Department" and "Departmental promotional examination" inserted after definition "Competitive promotional examination", 1968, 652 § 1; definition of "Division" revised, 1969, 704 § 38; definition of "Mentally retarded person" inserted after definition "Layoff," 1968, 756 § 1; definition of "Noncompetitive examination" stricken out, 1966, 127 § 1; definition of "Noncompetitive examination" inserted after definition "Mentally retarded person", 1969, 36 § 2; definition of "Reinstatement" revised, 1969, 3 § 1; definition of "Roster", revised, 1969, 4 § 1; definition of "Suspension" inserted after definition "Roster", 1969, 45 § 1; definition of "Unassembled examination" added at end, 1967, 780 § 4; revised, 1969, 298 § 1. (See 1939, 238 §§ 25–55; 1969, 704 § 60.)

SECT. 2 revised, 1939, 238 § 10; 1945, 725 § 1; paragraph (*b*) amended, 1962, 270; 1964, 720; § 3; second and third sentences stricken out and one sentence inserted, 1969, 15 § 1. (See 1969, 15 § 2.) 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 revised, 1969, 12 § 1; paragraph (*d*) amended, 1954, 680 § 17; revised, 1967, 780 § 5; last sentence stricken out and three sentences inserted, 1968, 469; para-

graph (*e*) revised, 1965, 53; paragraph (*i*) amended, 1961, 287; paragraph (*k*) amended, 1965, 9; revised, 1969, 5; paragraphs (*m*), (*n*) and (*o*) added, 1967, 780 § 6. (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; section revised, 1967, 780 § 7. (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; third paragraph revised, 1966 § 19 § 2; 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; same paragraph stricken out, 1966, 19 § 1; paragraph added, 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; 1967, 60; revised, 1967, 780 § 8; amended, 1968, 461 § 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; 1966, 18; 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; paragraph added, 1967, 443; section revised, 1967, 780 § 9; amended, 1968, 261; paragraph inserted after second paragraph, 1969, 484.

SECT. 6B added, 1967, 780 § 10 (providing for unassembled examinations for certain positions); revised, 1969, 298 § 2.

SECT. 7 revised, 1939, 397; repealed, 1967, 780 § 11.

SECT. 8 amended, 1939, 238 § 16; revised, 1939, 396; 1945, 703 § 3; second paragraph revised, 1959, 318; third paragraph amended, 1969, 6 § 1; paragraph inserted after third paragraph, 1964, 521; amended, 1967, 74 § 1; paragraph added at end, 1962, 547.

SECT. 8A added, 1967, 110 § 1 (authorizing director to hold open competitive examinations whenever he determines public convenience requires); second paragraph, second sentence revised, 1969 § 501; last sentence stricken out, 1969, 117.

SECT. 8B added, 1967, 780 § 12 (authorizing the director to waive residence requirements in certain cases).

SECT. 8C added, 1968, 655 (providing for competitive examinations for management interns).

SECT. 9 amended, 1967, 110 § 2.

SECT. 10 revised, 1939, 238 § 17; 1939, 498 § 2; last sentence stricken out and five sentences inserted, 1945, 703 § 4; fourth sentence revised, 1969, 6 § 2; four paragraphs added, 1967, 562; second paragraph revised, 1968, 756; § 2; fourth paragraph revised, 1968, 756 § 3.

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; amended, 1966, 70; paragraph added at end, 1969, 25. (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; first paragraph revised, 1966, 115 § 1; third paragraph amended, 1967, 64; fourth paragraph revised, 1966, 115 § 2; section revised, 1967, 780 § 13.

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; amended, 1968, 20.

SECT. 14 amended, 1939, 238 § 20; repealed, 1945, 725 § 5.

SECT. 15 revised, 1939, 238 § 21; 1939, 506 § 2; 1941, 491; second paragraph revised, 1945, 704 § 3; last paragraph stricken out and three paragraphs inserted, 1945, 704 § 4; section revised, 1946, 103; first paragraph revised, 1951, 41 § 1; 1960, 598; sixth sentence revised, 1963, 119; two sentences added at end, 1962, 743 § 2; amended, 1967, 74 § 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; first paragraph amended, 1968, 652 § 2; third sentence revised, 1969, 9 § 1; second paragraph amended, 1969, 9 § 2; fifth paragraph amended, 1967, 57 § 1; sixth paragraph revised, 1968, 636; seventh paragraph amended, 1967, 780 § 14; ninth paragraph revised, 1966, 127 § 2; 1969, 36 § 1; tenth paragraph revised, 1966, 290; paragraph A amended, 1966, 192; revised, 1967, 112; amended, 1968, 91; 1969, 8; paragraph B amended, 1965, 237; revised, 1966, 349; 1967, 125; 1967, 683 § 1; 1968, 652 § 3; paragraph added at end, 1969, 896; paragraph C, third from last paragraph revised, 1969, 9 § 3; paragraph D added, 1965, 580 § 2; amended, 1965, 775 § 2; last paragraph stricken out, 1968, 652 § 4; paragraph added at end, 1968, 652 § 8. (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; last sentence stricken out, 1968, 652 § 5.

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; last paragraph revised, 1968, 652 § 6.

SECT. 15D, paragraph 1 amended, 1952, 447 § 1; 1955, 40; revised, 1969, 45 § 2; paragraph 2 revised, 1947, 426; 1962, 510; second sentence stricken out and two sentences inserted, 1969, 45 § 3; sentence added at end, 1969, 217; paragraph 3 revised, 1969, 45 § 4; definition of "Absence" revised, 1949, 167; 1969, 45 § 5; last paragraph revised, 1968, 652 § 7. (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; last sentence revised, 1967, 118; section revised, 1968, 652 § 9.

SECT. 15G added, 1967, 780 § 15 (relative to appointment from lists of three eligible persons willing to serve); amended, 1968, 652 § 10.

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; second paragraph amended, 1966, 20; 1967, 74, § 3; sixth paragraph revised, 1967, 780 § 16; seventh paragraph amended, 1967, 57 § 2; section revised, 1968, 637 § 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; revised, 1967, 98.

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); three sentences inserted after second sentence, 1966, 75 § 1; section revised, 1969, 53 § 1. (See 1966, 75 § 2.)

SECT. 19C added, 1968, 263 (prohibiting residency requirements for appointment of firemen in certain 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; section revised, 1969, 196. (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; first sentence revised, 1969, 53 § 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; amended, 1968, 93; second paragraph revised, 1968, 506.

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; 1969, 502.

SECT. 29 amended, 1939, 238 § 33; revised, 1945, 725 § 4; amended, 1948, 138; revised, 1967, 459; second sentence stricken out and three sentences inserted, 1968, 2.

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); amended, 1967, 63; 1969, 4 § 2. (See 1941, 165 § 2.)

SECT. 32 amended, 1939, 238 § 36; revised, 1939, 420 § 1; first sentence revised, 1967, 780 § 17; sentence added at end, 1969, 24.

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; 1968, 637 § 3; paragraphs (*b*) and (*c*) revised, 1948, 240; paragraph (*b*), first sentence amended, 1968, 637 § 4; second sentence revised, 1962, 205; paragraph (*d*) amended, 1955, 407 § 1; 1968, 637 § 5; 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; fourth sentence stricken out, 1969, 766 § 43A; 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; amended, 1968, 637 § 6; paragraph (*i*) added, 1965, 33 § 3. (See 1955, 407 § 3; 1956, 629 § 3; 1969, 766 § 48.)

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; amended, 1969, 3 § 2; last two sentences stricken out and one sentence inserted, 1969, 3 § 3.

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; revised, 1967, 143; first sentence amended, 1969, 3 § 4; third sentence stricken out and two sentences inserted, 1968, 12; paragraph added at end, 1936, 297; same paragraph amended, 1939, 238 § 47; 1941, 136; stricken out, 1969, 45 § 6; paragraph added, 1965, 703 § 1; paragraph added at end, 1969, 3 § 5. (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; first sentence revised, 1967, 96.

SECT. 46H added, 1936, 287 § 1 (providing for the reinstatement in the classified civil service of retired municipal officers and employees in certain cases of invalid retirement); amended, 1939, 238 § 49.

SECT. 46I added, 1945, 703 § 8 (providing for the establishment of re-employment lists of persons separated from the official or labor service otherwise than by resignation or discharge); amended, 1946, 60; revised, 1947, 12; first two sentences revised, 1960, 231 § 1; first sentence revised, 1967, 88; 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; first paragraph amended, 1967, 74 § 4; second paragraph amended, 1967, 74 § 5; 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; second paragraph amended, 1967, 74 § 6; third paragraph amended, 1967, 74 § 7; 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; section repealed, 1967, 658 § 1A. (See 1941, 588 § 3; 1950, 793 § 2.)

SECT. 47D, first sentence revised, 1965, 387 § 2; section repealed, 1967, 658 § 1A.

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; section repealed, 1967, 658 § 1A. (See 1962, 579 §§ 2, 3.)

SECT. 48 revised, 1945, 701 § 6; first paragraph amended, 1953, 306; 1954, 90; 1967, 246 § 1; paragraph added at end, 1947, 239.

SECT. 48A added, 1967, 857 (relative to residency requirements for appointment of police officers); amended, 1968, 746; 1969, 16.

SECT. 48B added, 1968, 461 § 2 (providing for subjecting position of parking meter supervisor to civil service laws).

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; 1967, 597 § 1; definition of "Governmental Unit" revised, 1957, 667 § 1; definition of "Head of his department" revised, 1967, 597 § 2; definition of "Maximum age" revised, 1958, 321 § 1; 1967, 826 § 1; definition of "member" revised, 1967, 597 § 3; definition of "Political subdivision" revised, 1948, 507 § 1; 1967, 597 § 4; amended, 1967, 814 § 1; 1969, 751 § 8; definition of "Regular compensation" revised, 1948, 606; amended, 1967, 769 § 3; 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; sentence inserted before last sentence, 1969, 84; definition of "System" revised, 1967, 597 § 5; definition of "Teacher" amended, 1951, 543 § 22; 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; revised, 1967, 597 § 6; amended, 1967, 814 § 2; 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; amended, 1969, 740 § 1; clause (*v*) revised, 1951, 644 § 1; amended, 1969, 740 § 2; clause (*vi*) revised, 1947, 660 § 2; 1951, 644 § 1; amended, 1969, 740 § 3; clause (*x*) added, 1950, 600 § 2; clause (*xi*) added, 1952, 515 § 1; clause (*xii*) added, 1967, 597 § 7; first sentence revised, 1966, 622; 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); amended, 1969, 740 § 4; 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; amended, 1967, 826 § 2; 1968, 516; 1968, 542 § 1; revised, 1968, 650 § 1; amended, 1969, 110 § 1; 219; definition of *Group 3* revised, 1964, 514 § 1; definition of *Group 4* added, 1967, 826 § 3; revised, 1968, 542 § 2; 650 § 2; amended, 1969, 816; 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; 1969, 625 § 2. (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; 1969, 740 § 5.)

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; revised, 1966, 671 § 2; amended, 1969, 625 § 1; 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; paragraph (*n*) added, 1969, 778; subdivision (2), paragraph (*b*) revised, 1946, 403 § 4; amended, 1964, 125; revised, 1964, 738; 1965, 73; 1966, 509 § 1; 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; 1966, 509 § 2, 671 § 4.)

SECT. 5, subdivision (1), first sentence of paragraph (*a*) amended, 1947, 388 § 4; 1958, 321 § 4; 1967, 826 § 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; revised, 1966, 256 § 1; paragraphs (*h*) and (*i*) added, 1967, 597 § 8; paragraph (*j*) added, 1967, 889; 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 (*d*) amended, 1958, 321 § 8; paragraph (*d*) amended, 1958, 321 § 9; subdivision (2) revised, 1961, 190 § 1; paragraph (*a*) revised, 1966, 274 § 1; amended, 1967, 826 § 5; table in paragraph (*a*) revised, 1967, 826 § 6; paragraph (*b*) amended, 1967, 826 § 7; paragraph (*c*) amended, 1966, 274 § 2; 1967, 826 § 8; subdivision (3), paragraph (*a*) amended, 1966, 274 § 3; paragraph (*b*) amended, 1966, 274 § 4. (See 1950, 809 § 3; 1951, 783 §§ 2, 3, 1957, 661 § 4; 1959, 574 § 2; 1961, 190 § 3, 410 § 2, 444 §§ 1, 2; 1966; 256 § 2, 274 § 5).

SECT. 6, subdivision (1) amended, 1947, 667 § 5; 1949, 618 § 2, 657; 1958, 321 § 10; 1964, 514 § 2; 1967, 826 § 9; subdivision (2) amended, 1958, 321 § 11; 1964, 514 § 3; paragraph (*a*) amended, 1967, 826 § 10; paragraph (*b*) amended, 1967, 826 § 11; 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; 1967, 826 § 12; three sentences added at end, 1949, 618 § 4; subdivision (2), paragraph (*a*) amended, 1958, 321 § 13; first sentence amended 1967, 826 § 13; clause (*ii*) amended, 1948, 446 § 1; clause (*iii*) amended, 1950, 712; 1951, 545 § 1; paragraph (*b*) amended, 1958, 321 § 14; 1962, 81; 1967, 826 § 14; revised, 1968, 208; subdivision (3), paragraph (*a*) amended, 1958, 321 § 15; 1967, 826 § 15; paragraph (*b*) amended, 1958, 321 § 16; 1967, 826 § 16; subdivision (4), sentence added, 1967, 597 § 9; 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; second sentence amended, 1968, 600 § 1.

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; amended, 1967, 826 § 17; second

and third sentences revised, 1967, 826 § 18; subdivision (2), paragraph (*a*) revised, 1957, 661 § 3; amended, 1962, 516 § 1; second sentence amended, 1967, 826 § 19; paragraph (*b*) amended, 1951, 809; 1958, 321 § 18; first sentence amended, 1967, 826 § 20. (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; revised, 1966, 556; subdivision (3) added, 1957, 531 § 1; second paragraph revised, 1967, 597 § 10. (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*), first paragraph amended, 1968, 600 § 2; 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 paragraph revised, 1952, 484 § 1; last sentence revised, 1958, 404 § 2; same paragraph revised, 1967, 597 § 11; paragraph (*c*) revised, 1967, 597 § 12; 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. 15, subdivision (2) revised, 1967, 597 § 13.

SECT. 16, subdivision (1), paragraph (*b*) amended, 1958, 321 § 19; first sentence amended, 1967, 826 § 21; subdivision (2) revised, 1949, 746 § 2; 1951, 784 § 2; amended, 1958, 321 § 20; 1962, 114 § 1; first sentence amended, 1967, 826 § 22; subdivision (3), paragraph (*a*) amended, 1958, 321 § 21; 1962, 114 § 2; first sentence amended, 1967, 826 § 23; 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; 1966, 266 § 1; paragraph (*f*) added, 1960, 240; amended, 1966, 266 § 2; subdivision (4½) added, 1967, 597 § 14; subdivision (5), paragraph (*b*) amended, 1956, 422 § 2; paragraph (*e*) revised, 1956, 609 § 3; paragraph (*i*) amended, 1954, 642 § 1; 1958, 408; sentence inserted after fifth sentence 1967, 597 § 15; paragraph (*j*) added at end 1948, 488 § 1. (See 1948, 488 § 2, 508 § 2; 1954, 642 § 2.)

SECT. 21, subdivision (1), paragraph (*c*), last sentence revised, 1967, 597 § 16; subdivision (2) amended, 1946, 432 § 3; sentence added at end, 1967, 597 § 17.

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 (*i*) amended, 1969, 849 § 2; clause (*ii*) revised, 1951, 530 § 1; amended, 1969, 849 § 3; paragraph (*e*) added, 1967, 597 § 18. (See 1949, 560 § 3; 1954, 656 § 2; 1956, 409; 1957, 516 § 4; 1969, 849 § 79.)

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 (*a*), first sentence revised, 1967, 597 § 19; 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. 24, subdivision (1), first sentence revised, 1967, 597 § 20.

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 (4) revised, 1967, 597 § 21; subdivision (5) revised, 1956, 525. (See 1950, 783 § 2; 1962, 682 § 20.

SECT. 26, subdivision (1), definition of "Officer" revised, 1958, 589 § 2; subdivision (2), paragraph (*a*) amended, 1958, 321 § 23; paragraph (*b*), clause (*ii*) amended, 1948, 446 § 3; clause (*iii*) added, 1947, 412; revised, 1961, 451; paragraph (*c*) added, 1948, 446 § 4; subdivision (3), paragraph (*a*) amended, 1958, 321 § 24; paragraph (*b*) amended, 1958, 321 § 25; paragraph (*c*) amended, 1949, 492; 1951, 670 § 1; 1963, 463 § 1; subdivision (4) amended, 1958, 321 § 26. (See 1948, 446 § 5; 1963, 463 § 2.)

SECT. 28, subdivision (2), paragraph (*a*) revised, 1946, 166 § 1; paragraph (*f*) added, 1946, 166 § 2; paragraph (*g*) added, 1946, 403 § 8; paragraph (*h*) added, 1946, 603 § 3; subdivision (3), paragraph (*a*) revised, 1946, 166 § 3; last sentence amended, 1946, 403 § 9; subdivision (4), paragraph (*a*) amended, 1964, 532 § 3; 1953, 583 § 2; 1956, 306 § 4;

paragraph added at end, 1968, 593; subdivision (5) added, 1948, 507 § 2; amended, 1957, 150 § 2, 415; paragraph (*a*) amended, 1969, 751 § 9; paragraph (*c*) added, 1967, 158; subdivision (6) added, 1967, 597 § 22. (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. 40 amended, 1967, 155.

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. 44A added, 1967, 330 § 1 (granting school janitors pensions).

SECT. 44B added, 1968, 277 (providing pensions for widows of certain janitors in noncontributory pension systems); Option B, first sentence amended, 1968, 600 § 3.

SECT. 44C added, 1969, 189 (providing non-contributory pensions for certain dental assistants).

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; revised, 1968, 700. (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; section revised, 1966, 671 § 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; 1966, 671 § 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; amended, 1968, 600 § 4; 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. 58C added, 1967, 400 § 1 (increasing retirement allowance of certain police and firemen); amended, 1968, 98 § 1.

SECT. 58D added, 1968, 338 § 1 (increasing retirement allowance of city or town employees under the Veterans Retirement Act).

SECT. 59 revised, 1960, 728 § 4; 1963, 511 § 1; amended, 1965, 680 § 1. (See 1960, 728 § 18.)

SECT. 59A added, 1968, 601 § 1 (providing for reimbursement for certain veterans' pensions under the noncontributory law). (See 1968, 601 § 2.)

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; 1968, 174.)

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; first paragraph, first sentence revised, 1969, 859 § 4; second paragraph revised, 1964, 551; sentence added at end, 1968, 702; paragraph revised, 1969, 513 § 1; third paragraph revised, 1968, 765. (See 1937, 409 §§ 5–7; 1950, 747 § 2; 1957, 668; 1958, 341 § 2; 1969, 513 § 2.)

SECT. 65B added, 1941, 689 § 1 (providing pensions for special justices of district courts); revised, 1943, 398; amended, 1956, 738 § 9; paragraph added, 1967, 886; section revised, 1967, 888 § 1; amended, 1969, 333. (See 1941, 689 § 2; 1956, 738 §§ 13, 14; 1967, 888 § 2.)

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; section revised, 1968, 699; last paragraph revised, 1969, 30 § 1. (See 1960, 724 § 2; 1963, 571 § 2; 1964, 464 § 2; 1969, 30 § 3.)

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; Option B, first sentence amended, 1968, 600 § 5. (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. 77D added, 1967, 530 § 2 (granting certain laborers pensions).

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; amended, 1967, 330 § 3. (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; first paragraph, subdivision (*c*) revised, 1969, 113; 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; amended, 1968, 213.

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; Option B, first sentence amended, 1968, 600 § 6. (See 1961, 71 § 2.)

SECT. 86 revised, 1946, 576 § 7; 1949, 562; repealed, 1950, 395.

SECT. 89 revised, 1932, 276; amended, 1933, 340 § 1; 1934, 343; revised, 1935, 466; amended, 1936, 326; paragraph inserted after second paragraph, 1957, 286; first paragraph amended, 1943, 366; first sentence amended, 1945, 641; first paragraph revised, 1945, 696; 1952, 431 § 3; first sentence amended, 1956, 666 § 1; revised, 1963, 614 § 1; third paragraph amended, 1947, 96; revised, 1960, 728 § 15; paragraph added at end, 1949, 503. (See 1933, 340 § 2; 1960, 728 § 18.)

SECT. 89A added, 1948, 552 (increasing annuities to dependents of certain public employees killed or who died from injuries received or hazards undergone in the performance of duty); first sentence amended, 1950, 757; 1956, 666 § 2; revised, 1963, 614 § 2; sentence inserted after first sentence, 1960, 622; third sentence amended, 1951, 147 § 1; fourth sentence revised, 1952, 431 § 4; paragraph inserted after second paragraph, 1956, 424; third paragraph (as appearing in 1948, 552) revised, 1960, 728 § 16; last sentence revised, 1949, 423 § 1; last paragraph revised, 1949, 522. (See 1949, 423 § 2; 1951, 147 § 2; 1960, 728 § 18.)

SECT. 89B added, 1956, 733 (providing annuities to dependents of certain police officers and fire fighters killed in the performance of duty); first paragraph amended, 1963, 614 § 3; paragraph inserted after fifth paragraph, 1957, 357; sixth paragraph (as appearing in 1956, 733) revised, 1960, 728 § 17. (See 1960, 728 § 18.)

SECT. 89C added, 1961, 371 (authorizing cities and towns to grant annuities to certain widows of employees killed or who died as a result of injuries received, in line of duty.)

SECT. 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. 90C added, 1968, 138 (authorizing cities, towns and districts to increase certain 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; amended, 1968, 258; sentence inserted after first sentence, 1967, 326; 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; revised, 1967, 729; last sentence amended, 1967, 344; section revised, 1968, 676; second sentence revised, 1968, 747. (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; second sentence revised, 1966, 431 § 1. (See 1959, 504 § 2; 1966, 431 § 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; paragraph added at end, 1968, 15 § 1. (See 1968, 15 § 2.)

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; amended, 1968, 716; 1969, 738. (See 1955, 559 § 3.)

SECT. 96 revised, 1959, 513 § 1; 1961, 238 § 1; amended, 1967, 102. (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); first sentence revised, 1969, 123.

SECT. 101 added, 1964, 490 (providing an annual allowance for the

widow of certain public employees who retired for disability); revised, 1967, 176 § 1. (See 1967, 176 § 2).

SECT. 102 added, 1966, 661 § 3 (relative to cost of living increases to certain retired employees of the commonwealth and its political subdivisions); revised, 1967, 408 § 2. (See 1967, 408 § 4.)

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; 1969, 813 § 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. (See 1969, 813 § 3.)

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; last sentence amended, 1968, 758 § 2; 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; sentence inserted after seventh sentence 1967, 469.

SECT. 10, first sentence amended, 1960, 389 § 4; first sentence stricken out and three sentences inserted, 1960, 505 § 1; section revised, 1965, 840 § 5; second paragraph, sentence added at end, 1969, 813 § 2. (See 1960, 389 § 6, 505 §§ 2, 3; 1969, 813 § 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); sentence inserted after first sentence, 1969, 633; fifth paragraph revised, 1969, 229. (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). Temporarily affected, 1968, 18.

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; eighth and ninth sentences revised, 1968, 100 § 4.

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. 7A added, 1968, 100 § 1 (providing for certain payments by local governmental units of group and life insurance premiums for certain active and retired employees and dependents).

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; first paragraph revised, 1968, 100 § 3.

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. 9C added, 1967, 303 (providing for payment of part of cost of group health insurance for widows and children of certain deceased firefighters).

SECT. 9D added, 1967, 402 (providing for payment of health insurance for surviving spouse of employees).

SECT. 9E added, 1968, 100 § 2 (permitting local governmental units to pay subsidiary or additional premium rates for retired employees and dependents).

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; amended, 1967, 352; sentence added, 1967, 373 § 1; section revised, 1968, 100 § 5.

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. 11D added, 1967, 383 (payment of one half cost of life insurance for police and firefighters).

SECT. 13 revised, 1958, 136 § 1; repealed, 1958, 558 § 4.

SECT. 14 revised, 1960, 337 § 5.

SECT. 15 added, 1967, 373 § 2 (relative to the power of political subdivisions of the commonwealth to provide group insurance for their employees and their employees' dependents).

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. 19A added, 1969, 704 § 39 (placing the armory commission and the civil defense division within the military division).

SECT. 26, third sentence revised, 1962, 226.

SECT. 31, second paragraph amended, 1962, 458.

SECT. 38 revised, 1968, 181.

SECT. 59 amended, 1956, 378.

SECT. 59A added, 1969, 2 (authorizing release from work for certain drills of public employees as members of the armed forces of the commonwealth or of the United States reserve).

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. 108 amended, 1968, 389 § 1.
SECT. 109 revised, 1968, 389 § 2.
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; 1966, 500 § 1; 1967, 186 § 2; 1969, 858 § 2A. (See 1943, 102 § 2; 1949, 193 § 2, 767 § 2; 1951, 743 §§ 4–6; 1963, 640 § 2; 1964, 690 § 2; 1966, 500 § 2; 1969, 858 § 4.)
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).
SECT. 25 added, 1967, 698 (acquisition by counties of land for conservation 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. 14, last sentence stricken out, 1969, 849 § 4. (See 1969, 849 § 79.)

SECT. 16 revised, 1969, 849 § 5. (See 1969, 849 § 79.)

SECT. 19, two paragraphs added, 1966, 207.

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. 23, second sentence revised, 1969, 849 § 6. (See 1969, 849 § 79.)

SECT. 24 revised, 1951, 530 § 2.

SECT. 25 amended, 1933, 175 § 1; first sentence revised, 1969, 849 § 7. (See 1969, 849 § 79.)

SECT. 26, first sentence revised, 1969, 849 § 8. (See 1969, 849 § 79.)

SECT. 27 amended, 1933, 175 § 2; 1969, 849 § 9. (See 1969, 849 § 79.)

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; 1969, 849 § 10; two sentences inserted after first sentence, 1949, 481 § 1; second sentence amended, 1969, 849 § 11; next to last sentence amended, 1950, 543 § 4; 1952, 516; 1953, 70. (See 1933, 318 § 9; 1934, 291 § 6; 1969, 849 § 79.)

SECT. 28A added, 1943, 414 § 2 (establishing a budget system for county tuberculosis hospitals); amended, 1945, 158 § 7; revised, 1945, 398 § 3; first sentence revised, 1968, 487 § 2; 1969, 849 § 12. (See 1945, 398 §§ 4, 5; 1969, 849 § 79.)

SECT. 29 revised, 1939, 501 § 2; amended, 1945, 158 § 2; 1969, 849 § 13. (See 1969, 849 § 79.)

SECT. 30 revised, 1939, 501 § 3; sentence added at end, 1943, 39; section revised, 1945, 158 § 3; amended, 1969, 849 § 14. (See 1969, 849 § 79.)

SECT. 32 revised, 1960, 282 § 1; paragraph added, 1967, 62.

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; first two sentences stricken out, 1969, 849 § 15. (See 1948, 591 §§ 4–7; 1969, 849 § 79.)

SECT. 34A added, 1947, 201 (relative to agreements entered into by county commissioners for highway work in anticipation of appropriations); amended, 1969, 849 § 16. (See 1969, 849 § 79.)

SECT. 36 amended, 1969, 849 § 17. (See 1969, 849 § 79.)

SECT. 36A amended, 1939, 501 § 5; revised, 1943, 80; first sentence amended, 1945, 158 § 5.

SECT. 37 amended, 1933, 28; 1969, 849 § 18. (See 1969, 849 § 79.)

SECT. 37A amended, 1933, 29; sentence inserted before last sentence, 1952, 66; revised, 1966, 10.

SECT. 37B added, 1968, 7 (providing for temporary borrowing by County Treasurer in anticipation of serial loans).

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; revised, 1969, 849 § 19. (See 1969, 849 § 79.)

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; sentence added at end, 1969, 195.

SECT. 45 amended, 1953, 319 § 5; 1969, 849 § 20. (See 1953, 319 §§ 39, 40; 1969, 849 § 79.)

SECT. 46 revised, 1953, 654 § 2; amended, 1969, 849 § 21. (See 1969, 849 § 79.)

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; rerevised, 1960, 801 § 5; 1963, 841 § 1; amended, 1966, 463 § 1; revised, 1969, 859 § 3; amended, 1969, 867 § 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; 1966, 463 §§ 4, 5; 1969, 859 § 33; 867 § 3.)

SECT. 51 amended, 1938, 73 § 2; paragraph added at end, 1948, 345; second paragraph revised, 1969, 389; third, fourth and fifth paragraphs added, 1955, 645; third paragraph amended, 1960, 433; first sentence revised, 1967, 625.

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; 1966, 267 § 1; 1967, 186 § 1; 1969, 858 § 1; paragraph (8) revised, 1967, 66. (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; 1966, 267 § 2; 1969, 858 § 4.)

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; 1969, 399 § 1.

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; paragraph added, 1966, 463 § 2. (See 1966, 463 § 5.)

SECT. 21 revised, 1943, 159 § 1. (See 1943, 159 § 2.)

SECT. 22 amended, 1932, 180 § 5; 1969, 849 § 22. (See 1969, 849 § 79.)

SECT. 23 amended, 1936, 31 § 2; repealed, 1937, 148.

Chapter 38. — Medical Examiners.

SECT. 1 amended, 1966, 278 § 1; paragraph in lines 70–76 amended, 1939, 260; 1947, 69 § 1; section amended, 1939, 451 § 6; paragraph added at end, 1952, 44. (See 1966, 278 § 2.)

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; 1967, 670 § 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; 1967, 670 § 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. 9, sentence added at end, 1969, 10; section amended, 1969, 849 § 23. (See 1969, 849 § 79.)

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; second paragraph amended, 1969, 505 § 1; paragraph added at end, 1949, 152 § 2; amended, 1959, 64 § 3; paragraph added at end, 1969, 505 § 2.

SECT. 15, paragraph added at end, 1963, 320; revised, 1966, 73.

SECT. 16, first paragraph revised, 1950, 56

SECT. 19 repealed, 1934, 39 § 1.

SECT. 20 amended, 1934, 39 § 2.

SECT. 23 amended, 1934, 39 § 3.

SECTS. 23A and 23B added, 1958, 626 § 4 (providing that meetings of certain local boards, commissions, committees and authorities shall be open to the public).

SECT. 23A, first paragraph revised, 1960, 274; section revised, 1960, 437 § 3; third paragraph amended, 1964, 195.

SECT. 23B revised, 1960, 437 § 4.

SECT. 23C added, 1960, 437 § 5 (relative to the remedy in case of non-compliance with the law requiring that certain meetings be open to the public); revised, 1964, 323 § 1. (See 1960, 437 § 7.)

Chapter 40. — Powers and Duties of Cities and Towns.

For temporary legislation relative to the appointment of veterans to civil service employments under the apprentice training provisions of the G. I. Bill of Rights, so called, see 1946, 586; 1947, 673; 1948, 392.

For temporary legislation relative to the emergency housing commission and to local boards of appeals, see 1946, 592; 1947, 609; 1948, 657.

SECT 1A added, 1967, 44 § 1 (relative to definition of "district"); revised, 1969, 505 § 3.

SECT. 4, first paragraph amended, 1951, 798 § 1; revised, 1957, 227 § 1; 1966, 202 § 1; amended, 1969, 412; three paragraphs inserted after first paragraph, 1969, 758 § 1; second paragraph amended, 1941, 351 § 3; 1958, 613 § 2A; 1969, 758 § 2; 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; revised, 1966, 63 § 1; paragraph inserted, 1961, 313; revised, 1966, 63 § 2; paragraph inserted, 1965, 50; 1966, 381; paragraph added at end, 1951, 798 § 2; stricken out, 1969, 849 § 24; paragraph added at end, 1968, 621; revised, 1969, 758 § 3; paragraph added at end, 1969, 758 § 4. (See 1932, 271 § 7; 1951, 798 § 8; 1957, 227 § 2; 1969, 849 § 79.)

SECT. 4A added, 1945, 438 (authorizing cities and towns and certain districts to make agreements relative to the performance of certain public services); revised, 1966, 286; first paragraph amended, 1969, 85; sentence inserted after second sentence, 1969, 356; last sentence revised, 1969, 758 § 5. (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; amended, 1967, 44 § 2; 1967, 79 § 1; first sentence revised, 1969, 758 § 6.

SECT. 4C added, 1960, 561 (allowing cities and towns to enter into collective bargaining agreements); repealed, 1965, 763 § 1.

SECT. 4D added, 1967, 883 § 1 (relative to joint contracts for construction of public works).

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; 1969, 256; 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; 1967, 101; 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; revised, 1966, 79; 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 (25B) added, 1967, 160 § 1 (authorizing the acquisition of land for construction of municipal golf courses); clause (26) amended, 1946, 358 § 7; clause (27) revised, 1946, 358 § 8; amended, 1960, 91; clause (27A) inserted, 1969, 506; 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; amended, 1969, 849 § 25; 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); two paragraphs added at end, 1969, 722 § 1; clause (37) revised, 1943, 177 § 1 (see 1943, 177 § 2; 1947, 635); 1956, 77; amended, 1969, 849 § 26; clause (38) added, 1934, 154 § 1 (authorizing appropriations for protection of interests in real estate held under tax title or taking); clause (39) added, 1935, 28 (authorizing appropriations for the purpose of co-operating with the federal government in certain unemployment relief and other projects); clause (40) added, 1937, 185 (authorizing appropriations for eyeglasses for needy school children); amended, 1960, 3; clause (40A) added, 1947, 525 (authorizing appropriations for payment of expenses incurred by or in behalf of certain injured school children); clause 40B) added, 1952, 247 § 1 (authorizing appropriations for payment of certain expenses incurred for injuries sustained by school pupils in shop or laboratory work); clause (40C) added, 1958, 124 (authorizing cities and towns to provide co-operative or complementary facilities to mental health outpatient clinics); amended, 1967, 132 § 1 (see 1967, 132 § 3); clause (41) added, 1938, 132 § 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); amended, 1969, 849 § 27; clause (43) added, 1952, 118 (allowing the granting of awards to municipal employees for suggestions relative to the improvement of municipal services); amended, 1969, 849 § 28; 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; amended, 1967, 80; clause 47) added, 1954, 297 § 2 (authorizing appropriations for the establishment of business and industrial commissions); revised, 1967, 638; 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; revised, 1966, 184; 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; 1966, 108; clause (52) added, 1958, 390 (authorizing towns to appropriate money for the control of diseases of epidemic proportions); clause (53) added, 1960, 236 (authorizing cities and towns to appropriate money for the acquisition and maintenance of tidal marshes and estauries 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 inservice 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); clause (60) added, 1966, 247 (authorizing cities and towns to employ student interns in police departments); clause (61) added 1967, 90 (authorizing cities and towns to appropriate money for local programs under Economic Opportunity Act of 1964); clause (62) added, 1969, 330; clause (63) added, 1969, 391 § 2. (See 1938, 142 § 2; 1954, 627 §§ 65, 67; 1969, 849 § 79.)

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; amended, 1969, 849 § 29; second paragraph amended, 1957, 215; revised, 1962, 463; third paragraph revised, 1957, 404 § 2; amended, 1966, 62. (See 1969, 849 § 79.)

SECT. 5C added, 1967, 44 § 3 (providing for extraordinary expenditures for a reserve fund).

SECT. 6A amended, 1969, 849 § 30. (See 1969, 849 § 79.)

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. 6L added, 1969, 806 (authorizing a city or town to lease or rent certain clothing for employees).

SECT. 8A added, 1954, 297 § 1 (authorizing cities and towns to establish commissions to promote business and industry); first paragraph amended, 1961, 291; second paragraph amended, 1955, 102 § 1. (See 1954, 511; 1955, 102 § 2.)

SECT. 8B added, 1956, 495 § 1 (authorizing cities and towns to establish local councils for the aging and to appropriate funds therefor); amended, 1957, 406 § 1; revised, 1964, 430 § 3; 1966, 242. (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; sentence inserted after fourteenth sentence, 1967, 885.

SECT. 8D added, 1963, 697 § 4 (authorizing cities and towns to establish historical commissions).

SECT. 8E added, 1969, 391 § 1 (authorizing cities and towns to establish youth 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; last sentence amended, 1969, 849 § 31. (See 1949, 343 § 2; 1969, 849 § 79.)

SECT. 9A repealed, 1949, 563 § 2.

SECT. 11 amended, 1941, 490 § 9; 1953, 535 § 2; 1948, 355; revised, 1956, 573; first sentence amended, 1969, 849 § 32. (See 1969, 849 § 79.)

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; first sentence amended, 1969, 849 § 33. (See 1969, 849 § 79.)

SECT. 14 revised, 1933, 283 § 1; paragraph added, 1967, 59 § 3.

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); paragraph added at end, 1969, 555 § 1.

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; 1967, 870; 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; clause (22) added, 1969, 383. (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, first paragraph, sentence inserted after first sentence, 1968, 694 § 1; paragraph added at end, 1949, 644 § 1; same paragraph amended, 1955, 458 § 1; revised, 1957, 417 § 1; paragraph added, 1966, 273; revised, 1966, 566; 1967, 86.

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; 1967, 38.

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); fourth sentence revised, 1968, 369.

SECT. 22E added, 1962, 796 (authorizing cities and towns to lease the space above municipal parking lots); first sentence revised, 1969, 815 § 1; second paragraph revised, 1963, 147; amended, 1969, 815 § 2.

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; sentence inserted after first sentence, 1967, 97; fifth sentence amended, 1967, 308. (See 1933, 185 § 2; 1941, 520 § 2.)

SECT. 36 amended, 1956, 176

SECT. 37A added, 1968, 563 (authorizing cities and towns to impose curfews).

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; first sentence amended, 1966, 331. (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; repealed, 1968, 548 § 2. (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; repealed, 1968, 548 § 2.

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. 44A revised, 1967, 149.

SECT. 44B revised, 1967, 149; amended, 1969, 199.

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; section amended, 1969, 849 § 34. (See 1969, 849 § 79.)

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. 53 revised, 1969, 507.

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; sentence added, 1966, 26; revised, 1966, 199.

SECT. 5, last sentence revised, 1962, 340; amended, 1969, 572.

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 inserted after second sentence, 1968, 194; 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; sentence inserted after first sentence, 1968, 336.

SECT. 18, first sentence revised, 1962, 203; fifth sentence revised, 1962,

387; 1969, 870 § 1; 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. 20 revised, 1969, 610; amended, 1969, 870 § 2.

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; 1969, 706.

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; amended, 1967, 83 § 1; revised, 1967, 839 § 1. (See 1955, 656 § 3.)

SECT. 4 revised, 1964, 327 § 2; first sentence amended, 1968, 761 § 23; fourth sentence stricken out, and two sentences inserted, 1966, 135 § 1. (See 1968, 761 § 26.)

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, first sentence amended, 1969, 849 § 35; fourth sentence revised, 1966, 135 § 2; sentence added, 1964, 327 § 3; revised, 1967, 839 § 2. (See 1969, 849 § 79.)

SECT. 8 added, 1967, 173 § 1 (relative to borrowing by district planning commissions); first sentence amended, 1969, 849 § 36. (See 1969, 849 § 79.)

SECTS. 9–19 added, under caption, 1968, 663 (providing for the establishment of the Southeastern Regional Planning and Economic Development District).

SECT. 18, first paragraph amended, 1969, 849 § 37; third paragraph, first sentence revised, 1969, 849 § 38; fifth sentence revised, 1969, 849 § 39. (See 1969, 849 § 79.)

SECTS. 20–23 added, 1969, 774 § 1 (providing procedures for application to local boards for construction of low or moderate income housing and for appeals from adverse decisions).

Chapter 40C. — Historic Districts.

New chapter inserted, 1960, 372.

SECT. 3 revised, 1966, 525 § 1. (See 1966, 525 § 2.)

Chapter 40D. — Industrial Development of Cities and Towns.

New chapter inserted, 1967, 772 § 1.

SECT. 20, paragraph added, 1967, 815.

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 12, 13 and 14 stricken out, 1967, 658 § 2; 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. 1A added, 1967, 45 § 1 (relative to definition of "district"); revised, 1969, 505 § 4.

SECT. 4A, sentence added at end, 1951, 6; section revised, 1969, 718.

SECT. 5 amended, 1934, 39 § 4.

SECT. 10 revised, 1954, 201.

SECT. 11 amended, 1938, 341 § 3; last sentence revised, 1969, 296.

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; amended, 1967, 45 § 2.

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; amended, 1967, 45 § 3. (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. 19G added, 1967, 346 (providing for additional compensation for city and town clerks serving on boards of registrars of voters); revised, 1968, 5.

SECT. 20 amended, 1967, 658 § 3.

SECT. 21, first paragraph revised, 1953, 101 § 2; amended, 1967, 658 § 4; 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. 23D added, 1966, 551 (authorizing the establishment of municipal data processing centers).

SECT. 24, paragraph added at end, 1945, 136 § 1; section revised, 1951, 364; 1953, 267 § 2; last sentence revised, 1967, 123 § 1. (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; section revised, 1968, 107; first sentence revised, 1969, 447.

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. 31, caption preceding section stricken out and section repealed, 1967, 658 § 5.

SECT. 32, sentence added at end, 1950, 793 § 3; section amended, 1959, 141 § 1; 1963, 432 § 3.

SECT. 32 repealed, 1967, 658 § 5.

SECT. 32A repealed, 1967, 658 § 5.

SECT. 33 repealed, 1967, 658 § 5.

SECT. 33, second and third sentences added, 1950, 793 § 4; second sentence amended, 1965, 304.

SECT. 34 repealed, 1967, 658 § 5.

SECT. 35 revised, 1937, 143 § 2; first sentence revised, 1963, 66; third sentence revised, 1967, 255; 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; 1967, 45 § 4.

SECT. 40 revised, 1937, 143 § 3; second sentence revised, 1963, 105; sentence inserted before last sentence, 1951, 83.

SECT. 41 revised, 1968, 168.

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; 1969, 849 §40. (See 1969, 849 § 79.)

SECT. 56 revised, 1950, 55; second sentence amended, 1967, 890; two sentences inserted after third sentence, 1956, 485; sentence inserted after third sentence, 1967, 249.

SECT. 59 amended, 1936, 94; revised, 1969, 849 § 41. (See 1969, 849 § 79.)

SECT. 60, first sentence revised, 1969, 849 § 42; second sentence amended, 1969, 849 § 43. (See 1969, 849 § 79.)

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; revised, 1966, 126.

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; second sentence revised, 1967, 83 § 2.

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, second sentence revised, 1969, 884 § 2; 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 inserted after sixth sentence, 1969,

884 § 3; 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; paragraph inserted after eighth paragraph, 1967, 567. (See 1958, 377 § 2.)

SECT. 81X amended, 1958, 207; first paragraph revised, 1960, 189; paragraph inserted after first paragraph, 1962, 313; paragraph added, 1966, 380; paragraph added, 1967, 248.

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; first sentence revised, 1968, 467 § 5.

SECT. 87A added, 1954, 386 (providing for the appointment of certain employees of the registry of moto rvehicles as weighers and measurers); first sentence revised, 1968, 467 § 6.

SECT. 87B added, 1956, 200 (providing for the appointment of certain employees of the department of public utilities as weighers and measurers); first sentence revised, 1968, 467 § 7.

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; 1968, 74.

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); revised, 1967, 504; first paragraph amended, 1969, 252 § 1; second paragraph amended, 1969, 252 § 2; paragraph added at end, 1968, 742. (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; fourth sentence amended, 1967, 368 § 1; paragraph added, 1967, 368 § 2. (See 1953, 319 §§ 39, 40.)

SECT. 98A added, 1967, 263 (right of police officer to make arrest on fresh and continued pursuit).

SECT. 98B added, 1968, 233 (requiring certain cities and towns to provide foot patrolmen).

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).

SECTS. 99B–99K added, under caption, 1969, 878 (authorizing the establishment of regional police districts).

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; first paragraph, first sentence revised, 1969, 879; paragraph added at end, 1957, 342; 1966, 322. (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; 1968, 143; 1969, 691.

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. 100E added, 1969, 413 (permitting indemnification of certain city or town officers for expenses incurred in defending or settling certain claims brought against them).

SECT. 103 amended, 1967, 79 § 2.

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; amended, 1969, 849 § 44. (See 1969, 849 § 79.)

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; stricken out, 1969, 849 § 45, paragraph added at end, 1969, 12 § 2. (See 1969, 849 § 79.)

SECT. 108B added, 1949, 235 (providing for additional compensation and expenses for assessors and collectors in towns for assessing and collecting district taxes); amended, 1967, 45 § 5.

SECT. 108C added, 1954, 295 § 2 (relative to rules and regulations promulgated in connection with compensation plans for municipal officers and employees and municipal personnel administration).

SECT. 108D added, 1958, 621 (establishing a minimum annual compensation for fire fighters in certain cities and towns); revised, 1960, 260.

SECT. 108E added, 1959, 228 (establishing a minimum annual compensation for police officers in certain cities and towns).

SECT. 108F added, 1962, 520 (establishing a minimum annual compensation for fire fighters in certain cities and towns).

SECT. 108G added, 1963, 19 (establishing an alternate schedule of minimum annual compensation for police officers in certain cities and towns).

SECTS. 108H and 108I added, 1966, 33 (providing additional compensation to fire fighters assigned to photographic work and to police officers assigned to photographic work or fingerprint identification work in certain cities and towns).

SECT. 108J added, 1966, 129 (providing that male and female employees in classified civil service in certain cities and towns shall receive equal pay for equal work).

SECT. 108K added, 1966, 499 (equalizing the compensation of female police officers).

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; 1967, 335.

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; revised, 1967, 663. (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. 111K added, 1966, 162 (providing that in certain cities and towns members of the regular or permanent fire force shall be granted summer vacations).

SECT. 111L added, 1968, 33 (regulating vacations for police and fire fighting forces in certain cities and towns).

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. 113 amended, 1967, 45 § 6.

SECT. 115, last sentence revised, 1967, 45 § 7.

SECT. 116 revised, 1967, 45 § 8.

SECT. 119, first paragraph amended, 1967, 45 § 9; second paragraph revised, 1967, 45 § 10; 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); amended, 1967, 45 § 11; revised, 1969, 849 § 46. (See 1949, 133 § 2; 1969, 849 § 79.)

SECT. 121 added, 1950, 211 (requiring the treasurer of fire, water, light and improvement districts to be bonded); amended, 1967, 45 § 12.

SECT. 122 added, 1963, 106 (providing for the appointment of a temporary treasurer in districts); revised, 1967, 45 § 13; 1969, 563 § 1.

SECT. 123 added, 1964, 3 (providing for the appointment of a temporary clerk in districts); amended, 1967, 45 § 14.

SECT. 123A added, 1969, 563 § 2 (relative to the appointment of a temporary or assistant treasurer and clerks of 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; 1967, 79 § 3.

SECT. 29 revised, 1938, 378 § 10; first sentence revised, 1949, 723 § 2; amended, 1951, 25 § 2; section revised, 1959, 448 § 10; 1967, 79 § 4.

SECT. 30 revised, 1938, 378 § 11; first sentence revised, 1948, 459 § 7; 1959, 448 § 11; amended, 1967, 59 § 2.

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. 38, paragraph added, 1967, 406 § 1.

SECT. 42 amended, 1935, 68 § 2; first paragraph revised, 1961, 550; second paragraph amended, 1967, 406 § 2.

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; first sentence revised, 1967, 36.

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 43B. — Home Rule Procedures.

New chapter inserted, 1966, 734 § 1. (See 1966, 734 §§ 3, 4.)

SECT. 19 revised, 1969, 787.

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 "District" added, 1967, 46 § 1; revised, 1969, 505 § 5; definition of "Equalized valuation" added, 1968, 23 § 1; definition of "Revenue" revised, 1946, 358 § 10; definitions of "Sewage" and "Sewage treatment and disposal facilities" added, 1969, 597 § 1.

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; amended, 1967, 46 § 1A; section revised, 1967, 73 § 1; first sentence revised, 1969, 849 § 47. (See 1969, 849 § 79.)

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; first sentence revised, 1967, 73 § 2; section repealed, 1969, 849 § 48. (See 1969, 849 § 79.)

SECT. 5A amended, 1935, 68 § 4; first sentence revised, 1967, 73 § 3; section repealed, 1969, 849 § 48. (See 1969, 849 § 79.)

SECT. 5B added, 1943, 61 § 1 (relative to borrowing for liabilities incurred by districts prior to the annual appropriations); repealed, 1969, 849 § 48. (See 1969, 849 § 79.)

SECT. 6 revised, 1957, 385; amended, 1962, 607 § 1; 1969, 428 § 1.

SECT. 6A amended, 1962, 607 § 2; paragraph added at end, 1968, 598 § 1; section amended, 1969, 428 § 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; first paragraph amended, 1969, 849 § 49; clause (1) revised, 1969, 481 § 1; clause (2) amended, 1969, 481 § 2; clause (3A) added, 1966, 234 § 1; clause (11) revised, 1969, 849 § 50; clause (18) added, 1966, 63 § 3; clause (19) added, 1967, 883 § 2; clause (20) inserted, 1968, 228 § 1; clauses (21)–(22) inserted, 1969, 481 § 3; paragraph added, 1965, 581 § 1. (See 1936, 224 §§ 11, 12; 1965, 206 §§ 2, 3, 581 § 2; 1968, 228 § 2; 1969, 849 § 79.)

SECT. 8, clause (1) revised, 1965, 98; clause (3) revised, 1938, 172 § 5; clause (4) revised, 1958, 383 § 1; 1963, 82; 1965, 68; clause (4A) added, 1966, 60; clause (5) revised, 1941, 83; amended, 1952, 123 § 1; revised, 1958, 383 § 2; clause (6) amended, 1952, 123 § 2; clause (7A) added, 1957, 224; revised, 1967, 31; clause (7B) added, 1962, 672 § 2; clause (8) amended, 1958, 70 § 1; revised, 1968, 23 § 2; clause (8A) added, 1963, 347 § 1; clause (9) amended, 1939, 457; 1947, 298 § 3; clause (10) revised, 1968, 23 § 3; clause (11) stricken out, 1968, 23 § 4; clause (12) revised, 1968, 23 § 5; clause (13) added, 1946, 358 § 15; amended, 1947, 298 § 4; revised, 1957, 431; first sentence revised, 1968, 23 § 6; clause (14) added, 1954, 106; clause (15) added, 1964, 736 § 1; revised, 1969, 481 § 4; clause (16) added, 1967, 160 § 2; clause (17) added, 1967, 883 § 3; clause (18) added, 1969, 635; second paragraph amended, 1968, 23 § 6A; last paragraph revised, 1960, 592 § 6; 1962, 672 § 3; 1968, 23 § 7. (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); amended, 1968, 28. (See 1939, 108 § 2.)

SECT. 9 amended, 1941, 376; 1946, 384 § 1; first paragraph amended, 1950, 169; revised, 1967, 46 § 2; paragraph added at end, 1947, 298 § 5; revised, 1968, 23 § 8; amended, 1969, 849 § 51. (See 1969, 849 § 79.)

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; first two sentences revised, 1967, 133; section revised, 1968, 23 § 9. Temporarily affected, 1968, 25. (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; first sentence stricken out, 1969, 849 § 52; paragraph added at end, 1948, 5; revised, 1963, 62; amended, 1969, 849 § 53. (See 1969, 849 § 79.)

SECT. 13A added, 1943, 61 § 2 (relative to the incurring of liabilities by districts prior to the annual appropriations); repealed, 1969, 849 § 48. (See 1969, 849 § 79.)

SECT. 16, first sentence stricken out and two sentences inserted, 1956, 98; last sentence stricken out, 1936, 224 § 10; section revised, 1964, 27; amended, 1969, 849 § 54. (See 1936, 224 §§ 11, 12; 1969, 849 § 79.)

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; section revised, 1966, 61.

SECT. 21 amended, 1946, 358 § 22.

SECT. 22 amended, 1936, 224 § 9. (See 1936, 224 §§ 11, 12.)

SECT. 23, first sentence revised, 1967, 46 § 3.

SECT. 24 revised, 1963, 85; first three sentences revised, 1967, 46 § 4.

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. 28B added, 1967, 173 § 2 (relative to countersigning of notes by district planning commission).

SECT. 29. As to tax limit of Boston, see 1932, 125; 1933, 159; 1934, 201; 1935, 284; 1936, 224; repealed, 1969, 849 § 48. (See 1969, 849 § 79.)

SECT. 30 amended, 1969, 849 § 55. (See 1969, 849 § 79.)

SECT. 31 revised, 1946, 358 § 23; 1949, 138; first sentence revised, 1955, 259; sentence added at end, 1954, 46; paragraph added at end, 1969, 505 § 7.

SECT. 31A added, 1941, 473 § 1 (relative to budgets in certain cities); amended, 1953, 654 § 3; first paragraph amended, 1969, 849 § 56; second paragraph amended, 1969, 849 § 57; fourth paragraph revised, 1969, 849 § 58. (See 1969, 849 § 79.)

SECT. 31B added, 1950, 173 (relative to the liabilities which may be incurred by fire, water, light and improvement districts); repealed, 1969, 505 § 6.

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; first paragraph amended, 1969, 849 § 59; subdivision (2) amended, 1953, 51; fourth paragraph amended, 1969, 849 § 60; paragraph added at end, 1953, 79. (See 1969, 849 § 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; second sentence revised, 1969, 849 § 61. (See 1969, 849 § 79.)

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; repealed, 1969, 849 § 48. (See 1969, 849 § 79.)

SECT. 35 amended, 1941, 454; revised, 1951, 17 § 1; 1967, 46 § 5.

SECT. 40 amended, 1939, 339; first sentence amended, 1945, 29 § 1; revised, 1967, 46 § 6; 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; amended, 1967, 46 § 7; second sentence revised, 1968, 598 § 2.

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); amended, 1967, 46 § 8; sentence added, 1967, 388 § 1.

SECT. 53B added, 1968, 598 § 3 (providing for application of sums paid by commonwealth to a city, town, or district for useful public works projects as contributions to cost).

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; first sentence revised, 1967, 46 § 9; sentence added at end, 1960, 253; revised, 1967, 91.

SECT. 55A revised, 1948, 143 § 2, 194 § 2; 1950, 224; amended, 1954, 48.

SECT. 56 revised, 1969, 849 § 62. (See 1969, 849 § 79.)

SECT. 56A added, 1934, 229 § 1 (relative to the financial year of cities); revised, 1969, 849 § 63. (See 1934, 229 §§ 2, 3; 1969, 849 § 79.)

SECT. 58 amended, 1951, 15.

SECT. 60 amended, 1967, 46 § 10.

SECT. 63 amended, 1946, 358 § 25; revised, 1962, 377; 1966, 111.

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; 1969, 505 § 8; section revised, 1969, 730.

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. 1, sentence added, 1967, 790 § 1.

SECT. 2 amended, 1941, 10 § 1.

SECT. 5A added, 1969, 430 (requiring sealed proposals for leasing of concessions in certain public parks).

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, first paragraph amended, 1968, 42 § 1; third sentence of second paragraph revised, 1933, 280 § 1; second paragraph revised, 1968, 84 § 1, 358 § 1; fourth paragraph amended, 1941, 51; revised, 1954, 627 § 23. (See 1954, 627 §§ 65, 67; 1968, 358 § 5.)

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. 2 revised, 1968, 42 § 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. Section stricken out and sections 3–3A inserted, 1968, 84 § 2; section 3 amended, 1968, 358 § 2. (See 1959, 48 § 3; 1960, 48 § 8; 1968, 84 § 6.)

SECT. 4 revised, 1968, 84 § 3. (See 1968, 84 § 6.)

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; section revised, 1968, 84 § 4. (See 1968, 84 § 6.)

SECT. 5 repealed, 1968, 84 § 5. (See 1968, 84 § 6.)

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; section revised, 1969, 106. (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; first sentence of said paragraph revised, 1966, 120; fourth sentence revised, 1966, 310; paragraph added at end, 1939, 61 § 4; 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; 1968, 29.

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; 1969, 478. (See 1943, 228 § 2; 1945, 570 § 2.)

SECT. 19A added, 1969, 759 (prohibiting reproduction of certified copies of certain birth, marriage and death records).

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. 2 amended, 1967, 658 § 6.

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); revised, 1967, 522.

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); revised, 1967, 799.

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); repealed, 1969, 435 § 2.

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; 1968, 368; 1969, 62; amended, 1969, 544 § 2.

SECT. 58D added, 1965, 452 (providing for a forty-two hour work week for fire fighters); second paragraph stricken out and two paragraphs inserted, 1967, 177; third paragraph revised, 1968, 245.

SECT. 58E added, 1966, 272 (allowing certain municipal fire fighters to live outside the city or town in which they are employed).

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.

SECTS. 84, 85 and 86 repealed and caption preceding section 84 stricken out, 1967, 129.

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; amended, 1966, 16; revised, 1969, 119 § 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; third sentence revised, 1966, 109; 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; section revised, 1966, 367 § 1.
SECT. 1B repealed, 1966, 367 § 2.
SECT. 2 amended, 1933, 254 § 3; revised, 1945, 310; sentence added at end, 1962, 437 § 4; paragraph added, 1966, 666. (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; 1969, 205 § 1. (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; first sentence revised, 1967, 239.

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; first sentence revised, 1966, 236 § 1; second sentence amended, 1968, 212; 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; first sentence revised, 1967, 763.

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; first sentence stricken out and two sentences inserted, 1966, 236 § 2; first sentence stricken out and two sentences inserted, 1969, 102.

SECT. 30, first sentence amended, 1943, 453 § 23; section revised, 1947, 34 § 7; first two sentences stricken out and three sentences inserted, 1966, 236 § 3; first sentence stricken out and two sentences inserted, 1967, 238 § 1; sentence added at end, 1962, 437 § 10.

SECT. 31, sentence added, 1966, 236 § 4.

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; third sentence revised, 1969, 205 § 2; sentence added at end, 1962, 437 § 15. (See 1933, 254 § 66; 1938 440 § 23.)

SECT. 38 revised, 1943, 453 § 26; sentence inserted after first sentence, 1966, 308; third sentence revised, 1962, 437 § 16.

SECT. 39 amended, 1938, 440 § 15; repealed, 1969, 205 § 3. (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; repealed, 1969, 205 § 4. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 44 amended, 1943, 453 § 28; revised, 1945, 715 § 6; first sentence revised, 1962, 437 § 20; seventh sentence revised, 1966, 13.

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; 1966, 283. (See 1938, 440 § 23; 1962, 511 § 5.)

SECT. 51 revised, 1962, 511 § 3; last two sentences revised, 1966, 123 § 1.

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; first sentence revised, 1967, 103. (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 inserted after first sentence, 1967, 105; sentence added at end, 1963, 303.
SECT. 6 revised, 1957, 38.
SECT. 9 revised, 1941, 337 § 1; first sentence revised, 1953, 406 § 1; last sentence revised, 1969, 825 § 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; first sentence amended, 1953, 406 § 2; revised, 1966, 407 § 1. (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; 1966, 56 § 1; 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; first sentence revised, 1968, 112; second sentence revised, 1968, 114; last three sentences revised, 1954, 183 § 2; 1963, 210; last sentence amended, 1968, 488. (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; last sentence stricken out and two sentences inserted, 1968, 762 § 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; first sentence revised, 1968, 762 § 2; 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; three sentences inserted after first sentence, 1967, 496; 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; revised, 1968, 762 § 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; third paragraph, first sentence revised, 1967, 191; 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; first sentence amended, 1967, 238 § 2; revised, 1969, 119 § 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); repealed, 1966, 176 § 1.

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; second sentence revised, 1966, 56 § 2; third sentence amended, 1966, 335 § 1. (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; third paragraph revised, 1966, 176 § 2; 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; paragraph added, 1966, 66. (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; first sentence revised, 1966, 29; third, fourth and fifth sentences revised, 1964, 399; seventh sentence stricken out and three sentences inserted, 1966, 141; section revised, 1969, 825 § 2. (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. 54C, first paragraph amended, 1966, 56 § 3.

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.

SECT. 62 revised, 1966, 12.

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; revised, 1966, 407 § 2.

SECT. 70D, fourth sentence stricken out and two sentences inserted, 1947, 338 § 2; section revised, 1948, 614 § 5; 1950, 280 § 5; first sentence stricken out and two sentences inserted, 1966, 407 § 3; second and third sentences (as appearing in 1950, 280 § 5) 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; section revised, 1966, 407 § 4; amended, 1969, 61 § 1; first two paragraphs revised, 1969, 819 § 1.

SECT. 70F amended, 1939, 452 § 11; revised, 1948, 614 § 6; 1950, 280 § 6; 1966, 407 § 5; amended, 1969, 61 § 2; 819 § 2. (See 1948, 614 §§ 8, 9.)

SECT. 70G, first sentence revised, 1966, 407 § 6; 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.)

SECTS. 70I–70K added, 1966, 407 § 7 (relative to presidential primaries).

SECT. 70J, second sentence stricken out, 1969, 61 § 3.

SECT. 70K repealed, 1969, 61 § 4.

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; 1966, 282.

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, first paragraph amended, 1943, 411 § 8; 1962, 437 § 33; 1966, 107; paragraph added at end, 1946, 537 § 5. (See 1946, 537 § 12.)
SECT. 24, sentence inserted after first sentence, 1962, 437 § 34; fourth sentence revised, 1969, 259; last sentence stricken out and two new sentences inserted, 1943, 209 § 2; last sentence amended, 1966, 118.
SECT. 25 revised, 1943, 411 § 9; paragraph added, 1967, 564 § 1.
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. 32, paragraph added, 1967, 564 § 2.
SECT. 33, last sentence stricken out, and paragraph inserted at end, 1935, 238 § 1; first sentence amended, 1969, 200; last sentence of same paragraph revised, 1951, 709 § 1; paragraph added at end, 1951, 709 § 2; stricken out and three paragraphs inserted, 1967, 564 § 3.
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. 33C, first sentence revised, 1967, 564 § 4; last sentence revised, 1967, 564 § 4.
SECTS. 33E–33H added, 1967, 564 § 5 (relative to electronic voting systems in elections).
SECT. 33F, second paragraph stricken out, 1969, 551 § 1.
SECT. 33H, paragraph inserted after first paragraph, 1968, 27; third paragraph, third sentence revised, 1969, 551 § 2.
SECT. 34 revised, 1936, 205 § 1; first sentence revised, 1967, 410; second paragraph stricken out, 1938, 281 § 2; section amended, 1945, 84; sentence inserted after first sentence, 1962, 437 § 36; last sentence amended, 1962, 376; section revised, 1967, 564 § 6; first paragraph, last sentence revised, 1969, 57 § 1; third paragraph revised, 1969, 57 § 2.
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; 1966, 123 § 2; second sentence revised, 1969, 58 § 1; fourth sentence revised, 1969, 58 § 2.
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; revised, 1966, 123 § 3; third paragraph amended, 1941, 511 § 7.
SECT. 37 revised, 1967, 564 § 7.
SECT. 38 revised, 1936, 205 § 2.
SECT. 40, sentence inserted after first sentence, 1967, 564 § 8.
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; revised, 1967, 564 § 9.

SECT. 48 amended, 1943, 290; sentence inserted after third sentence, 1967, 564 § 10.

SECT. 49 amended, 1943, 411 § 14; sentence added at end, 1962, 437 § 39.

SECT. 53 amended, 1945, 64; first sentence revised, 1962, 437 § 40; second sentence revised, 1969, 575.

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, second paragraph amended, 1967, 247 § 1; third paragraph revised, 1949, 109 § 2; fourth paragraph amended, 1967, 386; last paragraph amended, 1934, 39 § 5; last paragraph stricken out and two paragraphs inserted, 1967, 247 § 2; last paragraph amended, 1969, 203.

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; fourth paragraph amended 1967, 104.

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; sentence inserted after second sentence, 1966, 436.

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. 77 revised, 1967, 564 § 11.

SECT. 78 revised, 1932, 135 § 2; amended, 1967, 564 § 12.

SECT. 79 amended, 1943, 411 § 21; 1965, 283 § 2.

SECT. 80 revised, 1958, 194; sentence added, 1966, 134.

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; amended, 1968, 632 § 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 (*b*) revised, 1966, 368 § 1; amended, 1969, 545 §§ 1, 2; 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; revised, 1966, 368 § 1; 1967, 134 § 1; amended, 1969, 545 § 3; subsection (*d*) revised, 1941, 333; subsection (*e*) revised, 1946, 140 § 13; subsection (*f*) added, 1965, 592; amended, 1969, 545 § 4.

SECT. 89 revised, 1936, 404 § 3; second sentence amended, 1965, 329 § 1; 1966, 368 § 2; sentence inserted after second sentence, 1960, 16; 1963, 111; sentence added at end, 1963, 374 § 3; revised, 1969, 60.

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; two sentences added, 1966, 123 § 4.

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; section revised, 1966, 368 § 3; amended, 1967, 134 § 2; second paragraph amended, 1967, 106.

SECT. 93 revised, 1936, 404 § 5; amended, 1941, 722 § 8.

SECT. 94 amended, 1952, 39 § 1; revised, 1954, 102; 1956, 67; 1963, 374 § 6; 1966, 123 § 5.

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; section revised, 1966, 123 § 6.

SECT. 96 amended, 1936, 404 § 7; 1963, 374 § 8; 1966, 123 § 7.

SECT. 98 amended, 1945, 466 § 6; revised, 1961, 242 § 2; amended, 1965, 283 § 3.

SECT. 100 revised, 1936, 404 § 8; 1963, 374 § 9; 1966, 123 § 8.

SECT. 103A added, 1933, 313 § 1 (providing for absent voting at regular city elections); affected, 1936, 404 § 9; revised, 1937, 77 § 1; first paragraph amended, 1939, 152; revised, 1948, 477 § 2; 1968, 632 § 2; paragraph added at end, 1946, 118; stricken out, 1969, 39.

SECTS. 103B–103Q added, under caption ABSENT VOTING FOR FEDERAL SERVICE PERSONNEL, 1962, 511 § 1. (See 1962, 511 § 5.)

SECT. 103I repealed, 1967, 115 § 1.

SECT. 103J, first paragraph amended, 1967, 378; fifth paragraph amended, 1967, 115 § 2.

SECT. 103L revised, 1969, 204 § 1.

SECT. 103M amended, 1963, 374 § 10; revised, 1966, 123 § 9; 1969, 204 § 2.

SECT. 103N revised, 1969, 204 § 3.

SECT. 103O, paragraph (f) revised, 1969, 205 § 5.

SECT. 104 amended, 1934, 39 § 6.

SECT. 105, first paragraph amended, 1952, 39 § 3; 1959, 133; revised, 1959, 155 § 1; first sentence stricken out and two sentences inserted, 1967, 564 § 13; 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; stricken out, 1966, 123 § 10; second paragraph revised, 1947, 95; 1962, 437 § 44; 1963, 374 § 12; 1966, 123 § 11; paragraph inserted after second paragraph, 1964, 719 § 1; fourth paragraph amended, 1938, 341 § 7; stricken out, 1960, 434 § 1.

SECT. 105A added, 1967, 564 § 14 (relative to counting of ballots of voting machines).

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; sentence added, 1967, 564 § 15.

SECT. 108 revised, 1963, 374 § 13; 1966, 123 § 12.

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; first sentence revised, 1966, 123 § 13; 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; amended, 1966, 123 § 14; revised, 1967, 321; third paragraph amended, 1963, 627 § 1; third paragraph (as appearing in 1943, 417) revised, 1947, 353 § 1; fourth paragraph (as so appearing) amended, 1963, 627 § 2; fifth paragraph (as so appearing) amended, 1959, 155 § 2; revised, 1966, 123 § 15; 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, 1945, 142; sentence inserted after first sentence, 1949, 188; third sentence revised, 1969, 79.

SECT. 135B added, 1967, 564 § 16 (relative to recounting of voting machine votes).

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; second paragraph amended, 1967, 877 § 2; paragraph added at end, 1946, 594. (See 1939, 467; 1967, 877 § 8).

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; 1967, 264.

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; second paragraph amended, 1967, 281.

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; 1967, 472 § 1; amended, 1967, 816 § 1. (See 1967, 816 § 2.)
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; 1967, 877 § 3. (See 1939, 467 §§ 2, 3, 4; 1947, 182 §§ 2, 3, 4; 1963, 666 §§ 2, 3, 4; 1967, 877 § 8.)
SECT. 5. See 1939, 467; revised, 1967, 877 § 4. (See 1967, 877 § 8.)

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; 1969, 537 § 1. (See 1933, 254 § 66; 1958, 490 § 3; 1965, 696 § 2; 1969, 537 § 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.)

SECTS. 9 and 10 stricken out and sections 9, 10, 10A, 10B and 10C inserted, 1966, 14 § 43.

SECT. 10, sentence added at end, 1968, 256 § 1. (See 1968, 256 § 2.)

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; 1969, 834 § 3; 838 § 9. (See 1933, 254 § 66; 1956, 701 § 2; 1960, 593 § 2; 1969, 838 § 74.)

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; section revised, 1966, 14 § 29; subsection (*a*) amended, 1966, 14 § 70; 1967, 796 § 1; subsection (*b*) revised, 1966, 698 § 86; subsection (*c*) revised, 1967, 757 § 5; section repealed, 1969, 546 § 6. (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; 1967, 757 § 10; 1969, 546 § 34.)

SECT. 18A added, 1966, 14 § 30 (providing the methods of distribution to the cities and towns from the Local Aid Fund); subsection (*a*) amended, 1967, 796 § 2; paragraph (3), first sentence revised, 1967, 796 § 3; subsection (*c*) stricken out, 1967, 796 § 4; paragraph added at end, 1968,

566 § 1; section revised, 1969, 546 § 7; subsection (*b*), paragraph (1) amended, 1969, 849 § 64; paragraph (2) amended, 1969, 849 § 65. (See 1968, 566 § 3; 1969, 546 §§ 16, 34; 1969, 849 § 79.)

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; section repealed, 1966, 14 § 31. (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); revised, 1966, 14 § 34.

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; revised, 1966, 14 § 35. (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; revised, 1966, 14 § 36; sentence inserted after first sentence, 1968, 566 § 2; section revised, 1969, 546 § 8; 849 § 66. (See 1934, 323 § 11; 1951, 641 §§ 18, 19; 1968, 566 § 3; 1969, 546 § 34; 849 § 79.)

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; third sentence revised, 1969, 556 § 1; sixth sentence stricken out, 1966, 14 § 37. (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. 31A added, 1969, 531 § 1 (revising penalty on late returns and interest on late payments). (See 1969, 531 § 2.)

SECT. 32 added, 1953, 654 § 22 (relative to the summons, attendance and testimony of witnesses before the commissioner).

SECT. 33 added, 1967, 577 § 1 (establishing a lien on property for unpaid taxes); amended, 1969, 559 § 1. (See 1969, 559 § 2.)

SECT. 34 added, 1968, 154 § 1 (providing penalty for paying tax liability with bad check). (See 1968, 154 § 2.)

SECT. 35 added, 1969, 530 (providing for immediate assessments of state taxes in certain cases).

SECTS. 36–47 added, 1969, 620 (providing additional remedies for the collection of state taxes).

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; 1969, 766 § 44. (See 1937, 400 §§ 1, 2, 4, 5, 7; 1955, 730 § 43; 1969, 766 § 48.)

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; last sentence stricken out and two sentences inserted, 1969, 556 § 2. (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; sentence inserted after third sentence, 1969, 692; fifth sentence stricken out, 1954, 681 § 5; sentence inserted after fourth sentence, 1968, 120 § 2; sixth sentence amended, 1953, 654 § 27; 1954, 681 § 5; revised 1968, 120 § 3; sentence inserted after sixth sentence, 1954, 681 § 5; stricken out, 1968, 120 § 4; 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; 1968, 120 § 5.)

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.

For temporary legislation extending the time during which widows, orphans, soldiers and sailors and their wives, their widows, their fathers or mothers, certain elderly persons and blind persons may apply for abatement or exemption from certain real estate taxes, see 1968, 378.

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 (*a*) revised, 1969, 129; 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); 1966, 216 § 1 (see 1966, 216 § 2); clause 1967, 212 § 1 (see 1967, 212 § 2); clause Twelfth revised, 1966, 262; 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; paragraph (1A) inserted after paragraph (1), 1969, 884 § 4; clause Seventeenth revised, 1935, 294; amended, 1939, 451 § 19; revised, 1941, 227 § 1; 1954, 351; amended, 1965, 620 § 1 (see 1965, 620 § 4); revised, 1966, 371; 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, 610 § 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, 527 § 1; clause revised, 1946, 579; 1947, 612 § 1 (see 1947, 12 § 26); 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, first paragraph revised, 1966, 359 § 1 (see 1966, 359 § 5); paragraph (*a*), sentence added at end, 1969, 292 § 1; paragraph (*f*), sentence added at end, 1969, 292 § 2. (See 1969, 292 § 5); 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; first paragraph amended, 1965, 398; revised, 1966, 359 § 2 (see 1966, 359 § 5); clause Twenty-second B added, 1959, 233 § 1 (see 1959, 233 § 2); clause revised, 1962, 666 § 3; first paragraph revised, 1966, 359 § 3 (see 1966, 395 § 5); paragraph inserted after first paragraph, 1969, 292 § 3 (see 1969, 292 § 5); clause Twenty-second C added, 1962, 666 § 4; first paragraph revised, 1966, 359 § 4 (see 1966, 359 § 5); paragraph inserted after first paragraph, 1969, 292 § 4 (see 1969, 292 § 5); 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; revised, 1968, 549; 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); revised, 1968, 464 § 1; 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; amended, 1966, 700 § 1; clause Fortieth added, 1963, 345; clause Forty-first added, 1963, 808 § 1 (see 1963, 808 § 2); amended, 1964, 681 § 1 (see 1964, 681 § 2); revised, 1966, 294 § 1 (see 1966, 294 § 2); sentence added, 1966, 419; clause revised, 1966, 728; clause Forty-second added, 1964, 715 § 1 (see 1964, 715 § 2); amended, 1965, 267 § 1 (see 1965, 267 § 3; 1966, 385); clause Forty-third added, 1965, 267 § 2) see 1965, 267 § 3; 1966, 385); clause Forty-fourth added, 1966, 700 § 2.

SECT. 5A added, 1941, 227 § 3 (relative to collection of taxes from estates of persons who were relieved therefrom for lack of ability to pay, or otherwise); first sentence revised, 1948, 541; 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; two sentences inserted after first sentence, 1968, 497 § 1. (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); first paragraph, two sentences added at end, 1968, 497 § 2.

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; 1969, 310. (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; first two paragraphs revised, 1969, 849 § 67; 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; 1969, 849 § 79.)

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; section revised, 1966, 14 § 38; 1967, 315 § 1; second paragraph amended, 1969, 546 § 9. (See 1969, 546 § 34.)

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; 1969, 532 § 1. (See 1933, 254 § 66; 1969, 532 § 5.)

SECT. 46 amended, 1963, 160 § 21.

SECT. 47 amended, 1933, 254 § 40. (See 1933, 254 § 66.)

SECT. 48 revised, 1947, 84.

SECTS. 47–48 repealed, 1969, 532 § 2. (See 1969, 532 § 5.)

SECT. 49 amended, 1933, 254 § 41; first sentence revised, 1948, 112 § 3; section revised, 1955, 245 § 1; last sentence stricken out, 1969, 532 §3. (See 1933, 254 § 66; 1955, 245 § 2; 1969, 532 § 5.)

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; 1968, 290 § 1; second sentence stricken out and two sentences inserted, 1969, 849 § 68; third sentence stricken out, 1963, 160 § 22; fourth and fifth sentences stricken out and three sentences inserted, 1947, 99 § 1; fourth and fifth sentences revised, 1969, 849 § 69; 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; 1968, 290 § 2; 1969, 849 § 79.)

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); sentence added at end, 1968, 292.

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 pro-

ceedings for the abatement of such taxes); revised, 1933, 325 § 18. (See 1932, 218 § 2; 1933, 325 § 19.)

SECT. 65B added, 1938, 478 § 3 (relative to appeals to the appellate tax board from the refusal of assessors to abate certain taxes on real estate); revised, 1945, 621 § 7.

SECT. 65C added, 1953, 476 § 1 (providing for late entry of certain appeals to the appellate tax board). (See 1953, 476 § 2.)

SECT. 65D added, 1956, 452 § 1 (relative to certain appeals filed with the appellate tax board). (See 1956, 452 § 2.)

SECT. 69 amended, 1935, 218 § 3; 1939, 366 § 3; 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. 72A added, 1968, 253 (permitting an abatement of a portion of unpaid real property taxes on land acquired by a town).

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; last sentence revised, 1969, 849 § 70. (See 1969, 849 § 79.)

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; 1968, 240. (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.)

SECT. 94 revised, 1969, 532 § 4. (See 1969, 532 § 5.)

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; third sentence revised, 1966, 14 § 39; 1967, 757 § 6; 1969, 546 § 17. (See 1934, 136 § 3; 1943, 564 § 2; 1949, 277; 1954, 444 §§ 4, 5; 1965, 615 § 4; 1967, 757 § 10; 1969, 546 § 34.)

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. 6 revised, 1967, 100.

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; first paragraph amended, 1966, 263 §1 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; 1966, 263 § 3.)
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, first paragraph amended, 1935, 224 § 3, 414 § 3; 1966, 263 § 2; paragraph added at end, 1935, 354 § 1. (See 1935, 224 § 6, 354 § 3, 414 § 4; 1966, 263 § 3.)
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, first paragraph amended, 1968, 157; second paragraph amended, 1933, 325 § 14; 1935, 173 § 1; section revised, 1941, 594 § 1; third paragraph amended, 1963, 201; 1966, 114 § 1; sentence added at end, 1968, 353 § 1. (See 1966, 114 § 2; 1968, 353 § 2.)
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; 1968, 503; 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; amended, 1966, 140; 1967, 117; 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 1934, 375 § 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; second sentence revised, 1969, 183. (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; section revised, 1969, 873 § 1. (See 1943, 461 §§ 4 and 5; 1969, 873 § 5.)
SECT. 2, first schedule revised, 1955, 705 § 2; second schedule and all preceding such schedule revised, 1943, 461 § 2; section revised, 1969, 873 § 1. (See 1943, 461 §§ 4 and 5; 1969, 873 § 5.)
SECT. 4 revised, 1969, 873 § 2. (See 1969, 873 § 5.)
SECT. 5 amended, 1969, 873 § 3. (See 1969, 873 § 5.)
SECT. 6 amended, 1943, 461 § 3; revised, 1969, 873 § 4. (See 1943, 461 §§ 4 and 5; 1969, 873 § 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; 1966, 698 § 2; 1967, 796 § 5; subsection (*a*), paragraph First revised, 1957, 491 § 1; 1958, 554 § 1; 1961, 250, 493 § 2; 1966, 698 § 2A; 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 (*d*) revised, 1966, 698 § 3; 1967, 796 § 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; revised, 1967, 796 § 7. (See 1945, 735 § 5; 1954, 679 § 7; 1957, 445 § 3, 491 § 2; 1958, 554 § 2.)

SECT. 3 revised, 1943, 45 § 1.

SECT. 5 amended, 1966, 698 § 4; first sentence of subsection (*a*) revised, 1954, 679 § 3; 1966, 698 § 5; 1967, 796 § 8; 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; second sentence revised, 1966, 14 § 5; sentence inserted after fourth sentence, 1966, 14 § 6; subsection (*b*) revised, 1966, 559; first five sentences stricken out and sentence inserted, 1966, 698 § 6; first sentence revised, 1967, 796 § 9; sixth sentence stricken out, 1968, 278 § 2; 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; 1966, 698 § 7; first sentence revised, 1967, 796 § 10; subsections (*f*) and (*g*) added, 1954, 679 § 5; subsection (*f*), first paragraph amended, 1957, 435 § 1; subsection (*g*) revised, 1957, 677 § 2; subsections (*f*) and (*g*) stricken out and subsection (*f*) inserted, 1967, 796 § 11; sentence added at end, 1968, 434 § 1. (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; 1968, 434 § 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; section revised, 1966, 698 § 8; first three sentences revised, 1967, 796 § 12. (See 1957, 677 § 8; 1958, 491 § 3.)

SECT. 5B added, 1966, 698 § 9 (relative to certain exemptions against business income in computing income tax); paragraph (1), clause (*iii*) stricken out, 1968, 278 § 3; clause (*iv*) amended, 1967, 796 § 13; paragraph (2), clause (*iii*) stricken out, 1968, 278 § 4; clause (*iv*) amended, 1967, 796 § 14; revised, 1968, 557 § 1; paragraph (3) amended, 1967, 796 § 15; paragraph (4) amended, 1967, 796 § 16; 1969, 557 § 1; subsection (6) added, 1967, 699 § 1. (See 1967, 699 § 2; 1968, 278 § 5; 557 § 2.)

SECT. 6, first paragraph revised, 1954, 611 § 1; amended, 1955, 780 § 2; first paragraph revised, 1957, 677 § 5; first sentence amended, 1960, 557; revised, 1966, 698 § 10; 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; amended, 1967, 796 § 17; provision (1) revised, 1968, 556 § 1; 1969, 546 § 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; stricken out, 1966, 698 § 11; clause (*i*) added, 1955, 717 § 1; stricken out, 1966, 698 § 12. (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; 1968, 556 § 2; 1969, 546 § 34.)

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. 6B added, 1966, 14 § 7 (providing credit for taxes paid); third paragraph amended, 1966, 698 § 13; third paragraph revised, 1967, 755 § 1.

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; paragraph added, 1967, 526.

SECT. 7B amended, 1953, 654 § 42.

SECT. 8, paragraph (*a*) revised, 1951, 800 § 5; 1969, 533 § 1; paragraph (*d*) revised, 1957, 644 § 1; 1966, 698 § 14; paragraph (*e*) revised, 1954, 560; paragraph (*g*) amended, 1947, 83 § 2; 1952, 555; revised, 1962, 576 § 1; amended, 1966, 557 § 1; paragraph (*h*) added, 1945, 625 § 4; paragraphs (*i*) and (*j*) added, 1947, 485 § 2; revised, 1969, 629 § 1; paragraph (*k*) added, 1954, 443; paragraph (*l*) added, 1957, 677 § 7; paragraph (*m*) added, 1968, 278 § 1. (See 1947, 485 § 3; 1951, 800 § 6; 1953, 208; 1957, 644 § 5, 677 § 8; 1962, 576 § 2; 1966, 557 § 2; 1968, 278 § 5; 1969, 533 § 2; 629 § 2.)

SECT. 9 amended, 1955, 592 § 1; revised, 1957, 644 § 2; second paragraph amended, 1966, 698 § 15. (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; subsection (*a*) amended, 1966, 698 § 16; subsection (*d*) revised, 1966, 698 § 17. (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.

SECTS. 17–21 stricken out and sections 17, 18 and 19 inserted, 1966, 698 § 18.

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; section revised, 1966, 698 § 19. (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; first sentence amended, 1966, 698 § 20. (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. 26 amended, 1966, 698 § 21.

SECT. 27 repealed, 1956, 128.

SECT. 29 revised, 1954, 648 § 2; last two sentences stricken out, 1969, 534.

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. 36A added, 1966, 698 § 22 (relative to the assessment of income tax on income of a non-resident who fails to file a return of income earned by him from sources within the commonwealth).

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; amended, 1968, 302 § 2. Temporarily affected, 1950, 816 § 2; 1951, 750; 1952, 623 § 2; 1953, 246 § 5. (See 1933, 350 § 9; 1950, 816 § 4; 1961, 555 § 5; 1968, 302 § 3.)

SECT. 37B added, 1968, 302 § 1 (relating to the assessment and abatement of federal income tax changes).

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; second paragraph amended, 1966, 698 § 23. (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; second paragraph amended, 1966, 698 § 24. (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; subsections (*c*), (*d*) and (*e*) added, 1966, 698 § 25. (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.)

SECT. 64 added, 1968, 423 § 1 (providing income tax table for taxpayers' use). (See 1968, 423 § 2).

Chapter 62A. — Simplified Method of Computing Individual Income Taxes.

New chapter inserted, 1955, 692 § 1. (See 1955, 692 § 2.)

SECT. 1, definition of "Dependent" revised, 1966, 698 § 26; 1969, 535 § 2; definition of "Eligible individual" revised, 1969, 535 § 1. (See 1969, 535 § 3.)

SECT. 2 revised, 1957, 544 § 1; 1966, 698 § 27. (See 1957, 544 § 2.)

SECT. 3, paragraph added, 1966, 14 § 8; section revised, 1966, 698 § 28; first paragraph stricken out, 1968, 286 § 1. (See 1968, 286 § 2.)

SECT. 4, first paragraph amended, 1961, 555 § 4; section revised, 1966, 698 § 29.

SECT. 6 revised, 1966, 698 § 30.

SECT. 7, first sentence amended, 1966, 14 § 32. (See 1966, 14 § 71.)

Chapter 62B. — Withholding of Taxes on Wages and Declaration of Estimated Income Tax.

New chapter inserted, 1959, 17 § 1.

SECT. 1, definition of "Employee" revised, 1966, 698 § 32; definition of "Internal Revenue Code" revised, 1963, 714 § 1; 1966, 698 § 31. (See 1963, 714 § 10.)

SECT. 2, first sentence amended, 1966, 698 § 33.

SECT. 4, paragraph (*a*) revised, 1966, 698 § 34; paragraph (*b*) amended, 1966, 698 § 35; paragraphs (*c*), (*d*) and (*e*) revised, 1966, 698 § 36.

SECT. 5, first paragraph revised, 1963, 714 § 2; amended, 1964, 402; second paragraph stricken out, 1969, 546 § 2; third paragraph amended, 1966, 698 § 37; fifth paragraph stricken out, 1963, 714 § 3. (See 1963, 714 § 10; 1969, 546 § 34.)

SECT. 6, last sentence amended, 1963, 405; section revised, 1967, 577 § 2.

SECT. 8 amended, 1963, 714 § 4. (See 1963, 714 § 10.)

SECT. 11, paragraph (*d*) amended, 1966, 698 § 38; paragraph (*f*) added, 1968, 408 § 1. (See 1968, 408 § 2.)

SECT. 12 amended, 1966, 698 § 39.

SECT. 13, first sentence revised, 1960, 159 § 1; second paragraph, clause (*a*) revised, 1966, 698 § 40; paragraph added at end, 1963, 434 § 1. (See 1960, 159 § 2; 1963, 434 § 2.)

SECT. 17 amended, 1966, 698 § 41.

SECT. 18, paragraph (*a*) amended, 1966, 698 § 42; second sentence revised, 1969, 536 § 1; paragraph (*b*) amended, 1966, 698 § 43; paragraph (*d*) amended, 1966, 698 § 44. (See 1969, 536 § 3.)

Chapter 63. — Taxation of Corporations.

SECT. 1, paragraph definining "Bank" revised, 1943, 472; amended, 1966, 698 § 44A; paragraph definining "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; first sentence revised, 1966, 14 § 9. 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; 1966, 14 § 16.)

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. 7 revised, 1966, 14 § 10.

SECT. 11 revised, 1959, 456 § 1; 1961, 493 § 3; 1966, 14 § 11; caption preceding section revised, 1968, 75 § 1. (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; section repealed, 1966, 14 § 12. (See 1955, 432 §§ 2, 4, 24, 476 § 10.)

SECT. 13 revised, 1959, 456 § 2; 1961, 493 § 4; 1966, 14 § 13. (See 1959, 456 § 5.)

SECT. 17 revised, 1959, 456 § 3; 1966, 14 § 14; amended, 1967, 755 § 2. (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; caption following section stricken out, 1968, 75 § 2. (See 1939, 447 § 3.)

SECT. 19 repealed, 1966, 14 § 15.

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; second paragraph revised, 1966, 596 § 1. (See 1941, 509 § 9; 1943, 531 §§ 2, 3, 7; 1948, 587; 1966, 596 § 2.)

SECT. 22 revised, 1945, 721 § 1; amended, 1946, 387 § 1; 1966, 698 § 45; 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; 1966, 14 § 18; 1969, 538; paragraph 3, subdivision (*a*) revised, 1939, 24 § 5; sentence added at end, 1947, 622 § 1; paragraph contained in lines 48–51 amended, 1938, 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; 1966, 698 § 46; clause (*a*) revised, 1967, 755 § 3; paragraph 6 revised, 1956, 550 § 3; paragraphs 7–12 added, 1962, 756 § 2; paragraph 7 amended, 1966, 698 § 47; two sentences added at end, 1969, 539 § 1; paragraph 8 amended, 1964, 375 § 1; paragraph 9 amended, 1964, 375 § 2; 1966, 698 § 48; second sentence revised, 1968, 165; paragraph 10 amended, 1964, 375 § 3; 1966, 698 § 49; paragraph 11 amended, 1964, 375 § 4; 1966, 698 § 50; paragraph 13 added, 1966, 698 § 51. (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; 1969, 539 § 2.)

SECT. 30A added, 1962, 756 § 3 (relative to the determination of the rate of tax on certain corporate property); repealed, 1966, 698 § 52. (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 (*a*) amended, 1967, 796 § 18; subsection (*b*) revised, 1958, 406 § 1; section revised, 1960, 548 § 4; 1962, 756 § 5; 1966, 698 § 53. (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; paragraph inserted after first paragraph, 1966, 698 § 54. (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; amended, 1966, 698 § 55; second paragraph amended, 1966, 698 § 56. (See 1933, 327 § 7; 1935, 473 § 7; 1956, 550 § 13.)

SECT. 37 repealed, 1966, 698 § 57.

SECT. 38, paragraph 2, subdivision (*c*) revised, 1960, 553; paragraph 3 amended, 1961, 419 § 1; paragraph 10 added at end, 1933, 342 § 3; section revised, 1966, 698 § 58. (See 1933, 342 § 6; 1961, 419 § 2.)

SECT. 38A revised, 1966, 698 § 59.

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; section revised, 1966, 698 § 60. (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. 38D added, 1966, 701 (providing for an elective deduction and exemption under the business and manufacturing corporation excise for the construction or improvement of industrial waste treatment facilities); paragraph (*b*), clause (1) amended, 1967, 659.

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 (*a*) amended, 1967, 796 § 19; subsection (*b*) revised, 1958, 406 § 2; section revised, 1960, 548 § 7; 1962, 756 § 8; second sentence revised, 1966, 14 § 19; section revised, 1966, 698 § 61. (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; paragraph inserted after first paragraph, 1966, 698 § 62; 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. 41 repealed, 1966, 698 § 63.

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; section revised, 1966, 698 § 64; first paragraph revised, 1969, 599 § 1. (See 1933, 342 § 6; 1956, 550 § 13; 1969, 599 § 2.)

SECT. 42A revised, 1966, 698 § 65.

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); repealed, 1966, 698 § 66. (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; 1966, 698 § 67. (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 (2) revised, 1966, 698 § 68; 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; section repealed, 1966, 698 § 69. (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); paragraph added at end, 1969, 621 § 1. (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. 74 stricken out and sections 74 and 74A inserted, 1966, 14 § 20.

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 chap-

ter 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.

The following references are to chapter 63A, as so inserted:

SECT. 2 revised, 1966, 698 § 70.

Chapter 63B. — Declaration of Estimated Tax by Corporations.

New chapter inserted, 1963, 714 § 5. (See 1963, 714 §§ 9, 10.)

SECT. 6, paragraph (*a*), second sentence revised, 1969, 536 § 2. (See 1969, 536 § 3.)

Chapter 63C. — Taxation of Income of Certain Corporations.

New chapter inserted, 1966, 14 § 21. (See 1966, 14 § 79.)

SECT. 2, first sentence revised, 1967, 796 § 20.
SECT. 3 revised, 1966, 698 § 71; amended, 1967, 755 § 4.
SECT. 6 amended, 1966, 698 § 72.

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; first sentence revised, 1969, 721 § 1; third sentence stricken out, 1969, 546 § 28; paragraph added at end, 1957, 617 § 6;

amended, 1965, 451 § 2; revised, 1969, 721 § 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; 1969, 546 § 34.)

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; second sentence revised, 1968, 257 § 1. (See 1960, 410 § 2; 1968, 257 § 3.)

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, first sentence amended, 1969, 673 § 1; third sentence 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; stricken out, 1969, 546 § 3. (See 1954, 503 § 2; 1969, 546 § 34.)

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; repealed, 1966, 14 § 33. (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. 1, third sentence revised, 1966, 541 § 1; sentence added, 1966, 435 § 1. (See 1966, 435 § 7, 541 § 2.)

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; same sentences revised, 1966, 14 § 22; third sentence stricken out, 1966, 435 § 2; second and fourth sentences revised, 1969, 361 § 1. (See 1956, 720 §§ 2–4; 1960, 774 §§ 6, 8, 9, 10; 1964, 563 § 4; 1966, 435 §§ 6, 7; 1969, 361 § 5.)

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. 10, sentence inserted after tenth sentence, 1966, 435 § 3. (See 1966, 435 § 7.)

SECT. 13, paragraph (*b*) revised, 1958, 633 § 1; paragraph (*d*) revised, 1958, 633 § 2.

SECT. 15 amended, 1958, 633 § 3.

SECT. 21 amended, 1966, 435 § 4. (See 1966, 435 § 7.)

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); subsection (*a*) revised, 1969, 361 § 4; subsection (*c*) added, 1966, 14 § 23. (See 1969, 361 § 5.)

SECTS. 29–39 added, 1966, 435 § 5 (providing that payment of the cigarette excise be evidenced by stamps affixed to the cigarette packages).

SECT. 30, third paragraph revised, 1969, 361 § 3. (See 1969, 361 § 5.)

Chapter 64D. — Excise on Deeds, Instruments and Writings.

New chapter inserted, 1951, 710 § 1. (See 1951, 710 § 2.)

SECT. 1 revised, 1953, 303; amended, 1967, 581 § 1; last sentence revised, 1968, 591. (See 1967, 581 § 2.)

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.

SECT. 6A added, 1968, 532 § 1 (providing penalty for failing to affix required stamps to certain instruments prior to recording in any registry of deeds). (See 1968, 532 § 2.)

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; first sentence revised, 1969, 721 § 3; second paragraph revised, 1960, 411 § 2; 1965, 451 § 4; stricken out, 1969, 546 § 29. (See 1956, 718 §§ 14, 15; 1960, 411 § 3; 1965, 451 §§ 8, 9A, 10; 1969, 546 § 34.)

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; first sentence revised, 1969, 721 § 4; 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 64G. — Room Occupancy Excise.

New chapter inserted, 1966, 14 § 25. (See 1966, 14 § 79.)

SECT. 1, paragraphs (*a*), (*b*) and (*c*) revised, 1967, 745.

Chapter 64H. — Tax on Retail Sales of Certain Tangible Personal Property.

New chapter inserted, 1967, 757 § 1. (See 1967, 757 § 10.)

SECT. 3, second paragraph revised, 1967, 797 § 2.

SECT. 6, paragraph (*e*) amended, 1968, 341; paragraph (*o*) amended, 1968, 502 § 1; paragraph (*p*) amended, 1968, 711; paragraph (*u*) revised, 1968, 87 § 1; paragraph (*w*) added, 1968, 69. (See 1968, 87 § 2.)

SECT. 8, paragraphs (*f*)–(*i*) added, 1968, 89 § 1. (See 1968, 89 § 3.)

SECT. 14 repealed, 1969, 546 § 4. (See 1969, 546 § 34.)

SECT. 22, third sentence stricken out and two sentences inserted, 1968, 447 § 1.

SECT. 24, third paragraph revised, 1968, 61 § 1.

SECT. 25A added, 1969, 558 § 1 (relating to sales and use tax on boats and airplanes.)

SECT. 27, paragraph added at end, 1969, 558 § 2.
SECT. 28, paragraph (*b*), second sentence revised, 1968, 76 § 1.
SECT. 32 added, 1968, 62 § 1 (providing for service of process on state secretary in actions against out-of-state vendors under sales and use tax law).

Chapter 64I. — Tax on Storage, Use or Other Consumption of Certain Tangible Personal Property.

New chapter inserted, 1967, 757 § 2.

SECT. 4, second paragraph revised, 1967, 797 § 3.
SECT. 7, paragraph (*a*) revised, 1968, 88 § 1; paragraph (*b*) revised, 1969, 558 § 3, paragraph (*c*) revised, 1968, 88 § 2. (See 1968, 88 § 3.)
SECT. 8, paragraphs (*g*)–(*j*) added, 1968, 89 § 2. (See 1968, 89 § 3.)
SECT. 23, first paragraph, third sentence stricken out and two sentences inserted, 1968, 447 § 2.
SECT. 25, second paragraph, second sentence revised, 1968, 61 § 2.
SECT. 26A added, 1969, 558 § 4 (relating to sales and use tax on boats and airplanes.)
SECT. 28, paragraph added at end, 1969, 558 § 5.
SECT. 29, paragraph (*b*), second sentence revised, 1968, 76 § 2.
SECT. 33 added, 1968, 62 § 2 (providing for service of process on state secretary in legal actions against certain out-of-state vendors).

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; 1966, 698 § 73; 1967, 463 § 1; 1969, 600 § 1; first sentence revised, 1941, 605 § 1; amended, 1949, 792 § 1; revised, 1950, 556; 1955, 596; first paragraph amended, 1968, 535; paragraph added after table, 1949, 792 § 2; revised, 1961, 403; 1969, 600 § 2; amended, 1969, 675 § 1; paragraph added, 1967, 463 § 2. (See 1941, 415 § 2, 605 § 2; 1966, 698 § 87; 1969, 600 § 3.)
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; amended, 1969, 541 § 1; second paragraph amended, 1969, 541 § 2. (See 1961, 469 § 4; 1969, 541 § 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; first sentence stricken out and three sentences inserted, 1967, 550 § 1; three sentences inserted after sixth sentence, 1969, 560. (See 1967, 550 § 2.)

SECT. 32 amended, 1939, 451 § 36; last sentence stricken out, 1945, 523 § 4.

SECT. 33 revised, 1963, 417; 1964, 460 § 4.

SECT. 33A added, 1969, 561 § 1 (limiting the time for the assessment and collection of inheritance taxes).

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); first sentence revised, 1969, 541 § 3. (See 1969, 541 § 4.)

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. 3 revised, 1969, 562.

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; 1966, 535 § 4; sentence added at end, 1956, 356; section revised, 1969, 885 § 27.
SECT. 17B added, 1969, 831 § 1 (further defining "public records").
SECT. 18 amended, 1945, 393 § 6.

Chapter 67. — Parishes and Religious Societies.

SECT. 7 revised, 1945, 28.
SECT. 40 amended, 1952, 580.
SECT. 41 revised, 1967, 466.
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. 5 repealed, 1969, 254 § 3.
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; amended, 1968, 595. (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 para-

graph 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); first paragraph amended, 1967, 268 § 1; second paragraph amended, 1967, 502.

SECT. 7E added, 1966, 712 § 1 (establishing education scholarships for certain children of certain police officers and fire fighters who are killed or die in the performance of duty).

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. 10 revised, 1966, 14 § 44.

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. 12 repealed and caption preceding section stricken out, 1966, 535 § 5.

SECT. 13 stricken out and sections 13–13D inserted, 1951, 673 § 1. (See 1951, 673 § 8.)

SECTS. 13A–13D repealed, 1966, 535 § 5.

SECT. 14 revised, 1951, 673 § 2; repealed, 1966, 535 § 5. (See 1957, 669.)

SECT. 15, sentence added at end, 1951, 673 § 3; section repealed, 1966, 535 § 5.

SECT. 16 repealed, 1952, 345.

SECTS. 17 and 18 stricken out and section 17 inserted, 1951, 673 § 4.

SECT. 17 repealed, 1966, 535 § 5.

SECT. 19 amended, 1943, 89 § 1; revised, 1951, 673 § 5; repealed, 1966, 535 § 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); repealed, 1966, 535 § 5.

SECT. 19B added, 1945, 554 (providing for examinations by ophthalmologists of certain applicants for aid to the blind); repealed, 1966, 535 § 5.

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; section repealed, 1966, 535 § 5. (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); repealed, 1966, 535 § 5.

SECT. 23B added, 1945, 541 § 2 (relative to granting aid or assistance to certain blind persons); repealed, 1966, 535 § 5.

SECT. 24 repealed, 1966, 535 § 5.

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; repealed, 1966, 535 § 5. (See 1953, 457 § 2.)

SECT. 25 revised, 1935, 397; repealed, 1966, 535 § 5.

SECTS. 25A–25E added, 1938, 329 (regulating the raising of funds for the benefit of the blind); repealed, 1966, 535 § 5.

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); repealed, 1966, 535 § 5.

SECT. 28 revised, 1952, 498 § 2; 1957, 615 § 1; 1967, 759 § 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. 28B added, 1968, 618 (providing for reimbursement by commonwealth of sixty-five per cent of the approved construction costs of schools for the deaf).

SECT. 29 added, 1938, 313 (relative to instruction in lip reading for certain school children whose hearing is defective); revised, 1960, 600; 1967, 760.

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; 1966, 647 § 2; sentence added, 1966, 501 § 2; revised, 1967, 874 § 1; 1968, 617 § 1. (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); revised, 1966, 14 § 45; 1969, 546 § 10. (See 1969, 546 § 34.)

SECT. 29D added, 1956, 635 (relative to recreational programs for physically handicapped children); revised, 1958, 556; second sentence amended, 1969, 254 § 4; last sentence revised, 1966, 14 § 46; 1969, 546 § 11. (See 1969, 546 § 34.)

SECT. 29E added, 1967, 761 (providing for programs for children with impaired hearing).

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; last sentence amended, 1967, 268 § 2.

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.

SECT. 34 added, 1968, 706 (relating to itinerant programs for visually handicapped children).

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 stricken out and new chapter 70 inserted, 1966, 14 § 40. (See 1966, 14 § 79.)

SECT. 2, paragraph (*c*) amended, 1967, 791 § 1.

Chapter 71. — Public Schools.

SECT. 1 amended, 1953, 137; first sentence amended, 1962, 11; revised, 1965, 572 § 14; two sentences inserted after first sentence, 1966, 187; second sentence (as appearing in 1953, 137) amended, 1962, 301 § 1.

SECT. 1A added, 1966, 130 (providing for the opening of each school day with a period of silent meditation).

SECT. 2 amended, 1938, 246 § 1; revised, 1949, 468; 1952, 282.

SECT. 3 amended, 1962, 301 § 2; revised, 1966, 150.

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; amended, 1969, 254 § 5.

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; 1966, 14 § 47; three paragraphs inserted after first paragraph, 1962, 729 § 2; fifth paragraph stricken out, 1966, 14 § 48.

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. 12 repealed, 1969, 254 § 6.

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; section revised, 1967, 111.

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. 14D added, 1968, 376 § 1 (permitting regional school districts to include provisions in the agreement between the member towns requiring approval of the incurring of indebtedness of the district by the registered voters thereof at an election).

SECT. 15, first paragraph revised, 1951, 331 § 4; 1955, 141 § 1; amended, 1957, 53; last paragraph revised, 1966, 136. (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; amended, 1966, 137; clause (*e*) revised, 1962, 232 § 4; clause (*m*) amended, 1969, 849 § 71; clause (*n*) added, 1968, 376 § 2. (See 1969, 849 § 79.)

SECT. 16A revised, 1958, 129; second sentence stricken out and two sentences inserted, 1963, 132; sentence added at end, 1964, 17; sentence added at end, 1968, 272.

SECT. 16B, first paragraph amended and second paragraph stricken out, 1969, 849 § 72; paragraph added at end, 1958, 619. (See 1969, 849 § 79.)

SECT. 16C revised, 1952, 470; 1966, 14 § 49.

SECT. 16D revised, 1967, 779.

SECT. 16F. See 1952, 601.

SECT. 19 amended, 1939, 461 § 1.

SECT. 20 revised, 1951, 680; 1962, 28.

SECT. 21 amended, 1945, 133 § 1.

SECT. 24, first sentence revised, 1966, 14 § 50; last sentence revised, 1966, 14 § 51.

SECTS. 26A–26F added, 1946, 165 § 1 (providing for extended school services for certain children of certain employed mothers). (See 1946, 165 §§ 2, 3.)

SECTS. 26E and 26F stricken out and section 26E inserted, 1966, 14 § 52.

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); amended and sentence added, 1967, 769 § 4.

SECTS. 37C and 37D added, 1965, 641 § 1 (providing for the elimination of racial imbalance in the public schools).

SECT. 37D, paragraph inserted after third paragraph, 1969, 643.

SECT. 37E added, 1969, 128 § 1 (authorizing employment of legal counsel by a school committee for collective bargaining purposes).

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. 38B revised, 1966, 14 § 53.

SECT. 38E revised, 1966, 14 § 54.

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; 1968, 599; 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. 38I added, 1966, 143 (authorizing school committees to reimburse teachers for certain tuition charges and fees).

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; 1967, 272 § 1; last sentence stricken out, 1962, 519; sentence added, 1967, 278. (See 1945, 727 § 2;

1946, 527 §§ 2, 3; 1959, 602 § 2; 1962, 594 § 2; 1964, 267 § 2; 1967, 272 § 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); first sentence revised, 1968, 136; sentence added, 1967, 860 § 1. (See 1967, 860 § 2.)

SECT. 42 revised, 1934, 123; first sentence revised, 1947, 597 § 2; amended, 1956, 132 § 2; sentence inserted after second sentence, 1953, 244; third sentence (as appearing in 1934, 123) amended, 1966, 185 § 1; sentence inserted after said sentence, 1946, 195; fourth sentence (as appearing in 1934, 123) amended, 1966, 185 § 2.

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; section revised, 1969, 653. (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. 42D added, 1966, 185 § 3 (relative to the suspension of teachers and superintendents of public schools); last paragraph revised, 1968, 156.

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; revised, 1966, 72; paragraph added at end, 1968, 297.

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; second paragraph amended, 1968, 555.

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; first sentence amended, 1964, 554; revised, 1967, 881; 1968, 352 § 3; second sentence amended, 1966, 14 § 55; revised, 1969, 546 § 12. (See 1969, 546 § 34.)

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; repealed, 1968, 352 § 2.

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; section amended, 1966, 14 § 56; first paragraph revised, 1969, 546 § 13. (See 1969, 546 § 34.)

SECT. 46F amended, 1956, 535 § 3, 570 § 4; revised, 1960, 628; amended, 1966, 14 § 57; revised, 1969, 546 § 14. (See 1969, 546 § 34.)

SECT. 46G added, 1955, 696 (to strengthen the activities of cities and towns in the prevention of juvenile delinquency); second sentence amended, 1968, 66; last sentence revised, 1966, 14 § 58.

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. 46H, third paragraph revised, 1967, 626.

SECT. 46J added, 1962, 555 (providing for joint special education programs for emotionally disturbed children); revised, 1968, 352 § 1.

SECTS. 46K and 46L added, 1966, 647 § 1 (providing for the instruction and training of children with certain learning impairments).

SECT. 46M added, 1968, 695 (providing that commonwealth pay costs of tuition and transportation for certain physically handicapped children in private schools, hospitals and institutions).

SECT. 47 revised, 1935, 199; 1950, 658; 1951, 411 § 1; amended, 1952, 316 § 1; revised, 1954, 271; second sentence amended, 1969, 678; third sentence amended, 1962, 301 § 3; sentence inserted after third sentence, 1969, 66; 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); revised, 1966, 21. (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; second paragraph revised, 1966, 14 § 59.

SECT. 60 repealed, 1969, 254 § 6.

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; 1966, 14 § 60.

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; sentence inserted after fourth sentence, 1969, 77.

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; sentence inserted after third sentence, 1966, 344.

SECT. 71A added, 1965, 404 (authorizing school committees to designate the location of highway safety stations for children awaiting a school bus).

SECT. 71B added, 1968, 283 (encouraging the use of public school gymnasiums for adult physical fitness programs).

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; 1966, 14 § 61, 724.

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. 2, sentence inserted after first sentence, 1966, 14 § 62.

SECT. 2A added, 1966, 14 § 63 (providing for the filing by superintendents of schools of certain reports of student enrollment).

SECT. 3, paragraph in lines 6–10 revised, 1939, 461 § 2; section revised, 1966, 14 § 64.

SECT. 6 revised, 1962, 410.

SECT. 8, first two sentences stricken out and one sentence inserted, 1957, 290; first paragraph amended, 1954, 231 § 1; fourth sentence revised, 1966, 14 § 65; 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 estab-

lish 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; second sentence revised, 1968, 739 § 1; last paragraph amended, 1967, 846. (See 1964, 357 § 11).

SECT. 19 added, 1968, 334 (changing names of certain state colleges).

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; amended, 1966, 14 § 66.

SECT. 9 amended, 1938, 446 § 7; 1952, 471 § 4; revised, 1957, 496 § 1, 599 § 6; 1966, 14 § 67; 1967, 791 § 2. (See 1938, 446 § 14.)

SECT. 10 revised, 1966, 14 § 68; 1967, 791 § 3.

SECT. 11 amended, 1933, 102 § 2; 1941, 617 § 2; revised, 1966, 561. (See 1933, 102 § 4; revised, 1966, 561.)

SECT. 12 amended, 1952, 471 § 5; revised, 1957, 496 § 2; 1966, 14 § 69; 1967, 791 § 4.

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; 1969, 364.

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); repealed, 1966, 535 § 6.

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); revised, 1969, 233.

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; repealed, 1967, 50.

SECT. 25 revised, 1962, 419 § 2.

SECT. 26 revised, 1962, 419 § 3.

SECT. 28 revised, 1939, 501 § 6; amended, 1945, 158 § 6; first sentence revised, 1969, 849 § 73. (See 1969, 849 § 79.)

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; amended, 1967, 268 § 3.

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. 1 amended, 1969, 396 § 7.
SECT. 2 amended. 1962, 787 § 2; sentence inserted after fourth sentence, 1964, 562 § 1; section revised, 1965, 572 § 31; third sentence amended, 1969, 396 § 8.
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; second paragraph revised, 1966, 659 § 1; third paragraph, second sentence amended, 1964, 357 § 9; 1966, 659 § 2. (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; section revised, 1966, 659 § 3.
SECT. 37 added, under caption, 1967, 697 (establishing a television center at the University of Massachusetts).

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; stricken out, 1968, 739 § 2; three paragraphs added at end, 1962, 499 § 1; second paragraph stricken out, 1968, 739 § 3; eight paragraphs added at end, 1963, 701 § 9; ninth paragraph amended, 1964, 357 § 10; 1968, 739 § 4; paragraph added, 1967, 489. (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 University (former title, South Eastern Massachusetts University) (former title, Southeastern Massachusetts Technological Institute).

New chapter inserted, 1960, 543 § 3. (See 1960, 543 §§ 4–10.)

Title revised, 1969, 396 § 9; 684 § 2.
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; amended, 1969, 396 § 10; 684 § 2.
SECT. 2 repealed, 1965, 572 § 35.

SECTS. 3–4 revised, 1969, 396 § 11.
SECT. 6 amended, 1969, 396 § 12.
SECT. 7 amended, 1969, 396 § 13.
SECT. 8 amended, 1969, 396 § 14.
SECT. 9 amended, 1969, 396 § 15.
SECT. 10, second paragraph, third sentence revised, 1968, 739 § 5; amended, 1969, 396 § 16.
SECT. 11 revised, 1969, 396 § 17.
SECT. 12, two sentences added at end, 1963, 801 § 77; section revised, 1969, 396 § 17.
SECT. 13 amended, 1969, 396 § 18.
SECT. 16 revised, 1969, 396 § 19.
SECT. 17 amended, 1969, 396 § 20.

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; amended, 1967, 808 § 2; 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; two sentences inserted after third sentence, 1969, 859 § 5. (See 1947, 241 § 2; 1965, 659 § 7.)
SECT. 4 amended, 1969, 543.
SECTS. 7–10. (See 1939, 454 § 21.)
SECT. 7 amended, 1951, 579.
SECTS. 12A and 12B added, 1966, 506 (providing for the attendance of certain children in public schools of cities and towns other than the cities and towns in which they reside).
SECT. 12A, paragraph added at end, 1968, 622 § 1.
SECT. 12B, second paragraph revised, 1968, 622 § 2; section amended, 1968, 735.
SECT. 15 revised, 1938, 265 § 5; 1967, 590.
SECT. 15A added, 1966, 583 (exempting certain physicians and nurses from civil liability in carrying out public health programs); section repealed, 1967, 309 § 1.

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; revised, 1969, 838 § 10. (See 1969, 838 § 74.)
SECT. 4 revised, 1948, 573 § 2; amended, 1957, 565 § 2; 1964, 520 § 2; revised, 1969, 838 § 11. (See 1948, 573 § 7; 1969, 838 § 74.)
SECT. 5 revised, 1948, 573 § 3; amended, 1957, 565 § 3; 1964, 520 § 3; revised, 1969, 838 § 12. (See 1948, 573 § 7; 1969, 838 § 74.)

SECT. 10 revised, 1949, 593 § 5.
SECT. 11 amended, 1948, 573 § 4; first sentence revised, 1969, 859 § 6. (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); sentence added, 1967, 162 § 1; section amended, 1968, 759 § 4. (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. 7C amended, 1966, 530 § 2.
SECT. 7D revised, 1965, 573; 1967, 476 § 1.
SECT. 7E amended, 1967, 476 § 2.
SECT. 8 amended, 1936, 187 § 1; first sentence amended, 1960, 49; second sentence revised, 1959, 626 § 2; sentence inserted after second sen-

tence, 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; section revised, 1966, 530 § 1. (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; sentence added at end, 1968, 759 § 5. (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. 35 amended, 1969, 209.

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; definition of "relocation payment" revised, 1968, 759 § 1. (See 1933, 254 § 66.)

SECT. 2, first sentence revised, 1962, 234.

SECT. 4 revised, 1933, 63 § 1; amended, 1968, 759 § 2.

SECT. 5 amended, 1933, 157 § 2. (See 1933, 157 § 3.)

SECT. 6 amended, 1968, 407.

SECT. 7, first paragraph amended, 1968, 759 § 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. 1, fourth sentence revised, 1968, 736 § 3.

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); revised, 1966, 646 § 1; sentence added, 1967, 162 § 2. (See 1963, 594 § 2; 1966, 646 § 2.)

SECT. 7K added, 1966, 215 (authorizing a public utility company to enter on certain land taken by eminent domain for the purpose of relocating its facilities).

SECT. 7L added, 1966, 677 (authorizing the department of public works to lease air-rights over state highways).

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. 13B added, 1967, 397 (relative to restoration and preservation of scenic beauty and historic sites adjacent to Federal-aid highways).

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. 3, first sentence stricken out and two sentences inserted, 1969, 490 § 1; sentence inserted after first sentence, 1967, 218.

SECT. 5, first sentence revised, 1969, 490 § 2.

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; amended, 1968, 403 § 1.

SECT. 41 added, 1968, 403 § 2 (requiring notice to utility companies before excavating within their defined rights-of-way and easements).

Chapter 83. — Sewers, Drains and Sidewalks.

SECT. 1 revised, 1964, 736 § 2; first paragraph, two sentences added at end, 1969, 597 § 2; fifth paragraph revised, 1969, 758 § 7.

SECT. 3A added, 1968, 248 (permitting cities or towns to repair sewers on private ways).

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; sentence inserted after second sentence, 1968, 694 § 2.

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. 2D added, 1967, 862 (authorizing the erection of signs on limited access ways indicating the availability of services of public 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 bi-

cycles 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; revised, 1968, 92.

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; 1969, 357.

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; 1966, 86.

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; first sentence revised, 1969, 522; fourth sentence stricken out and two sentences inserted, 1962, 225.

SECT. 11 added, 1967, 405 § 1 (establishing regulations for vehicles approaching pedestrians on certain marked crosswalks). (See 1967, 405 § 3.)

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 "auto home" inserted, 1967, 711 § 2; definition of "dealer" revised, 1948, 511 § 1; "farmer" defined, 1951, 736 § 1; amended, 1965, 643; revised, 1966, 23; 1969, 122; "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; revised, 1968, 238 § 1; definition of "register number" revised, 1935, 43; 1967, 164; "repairman" defined, 1948, 511 § 4; revised, 1951, 89; 1953, 378; 1969, 340; definition of "right to operate" inserted, 1966, 238; revised, 1968, 294; "school bus" defined, 1932, 271 § 1; revised, 1946, 91; amended, 1947, 216 § 1; revised, 1950, 502 § 1; 1969, 54 § 1; "semi-trailer" and "semi-trailer unit" defined, 1933, 332 § 1; definition of "student" inserted, 1969, 705; "tractor" defined and definition of "trailer" revised, 1933, 332 § 2; definition of "tractor" revised, 1961, 121 § 1; 1969, 206; 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; 1968, 238 § 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; third and fourth paragraphs stricken out and one paragraph inserted, 1967, 736 § 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; first and second sentence amended, 1967, 736 § 2; sixth paragraph revised, 1960, 581; amended, 1967, 736 § 3; first sentence revised, 1969, 742 § 1; seventh paragraph revised, 1939, 436 § 1; 1949, 470, 644 § 3; 1952, 82; amended, 1953, 225; 1955, 45 § 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; sixth sentence revised, 1967, 736 § 4; sentence added at end, 1965, 819 § 1; eighth paragraph revised, 1933, 54; amended, 1948, 94; second sentence of said paragraph stricken out, 1960, 226; last sentence revised, 1967, 736 § 5; paragraph added at end, 1952, 554. (See 1955, 283 § 3; 1961, 568 § 3; 1962, 231 § 3; 1967, 736 § 11.)

SECT. 2A added, 1953, 579 (providing for the registration of motor vehicles or trailers owned by minors).

SECT. 2B added, 1969, 282 (requiring owner of motor vehicle to remove visible evidence of ownership from vehicle upon transfer to another).

SECT. 2C added, 1969, 405 (authorizing minors to enter into legal contracts pertaining to motor vehicles).

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; revised, 1967, 580; fifth paragraph amended, 1966, 144 § 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; second sentence amended, 1966, 213 § 1; fifth and sixth sentences stricken out, 1967, 736 § 6; last sentence amended, 1966, 213 § 2. (See 1947, 401 § 3; 1951, 736 § 5; 1967, 736 § 11.)

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; second sentence revised, 1968, 293.

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); first sentence revised, 1966, 537. (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; third sentence stricken out and two sentences inserted, 1967, 623 § 1; fourth sentence stricken out and two sentences inserted, 1966, 204; sentence added after fourth sentence, 1939, 153; sixth sentence (as appearing in 1933, 51) revised, 1960, 242; amended, 1966, 81; 1967, 168; revised, 1968, 309; 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; revised, 1966, 149 § 1; sentence inserted, 1969, 260; sentence inserted after ninth sentence, 1951, 370; 1968, 109; eleventh sentence revised, 1952, 253; twelfth and thirteenth sentences stricken out and one sentence

inserted, 1955, 124; sentence inserted, 1968, 110; sentence added at end of first paragraph, 1954, 570 § 1; 1963, 826 § 1; 1965, 69 § 1; 1967, 13; amended, 1968, 225; revised, 1969, 170; 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; first sentence amended, 1967, 202 § 1; sentence inserted after first sentence, 1967, 202 § 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; first sentence stricken out and two sentences inserted, 1966, 268; second sentence (as appearing in 1950, 525) revised, 1964, 179.

SECT. 7B, clause (1) revised, 1950, 502 § 2; clause (4) revised, 1962, 515 § 1; 1963, 199; 1966, 74; clause (6) inserted, 1950, 459 § 1; clause (7) inserted, 1951, 196 § 1; revised, 1966, 149 § 2. (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; 1969, 339.

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; 1967, 219.

SECT. 7G added, 1964, 299 (prohibiting the servicing, sale or grinding of certain used brake drums); sentence inserted after second sentence, 1968, 251.

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. 7J added, 1966, 8 (authorizing the registrar of motor vehicles to make regulations relative to handle bars on motorcycles).

SECT. 7K added, 1966, 655 (providing for the establishment of minimum safety standards for construction and performance of tires).

SECT. 7L added, 1968, 713 § 1 (prohibiting standees in certain school buses).

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 (as appearing in 1962, 687) inserted, 1962, 687; first sentence revised, 1966, 144 § 2; second sentence amended, 1963, 745; same sentence stricken out and two sentences inserted, 1966, 358 § 1; fourth sentence amended, 1963, 278; fourth sentence (as appearing in 1958, 307) revised, 1960, 604; tenth

sentence revised, 1967, 601 § 1; eleventh sentence revised, 1967, 295 § 1 (see 1967, 295 § 2); thirteenth, fourteenth and fifteenth sentences stricken out and one sentence inserted, 1967, 601 § 2; last paragraph stricken out, 1960, 582; sentence added at end, 1968, 551. (See 1948, 399 § 3, 619 §§ 2, 3; 1955, 488 § 3; 1966, 358 § 3; 1967, 295 § 2.)

SECT. 8A added, 1962, 515 § 2 (regulating the licensing of operators of school buses); first paragraph revised, 1966, 144 § 3.

SECT. 8B added, 1963, 713 § 2 (relative to a learner's permit for unlicensed drivers learning to drive); first paragraph amended, 1966, 358 § 2; second sentence stricken out and two sentences inserted, 1967, 187; third paragraph amended, 1966, 522 § 1; last sentence revised, 1967, 624. (See 1963, 713 § 4; 1966, 358 § 3.)

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; 1967, 736 § 7; revised, 1968, 653; third sentence revised, 1959, 259; last sentence revised, 1961, 73 § 2. (See 1967, 736 § 11.)

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; 1967, 181; revised, 1969, 708.

SECT. 10 amended, 1935, 219; first sentence stricken out and two sentences inserted, 1963, 713 § 1; second sentence (as appearing in 1935, 219) stricken out and two sentences inserted, 1948, 130; second sentence revised, 1962, 501; amended, 1968, 41; third sentence revised, 1955, 314; paragraph added at end, 1950, 139; amended, 1966, 144 § 4. (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; last sentence revised, 1968, 254.

SECT. 13, two sentences inserted after second sentence, 1950, 763; sentence added at end, 1949, 707; same sentence revised, 1950, 305; sentence added, 1967, 93, 192.

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; fourth sentence revised, 1969, 54 § 2; 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; fifth sentence revised, 1968, 11.

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, 311; amended, 1962, 338 § 18; first sentence revised, 1969, 76; sentence inserted after first sentence, 1968, 694 § 3; paragraph added at end, 1955, 135; amended, 1962, 338 § 19; second sentence stricken out, 1968, 222.

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; 1966, 369; revised, 1967, 395; amended, 1969, 307; second sentence stricken out and two sentences inserted, 1968, 221; sentence inserted after second sentence, 1963, 321; sentence inserted after third sentence, 1969, 13; third sentence (as appearing in 1951, 573) revised, 1961, 553; sentence inserted, 1965, 259; fourth sentence amended, 1967, 71; revised, 1967, 479; 1969, 694; fifth sentence revised, 1968, 31; 1969, 182. (See 1933, 332 § 5; 1935, 223 § 2; 1936, 388 § 2.) Affected, 1941, 589; 1951, 310.

SECT. 19A added, 1946, 397 § 1 (authorizing certain semi-trailer units and motor vehicles to travel upon public ways without certain permits); first paragraph revised, 1955, 736; 1961, 523 § 1; paragraph added at end, 1951, 344; 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; repealed, 1967, 621 § 1. (See 1951, 572 § 2; 1957, 258 § 2; 1958, 190 § 2; 1967, 621 § 2.) Affected, 1951, 310.

SECT. 20, first sentence revised, 1951, 567; amended, 1956, 389 § 3; 1966, 110; section revised, 1967, 182.

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); repealed, 1967, 405 § 2. (See 1967, 405 § 3.)

SECTS. 20C and 20D added, 1962, 786 § 6 (relative to the non-criminal disposition of parking violations). (See 1962, 786 § 8.)

SECT. 20C, fifth paragraph amended, 1966, 119; 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; 1968, 362.

SECT. 22, first paragraph amended, 1963, 276; first sentence amended, 1968, 237; paragraph inserted after first paragraph, 1962, 261; two paragraphs added at end, 1933, 191; first sentence (as appearing in 1933, 191) amended, 1941, 312; paragraph added at end, 1968, 332; section revised, 1969, 637.

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; sentence added at end, 1969, 227; 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); revised, 1967, 748.

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); revised, 1967, 432 § 1. (See 1965, 692 § 7.)

SECT. 22E added, 1966, 172 (providing a penalty for taking parts from certain abandoned motor vehicles).

SECT. 23, first paragraph revised, 1954, 74; amended, 1963, 331; paragraph added at end, 1933, 69.

SECT. 24 amended, 1932, 26 § 1; first sentence amended, 1936, 182 § 1; sentence contained in lines 65–97 amended, 1935, 360; paragraph added at end, 1936, 182 § 2; section revised, 1936, 434 § 1; paragraph (1) (*a*) amended, 1938, 145; first sentence revised, 1961, 347, 422 § 2; amended, 1962, 394 § 2; revised, 1963, 369 § 2; paragraph (1) (*b*) revised, 1964, 200 § 1; paragraph (1) (*c*) revised, 1939, 82; amended, 1955, 198 § 1; revised, 1964, 200 § 2; paragraph (1) (*d*) amended, 1955, 198 § 2; paragraph (1) (*e*) added, 1961, 340; paragraph (*e*) stricken out and paragraphs (*e*), (*f*) and (*g*) added, 1967, 773; paragraph (2) (*a*) amended, 1937, 230 § 1; 1964, 200 § 3; 1966, 316; 1968, 259; 1969, 7, 202; paragraph (2) (*b*) amended, 1964, 200 § 4; paragraph (2) (*c*) amended, 1937, 117; 1955, 198 § 3; 1964, 200 § 5; 1966, 191 § 1; 1969, 163. (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; paragraph added, 1967, 151.

SECT. 24C added, 1963, 338 (prohibiting a minor from operating any motor vehicle in which there is any alcoholic beverage unless he is accom-

panied by his parent or legal guardian); first paragraph revised, 1966, 122; section repealed, 1966, 317 § 1.

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. 26A added, 1969, 40 (requiring reports of change of name and address).

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; 1967, 163; tenth sentence revised, 1968, 364; last two sentences revised, 1938, 146; 1967, 193.

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; amended, 1966, 222 § 1. (See 1948, 201 § 4.)

SECT. 31A, last sentence revised, 1956, 387.

SECT. 32, first sentence revised, 1953, 196; 1966, 222 § 2; last sentence revised, 1966, 178.

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. 32C amended, 1966, 222 § 3.

SECT. 32D amended, 1966, 222 § 4.

SECT. 32E, first paragraph revised, 1966, 222 § 5; paragraph added at end, 1959, 282 § 1; revised, 1961, 177 § 1. (See 1959, 282 § 6.)

SECT. 32F amended, 1966, 222 § 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; amended, 1966, 189; fourth paragraph revised, 1956, 383 § 1; eleventh paragraph revised, 1956, 383 § 2; paragraph added at end, 1962, 415; revised, 1963, 349 § 2.

SECT. 32H added, 1963, 802 (requiring lessors of motorcycles to be licensed by the registrar of motor vehicles).

SECT. 33, first four paragraphs stricken out, and five new paragraphs inserted, 1932, 249 § 1; third paragraph (as appearing in 1932, 249 § 1) revised, 1948, 572 § 2; fourth paragraph (as so appearing) amended, 1933, 183 § 1; revised, 1948, 584 § 2; fifth paragraph (as so appearing) revised, 1947, 666 § 3; paragraph in lines 21–41 amended, 1932, 180 § 12; same paragraph stricken out, and two paragraphs inserted, 1933, 332

§ 4; two paragraphs so inserted stricken out, and new paragraph inserted, 1935, 409 § 1; the paragraph so inserted amended, 1936, 380 § 1; subdivisions (2) and (3) of the paragraph so inserted revised, 1937, 377; subdivision (2) of said paragraph revised, 1945, 595 § 2; amended, 1968, 749 § 1; subdivision (3) of said paragraph amended, 1938, 430; subdivision (4) of said paragraph amended, 1939, 354 § 3; 1968, 749 § 2; subdivision (5) amended, 1968, 749 § 3; subdivision (6) of said paragraph amended, 1939, 354 § 4; revised, 1945, 595 § 3; amended, 1968, 749 § 4; 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; 1967, 696; 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 (1) amended, 1966, 723; subdivision (7) amended, 1965, 679 § 13; paragraph inserted after second paragraph, 1967, 711 § 1; fifth paragraph revised, 1965, 700 § 3; two paragraphs inserted after fifth paragraph, 1969, 742 § 2; sixth paragraph (as appearing in 1959, 571 § 1) stricken out, 1967, 736 § 8; ninth and tenth paragraphs (as so appearing) stricken out and paragraph inserted, 1967, 601 § 3; eleventh paragraph revised, 1960, 580; 1966, 522 § 2; paragraph inserted after eighteenth paragraph, 1969, 682; paragraph added at end, 1969, 742 § 3. (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; 1967, 736 § 11; 1968, 749 § 5.)

SECT. 33A added, 1958, 6 § 2 (confirming the validity of the signature on certain certificates of registration and certain licenses to operate motor vehicles); revised, 1966, 205.

SECT. 33B added, 1967, 519 (relative to assistance to cities and towns to eliminate accidents at high accident locations).

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; revised, 1967, 736 § 8A; 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; 1967, 736 § 11.)

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).

SECT. 34L added, 1966, 260 (requiring that protection on account of injuries to the insured caused by operators of uninsured motor vehicles shall be included in compulsory motor vehicle liability insurance policies); repealed, 1968, 643 § 6.

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; amended, 1967, 67 § 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; sentence inserted after sixth sentence, 1969, 304.

SECT. 4A added, 1966, 233 (relative to altering, forging or counterfeiting a certificate of number of a motorboat).

SECT. 5A added, 1967, 22 (requiring all vessels to carry a life saving device for each person aboard); second sentence revised, 1969, 271.

SECT. 8, subsection (*b*) revised, 1967, 27 § 1; subsection (*d*) revised, 1967, 27 § 2.

SECT. 11, clauses (*d*) and (*e*) revised, 1961, 320.

SECT. 12, first sentence revised, 1964, 547.

SECT. 13, sentence added at end, 1962, 250.

SECT. 14, subsection (*c*) revised, 1967, 27 § 3.

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; 1967, 432 § 2; definition of "Citation", 1963, 637 § 1; revised, 1965, 692 § 2; amended, 1967, 350 § 3; definition of "Police chief" revised, 1965, 590 § 1; 1967, 222 § 1; definition of "Police officer" revised, 1963, 340 § 2; revised, 1965, 590 § 2; 1967, 222 § 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; second paragraph, first sentence revised, 1968, 725 § 1; third paragraph, first sentence revised, 1968, 725 § 2; fourth paragraph, second sentence revised, 1968, 725 § 3; fourth sentence revised, 1966, 64. (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); section repealed, 1966, 621 § 1. (See 1966, 621 § 3.)

SECT. 9A added, 1938, 407 § 2 (providing a method for the development of waterfront terminal facilities).

SECT. 10A added, 1967, 543 (relative to the temporary mooring of floats or rafts).

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).

SECT. 52, paragraph added at end, 1968, 626.

SECT. 59 amended, 1969, 384.

SECT. 59A added, 1967, 507 (relative to tort liability for persons discharging oil in certain inland waters); sentence added at end, 1969, 373.

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; three sentences added, 1967, 331.

SECTS. 60–62 repealed, 1968, 501 § 2.

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; second paragraph amended, 1968, 79. (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. 37, sentence added at end, 1968, 694 § 4.

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; last sentence revised, 1968, 405 § 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); revised, 1969, 872 § 3.

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. 14G, clause (*h*) revised, 1966, 232.

SECT. 14I revised, 1958, 633 § 4.

SECTS. 14L–14R added, under caption, 1958, 632 § 1 (regulating trading stamp companies). (See 1958, 632 § 2.)

SECT. 14S added, under caption, 1969, 46 (prohibiting limitations of time within which credit slips may be redeemed).

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; sentence added, 1967, 180.

SECT. 24A added, 1949, 711 § 2 (relative to licenses for the conduct of collection agencies); revised, 1962, 670 § 2; third sentence revised, 1969, 789 § 1.

SECTS. 24B and 24C added, 1962, 670 § 3 (further regulating collection agencies).

SECT. 24C, second sentence revised, 1969, 789 § 2.

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); revised, 1968, 78.

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.

SECT. 42 added, 1967, 817 § 3 (providing that unlawful taking of trade secrets shall constitute larceny).

SECT. 42A added, 1969, 457 (providing injunctive relief for the misappropriation of trade secrets).

SECT. 43 added, 1969, 275 (clarifying the responsibility of the receiver to the sender of unsolicited goods by mail).

SECTS. 44–47 added, under caption, 1969, 442 (regulating the trade practices of credit bureaus and their subscribers).

Chapter 93A. — Regulation of Business Practices for Consumers Protection. New chapter inserted, 1967, 813 § 1.

SECT. 1, definition of "Examination of documentary material" added, 1969, 814 § 1.

SECT. 3, paragraph (2) revised, 1969, 814 § 2.

SECTS. 4–7 revised, 1969, 814 § 3.

SECT. 8 amended, 1969, 814 § 4.

SECTS. 9–10 added, 1969, 690 (providing civil remedies for persons injured by unfair or deceptive acts or practices as defined under the Consumer Protection Act).

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 "oleomargarine" revised, 1967, 216 § 1; definition of "sausage" or "sausage meat" revised, 1962, 243; paragraphs in line 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; last sentence revised, 1968, 467 § 8.

SECT. 8 revised, 1937, 53.

SECT. 9 amended, 1939, 261 § 6; 1968, 467 § 9.

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; revised, 1967, 425 § 1.

SECT. 12A added, 1955, 757 § 2 (defining "fortified non-fat milk"); first paragraph revised, 1961, 598 § 2; 1967, 425 § 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. 13B revised, 1967, 82.

SECT. 13C revised, 1967, 82.

SECT. 13D revised, 1967, 82.

SECT. 13E amended, 1967, 41.

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. 16L revised, 1967, 136.

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; sentence inserted after first sentence, 1966, 128.

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. 42C, sentence inserted before the first sentence, 1968, 751.

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; section repealed, 1967, 356. (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; amended, 1967, 426 § 3.

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; section revised, 1967, 216 § 2.

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.

SECT. 55 revised, 1967, 216 § 3.

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); first sentence amended, 1967, 40.

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; section revised, 1967, 215 § 1.

SECT. 65H revised, 1957, 356 § 5; last paragraph amended, 1967, 215 § 2.

SECT. 65I revised, 1957, 356 § 6.

SECT. 65J, first paragraph amended, 1967, 215 § 3; 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; paragraph (*f*) revised, 1967, 215 § 4.

SECT. 65M revised, 1957, 356 § 8; 1967, 215 § 5.

SECT. 65N revised, 1957, 356 § 9.

SECT. 65O revised, 1957, 356 § 10; first paragraph, clause First amended, 1967, 215 § 6; second paragraph amended, 1967, 215 § 7.

SECT. 65P, paragraph (*f*) added at end, 1937, 341 § 3; revised, 1957, 356 § 11; amended, 1967, 215 § 8.

SECT. 65Q revised, 1957, 356 § 12; amended, 1967, 215 § 9.

SECT. 65T added, 1963, 274 § 3 (authorizing the department of public health to establish regulations and standards for frozen dietary dairy desserts).

SECT. 65U added, 1967, 215 § 10 (establishing standards of labeling for frozen desserts and mix).

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. 77G revised, 1966, 460.

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; second sentence revised, 1968, 467 § 10.

SECT. 86, two sentences added at end, 1955, 415; second sentence revised, 1969, 704 § 40. (See 1969, 704 § 60.)

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; second sentence revised, 1968, 467 § 11.

SECT. 99A amended, 1939, 261 § 9; sentence inserted after fourth sentence, 1952, 121; last sentence revised, 1968, 467 § 12; 1969, 704 § 41. (See 1969, 704 § 60.)

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; section revised, 1966, 65.

SECT. 100 repealed, 1959, 528 § 2.

SECTS. 101–109 stricken out, and new sections 101–109 inserted, 1959, 528 § 3.

SECT. 107 revised, 1967, 217.

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; last paragraph revised, 1968, 467 § 13.

SECT. 182 amended, 1939, 261 § 11; revised, 1968, 467 § 14.

SECT. 184 amended, 1939, 261 § 12; 1968, 467 § 15.

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; last sentence revised, 1967, 49; 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; fourth paragraph revised, 1968, 128.

SECT. 187F added, 1961, 603 (further regulating the shipment of harmful drugs into the commonwealth); revised, 1965, 515 § 2.

SECT. 187G added, 1969, 586 (relating to search warrants in connection with harmful drugs and implements used therewith).

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. 194B added, 1968, 525 § 1 (providing a penalty for labelling certain fish products as "halibut"). (See 1968, 525 § 2.)

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 "chiropodist (podiatrist)" inserted, 1965, 229 § 6; definition of "Pharmacist," or "druggist" revised, 1961, 345 § 1; definition of "Nurse" revised, 1960, 660; 1961, 245; definition of "Narcotic Drug" amended, 1966, 71 § 1; 1969, 222 § 1; definitions of "amidone", "isoamidone" and "Keto-bemidoe" revised, 1963, 79; definitions of "LSD", "Psilocybin", and "D.M.T." inserted, 1966, 71 § 2; definition of THC inserted, 1969, 222 § 2.

SECT. 199A, first paragraph amended, 1965, 229 § 7; third paragraph amended, 1965, 229 § 8.

SECT. 199E, first paragraph revised, 1961, 345 § 2; second paragraph revised, 1968, 287; 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. 199G added, 1966, 339 (prohibiting the purchase without a prescription of certain exempt narcotic drugs by minors).

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; revised, 1968, 467 § 16.

SECT. 244 amended, 1941, 155 § 1; second sentence revised, 1968, 467 § 17.

SECT. 245 revised, 1933, 94 § 2; amended, 1939, 261 § 13A; revised, 1941, 155 § 2; first sentence revised, 1968, 467 § 18.

SECT. 246 revised, 1941, 155 § 4.

SECT. 248 amended, 1934, 184; 1939, 261 § 14; revised, 1943, 241 § 1; amended, 1946, 222; revised, 1952, 99; second sentence revised, 1968, 467 § 19.

SECT. 249A amended, 1939, 261 § 15; first sentence revised, 1968, 467 § 20.

SECT. 249B amended, 1939, 261 § 16; revised, 1968, 467 § 21.

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; revised, 1968, 467 § 22.

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. 261E, first sentence revised, 1966, 400.

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; third paragraph revised, 1966, 521; 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. 273, two paragraphs inserted after first paragraph, 1961, 348 § 2.

SECT. 275 revised, 1965, 514 § 17.

SECT. 276 amended, 1965, 514 § 18.

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; revised, 1968, 467 § 23.

SECT. 285 revised, 1950, 110 § 1.

SECT. 286 revised, 1950, 110 § 2; 1968, 467 § 24.

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 (2A) inserted, 1960, 234 § 1; paragraphs (4) and (5) revised, 1968, 467 § 25; paragraph (4) revised, 1969, 704 § 42; paragraph (6) inserted, 1950, 515 § 1. (See 1960, 234 § 4; 1969, 704 § 60.)

SECT. 295B, first paragraph amended, 1950, 497; section revised, 1957, 443; amended, 1962, 531 § 2; third paragraph stricken out, 1969, 622.

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; revised, 1967, 92.

SECTS. 303G–303M added, under caption, 1967, 481 (establishing minimum standards of quality for anti-freeze).

SECT. 303J, first paragraph, third sentence revised, 1968, 47 § 1. (See 1968, 47 § 2.)

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; definition of "costs" added, 1967, 768 § 1.

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. 14, subsection (*d*) revised, 1967, 768 § 2.

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; revised, 1968, 467 § 26.

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; 1968, 467 § 27; 1969, 704 § 43. (See 1969, 704 § 60.)

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; last sentence revised, 1969, 704 § 44. (See 1953, 259 § 2; 1969, 704 § 60.)

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; second sentence revised, 1968, 467 § 28; sentence inserted after third sentence, 1965, 463.

SECT. 29, caption preceding section revised, 1941, 490 § 20; 1968, 467 § 29; paragraph added at end, 1945, 273; last sentence revised, 1969, 704 § 45. (See 1969, 704 § 60.)

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); sentence added at end, 1968, 71.

SECT. 34 amended, 1955, 190. (See 1965, 405.)

SECT. 35, first sentence revised, 1965, 406 § 2.

SECT. 36, first sentence revised, 1968, 37.

SECT. 37 amended, 1936, 72.

SECT. 41 amended, 1941, 462; first sentence revised, 1969, 704 § 46. (See 1969, 704 § 60.)

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).

SECT. 56B added, 1967, 19 (requiring computing scale at retail outlets selling prepackaged meats, poultry or fish).

Chapter 99. — The Metric System of Weights and Measures.

SECT. 1 amended, 1939, 261 § 20.

SECT. 2 revised , 1967, 11.

SECT. 3 amended, 1939, 261 § 21; 1968, 48; revised, 1968, 467 § 30.

SECT. 4 amended, 1939, 261 § 22; first sentence revised, 1968, 467 § 31.

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; amended, 1968, 467 § 32; 1969, 704 § 47. (See 1969, 704 § 60.)

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; first three sentences stricken out and sentence inserted, 1967, 274; 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; 1966, 535 § 7; revised, 1967, 478. (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. 1A added, 1968, 219 § 1 (further defining the crime of boarding a boat or vessel without authority).
SECT. 3 amended, 1968, 219 § 2.
SECT. 4 amended, 1968, 219 § 3.
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; section revised, 1967, 304.

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 bank 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; sentence inserted after second sentence, 1967, 429.

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; revised, 1967, 527; 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; definition of "Farming" or "Agriculture" inserted, 1966, 217; "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. 1A repealed, 1966, 685 § 4.

SECT. 1B repealed, 1966, 685 § 4.

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. 2B added, 1967, 900 (providing for declaration of air pollution emergencies).

SECT. 3 revised, 1946, 152; last sentence revised, 1966, 713 § 2.

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; amended, 1969, 838 § 13. (See 1969, 838 § 74.)

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); first paragraph amended, 1966, 420.

SECT. 4G added, 1967, 865 § 1 (establishing program for care, treatment and rehabilitation of epileptics).

SECT. 4H added, 1968, 498 (authorizing the care and treatment of persons suffering from chronic renal diseases).

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); revised, 1969, 722 § 2.

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; section repealed, 1966, 685 § 4. (See 1964, 16 § 3; 1966, 685 § 4.)

SECT. 5I added, 1968, 560 (authorizing the regulation of the use of laser equipment).

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. 8B added, 1966, 552 (authorizing the department of public health to make certain rules and regulations relative to ambulances).

SECT. 8C added, 1968, 548 § 1 (authorizing procedures for fluoridation of public water supplies).

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; revised, 1967, 347 § 2.

SECT. 16 amended, 1934, 340 § 8; revised, 1967, 347 § 3.

SECT. 17 amended, 1937, 340.

SECT. 20 revised, 1947, 76.

SECT. 21, first sentence revised, 1968, 274.

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. 24B added, 1968, 358 § 3 (providing for certain statistical information on births). (See 1968, 358 § 5.)

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.

SECT. 31D added, 1967, 455 (relative to disposal of privy, cesspool and septic tank contents; revised, 1969, 795.)

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; 1967, 891 § 1.

SECT. 52 revised, 1967, 891 § 2.

SECT. 53 amended, 1943, 16 § 2; revised, 1967, 891 § 3.

SECT. 54 amended, 1943, 16 § 3; revised, 1967, 891 § 4.

SECT. 55 revised, 1967, 891 § 5.

SECT. 56 revised, 1967, 891 § 6.

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.

SECT. 61, paragraph added, 1967, 15.

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. 62J revised, 1969, 619.

SECT. 62M, first sentence amended, 1967, 252; second sentence amended, 1968, 492 § 4.

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; first paragraph amended, 1968, 492 § 5; paragraph added at end, 1968, 559.

SECT. 67D 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; revised, 1968, 492 § 6.

SECT. 69I, last sentence revised, 1957, 459 § 4; amended, 1962, 546 § 7.

SECT. 69J added, 1956, 497 (authorizing the department of public health to make contracts for the operation of concessions in Lemuel Shattuck Hospital); amended, 1958, 268.

SECT. 70 amended, 1941, 194 § 5, 389 § 1; 1945, 291; first sentence revised, 1965, 203; section revised, 1957, 604; amended, 1963, 23; revised, 1964, 653; 1967, 891 § 7.

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; revised, 1967, 891 § 8.

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; section revised, 1966, 614 § 1; first sentence revised, 1966, 713 § 3; eleventh sentence revised, 1966, 713 § 4; section revised, 1967, 891 § 9; fourteenth paragraph revised, 1968, 686. (See 1964, 620 § 1.)

SECT. 71A added, 1955, 449 (to require hospitals to determine blood type of patients); repealed, 1967, 891 § 12.

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); repealed, 1967, 891 § 12.

SECT. 72, paragraph added at end, 1956, 439; section amended, 1957, 545 § 2; first paragraph revised, 1966, 614 § 2; amended, 1966, 713 § 5; section revised, 1967, 891 § 10.

SECT. 72A, first sentence amended, 1957. 545 § 3; revised, 1966, 614 § 3; section repealed, 1967, 891 § 12.

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); repealed, 1967, 891 § 12. (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. 72D added, 1967, 48 (requiring coin-operated telephones in convalescent and nursing homes).

SECT. 73 amended, 1957, 545 § 4; 1963, 730 § 2; first sentence stricken out and three sentences inserted, 1963, 762; first sentence revised, 1966, 614 § 4; section revised, 1967, 891 § 11.

SECT. 73A added, 1967, 891 § 11A (further regulating the licensing of hospitals, clinics, infirmaries, and nursing homes).

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. 78, first paragraph, fifth and sixth sentences stricken out and new sentence inserted, 1968, 492 § 7.

SECT. 78A added, 1959, 529 (providing that county tuberculosis hospitals

may under certain conditions admit persons suffering with chronic diseases as patients); third sentence revised, 1968, 492 § 8.

SECTS. 79–83A stricken out and sections 79–83B inserted, 1961, 608 § 2. (See 1961, 608 §§ 12–14.)

SECT. 79, first paragraph, third sentence stricken out and two sentences inserted, 1968, 492 § 9.

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, first paragraph revised, 1968, 492 § 10; second paragraph amended, 1965, 362.

SECT. 82, first sentence amended, 1968, 487 § 3; fourth sentence revised, 1962, 769 § 1; third and fourth sentences stricken out and three sentences inserted, 1965, 710 § 1; fifth sentence stricken out and two sentences inserted, 1968, 492 § 11. (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; second sentence revised, 1969, 849 § 74. (See 1943, 500 § 3; 1951, 562 § 11; 1952, 270 § 10; 1961, 608 §§ 12–14; 1969, 849 § 79.)

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; first sentence revised, 1968, 487 § 4. (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; repealed, 1968, 487 § 6. (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; 1968, 492 § 12. (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; 1968, 358 § 4. (See 1968, 358 § 5.)

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; 1967, 508. (See 1961, 608 §§ 12–14; 1964, 339 § 3.)

SECT. 116A added, under caption, 1937, 393 (providing for the hospitalization of patients with chronic rheumatism); amended, 1968, 492 § 13.

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. 127B, first paragraph amended, 1966, 78.

SECT. 127C, paragraph added at end, 1969, 242.

SECT. 127K added, 1968, 404 § 2 (declaring provisions in leases or other rental agreements pertaining to real estate waiving certain statutory benefits to be against public policy).

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. 128G added, 1967, 718 § 5 (relative to inspection of farm labor camps). (See 1967, 718 § 10.)

SECT. 128H added 1967, 718 § 5A (relative to educational and recreational opportunities at farm labor camps). (See 1967, 718 § 10.)

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. 142D added, 1969, 836 (authorizing the department of public health to form air pollution districts.)

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); first paragraph, first sentence revised, 1969, 515 § 1; second paragraph, second sentence revised, 1969, 429. (See 1955, 310 §§ 2, 3.)

SECT. 151 amended, 1943, 332 § 9; revised, 1956, 275 § 2.

SECT. 154 amended, 1934, 340 § 9; sixth sentence revised, 1967, 347 § 4; eighth sentence revised, 1967, 347 § 5.

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); amended, 1967, 528.

SECT. 184C added, 1969, 641 (authorizing certain minors to donate blood without prior parental assent.)

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 repealed, 1969, 889 § 23A.

Chapter 112. — Registration of Certain Professions and Occupations.

SECT. 1, first sentence revised, 1969, 704 § 48. (See 1969, 704 § 60.)

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; first six sentences stricken out and four sentences inserted, 1966, 299; first paragraph amended, 1969, 426 §§ 1, 2. 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, first sentence amended, 1966, 527; 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; amended, 1967, 374; 1969, 343.

SECT. 12C added, 1967, 309 § 2 (exempting physicians and nurses from liability in carrying out immunization programs).

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; second sentence revised, 1969, 104.

SECT. 55 amended, 1937, 66; revised, 1939, 251 § 1; first paragraph amended, 1945, 724; 1952, 585 § 24; stricken out and two paragraphs inserted, 1957, 492; same two paragraphs stricken out and one paragraph inserted, 1958, 533 § 4; first paragraph stricken out and two paragraphs inserted, 1965, 46; first paragraph, second and third sentences revised, 1967, 347 § 6; second sentence amended, 1968, 538 § 1; third sentence amended, 1968, 538 § 2; fifth sentence amended, 1968, 538 § 3; 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, first paragraph revised, 1969, 101; second paragraph revised, 1953, 558 § 1.

SECT. 60C, clause (*c*) revised, 1943, 167; section revised, 1962, 94; paragraph added, 1967, 503.

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. 73C, last sentence revised, 1967, 152.

SECT. 73E, first paragraph revised, 1967, 440.

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; first sentence revised, 1968, 572; third, fourth and fifth sentences revised, 1969, 603 § 1. (See 1959, 415 § 5; 1969, 603 § 7.)

SECT. 74A, third sentence amended, 1951, 87; section revised, 1953, 350 § 5; 1959, 415 § 2; amended, 1960, 693 § 9; 1964, 21 § 2; third sentence revised, 1968, 320; third, fourth and fifth sentences revised, 1969, 603 § 2. Affected, 1956, 371; 1957, 539, 595 §§ 6, 7. (See 1953, 350 §§ 13, 14; 1959, 415 § 5; 1969, 603 § 7.)

SECT. 74B revised, 1953, 350 § 6; repealed, 1967, 195 § 1.

SECT. 75 revised, 1953, 350 § 7; amended, 1960, 693 § 10.

SECT. 76 revised, 1953, 350 § 8; second sentence revised, 1969, 603 § 3. (See 1969, 603 § 7.)

SECT. 76A added, 1966, 599 § 1 (providing for the temporary registration of certain nurses to practice nursing); third sentence revised, 1969, 603 § 4. (See 1969, 603 § 7.)

SECT. 77 amended, 1957, 595 § 1. (See 1957, 595 § 8.)

SECT. 80 revised, 1957, 595 § 2; first sentence amended, 1966, 599 § 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; third paragraph, clause (5) revised, 1967, 299; 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; revised, 1966, 599 § 3.

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; subsection (1), clause (*c*) amended, 1966, 76 § 1; clause (*d*) added, 1966, 76 § 2. (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; second, third and fourth sentences revised, 1969, 588; three paragraphs added at end, 1969, 587. (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; first sentence amended, 1966, 456 § 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; 1966, 456 § 2; 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; amended, 1966, 456 § 3.

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; 1966, 456 § 4; second paragraph revised, 1960, 442 § 2.

SECT. 87CC revised, 1941, 626 § 8; 1943, 565 § 8; first paragraph amended, 1948, 347; 1965, 186; last sentence revised, 1968, 318; schedule revised, 1951, 427; sentence added, 1953, 537 § 2; schedule revised, 1954, 501; amended, 1959, 388 § 1; revised, 1960, 717; third paragraph stricken out and four paragraphs inserted, 1966, 456 § 5; third paragraph revised, 1968, 460; fourth paragraph (as appearing in 1943, 565 § 8) amended, 1960, 716. (See 1966, 456 § 8.)

SECT. 87DD revised, 1943, 565 § 9.

SECT. 87EE revised, 1937, 385 § 7.

SECT. 87GG revised, 1941, 626 § 9; 1943, 565 § 10; first sentence revised, 1966, 456 § 6; 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; last sentence amended, 1966, 456 § 7. (See 1966, 456 § 8.)

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; section amended, 1968, 483 § 1. (See 1963, 735 § 2.)

SECT. 87ZZ, paragraphs (*a*), (*b*) and (*c*) revised, 1960, 658; paragraphs (*b*) and (*c*) revised, 1968, 483 § 2; paragraph (*d*) revised, 1959, 455.

SECT. 87AAA, first paragraph amended, 1961, 181; last two clauses stricken out and clauses (*j*) and (*k*) added, 1967, 148; paragraph inserted after first paragraph, 1966, 422.

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; third sentence amended, 1969, 243; paragraph added at end, 1969, 166.

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. 87OOO, paragraph added, 1967, 137.

SECT. 87PPP, paragraph defining "Radio or television receiver" inserted, 1965, 816 § 1; definition of "Technician license" revised, 1967, 47.

SECT. 87QQQ revised, 1965, 816 § 2.

SECT. 87RRR revised, 1965, 714; first paragraph amended, 1966, 59.

SECT. 87SSS, last sentence revised, 1965, 816 § 3.

SECT. 87TTT, second paragraph amended, 1964, 229; 1965, 170.

SECT. 87UUU, clause (*d*) revised, 1967, 517.

SECT. 88, clause (3) amended, 1941, 626 § 13; 1956, 410.

SECT. 89–97 added, under caption, 1966, 409 § 2 (establishing a board of registration of chiropractors). (See 1966, 409 § 3.)

SECT. 91, second sentence revised, 1968, 453; third sentence amended (effective date to be December 1, 1969) 1966, 409 § 5.

SECT. 92 revised, 1968, 137.

SECT. 95 amended, 1969 § 313.

SECT. 96 amended, 1968, 477.

SECTS. 98–107 added, under caption, 1968, 473 § 2 (providing for registration of landscape architects).

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.)

SECTS. 7–10 added, 1967, 353 (facilitating anatomical gifts).

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.)
SECT. 42A added, 1969, 268 (regulating visiting hours in certain cemeteries).
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; second paragraph revised, 1968, 34. (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 "Dependent" revised, 1969, 601; definition of "Institution" inserted, 1967, 570 § 1; definition of "Reside" added, 1965, 793 § 1; definition of "Veteran" amended, 1954, 688 § 4; 1956, 692 § 1; clauses (*d*) and (*e*) revised, 1967, 510 § 2. (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; paragraph added at end, 1969, 628. (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; last sentence amended, 1968, 402; 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; paragraph added at end, 1968, 462.

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; 1966, 570 § 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 the Commonwealth (former title, Support by the Cities and Towns).

Title revised, 1967, 658 § 7.

SECT. 1 amended, 1934, 124; revised, 1963, 726 § 1; 1967, 658 § 8. (See 1963, 726 § 16.)

SECT. 1A added, 1963, 726 § 2 (defining certain words used in this chapter).

SECT. 1B added, 1969, 885 § 14 (further defining requirements for applicants for public welfare assistance).

SECT. 2, paragraph added at end, 1954, 516; section revised, 1965, 523 § 1; 1967, 658 § 9.

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. 3 repealed, 1967, 658 § 10.

SECT. 3A added, 1937, 277 (protecting needy persons from the public view while applying for public relief and support); revised, 1965, 523 § 3; repealed, 1967, 658 § 10.

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); repealed, 1967, 658 § 10.

SECT. 5 amended, 1937, 125; revised, 1948, 581 § 1; paragraph added at end, 1958, 395; amended, 1963, 726 § 3; section revised, 1967, 658 § 11; 1969, 885 § 15. (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; amended, 1967, 658 § 12.

SECT. 8 amended, 1967, 658 § 13.

SECT. 13, new sentence added at end, 1941, 608; section revised, 1967, 658 § 14.

SECT. 14 revised, 1937, 113; amended, 1938, 275; 1939, 39 § 1; revised, 1963, 726 § 4; repealed, 1967, 658 § 15. (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; 1967, 658 § 16. (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; section repealed, 1967, 658 § 17. (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); first paragraph amended, 1967, 658 § 18; second paragraph amended, 1967, 658 § 19; paragraph added at end, 1945, 668 § 1.

SECT. 19, paragraph added at end, 1937, 86; section revised, 1963, 726 § 9; repealed, 1967, 658 § 20. (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); repealed, 1967, 658 § 20. (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. 24 revised, 1967, 658 § 21.

SECT. 24A revised, 1964, 515; 1967, 658 § 22; amended, 1968, 492 § 14; revised, 1969, 885 § 16.

SECTS. 25, 26 and 27 repealed, 1963, 726 § 12. (See 1963, 726 § 16.)

SECT. 28 revised, 1963, 726 § 13; 1967, 658 § 23. (See 1963, 726 § 16.)

SECT. 29 amended, 1967, 658 § 24; revised, 1969, 707 § 1; repealed, 1969, 885 § 17.

SECT. 30, first sentence revised, 1948, 581 § 2; section repealed, 1956, 317 § 2.

SECT. 31 revised, 1967, 658 § 25; repealed, 1969, 885 § 17.

SECT. 32 repealed, 1967, 658 § 26.

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. 40 repealed, 1967, 658 § 26.

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; section repealed, 1967, 658 § 26. (See 1952, 353 § 10.)

SECT. 44A added, 1953, 205 § 1 (relative to the auditing of welfare districts); repealed, 1967, 658 § 26. (See 1953, 205 § 2.)

SECT. 45, sentence added at end, 1950, 293 § 2; section revised, 1952, 353 § 2; repealed, 1967, 658 § 26. (See 1952, 353 § 10.)

SECT. 46 repealed, 1967, 658 § 26.

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; section revised, 1967, 658 § 27.

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; section revised, 1967, 658 § 28; 1969, 885 § 18.

SECT. 2A added, 1945, 567 (relative to certain persons in families receiving aid under the law providing aid to dependent children); amended, 1967, 658 § 29.

SECT. 2B added, 1969, 885 § 19 (requiring that certain information be included on application forms for assistance).

SECT. 3 revised, 1962, 556 § 2; 1967, 658 § 30; 1969, 885 § 20.

SECT. 4 repealed, 1967, 658 § 31.

SECT. 4A added, 1943, 117 (permitting recipients of aid to dependent children, so called, to leave the commonwealth without suspension of such aid); first paragraph amended, 1967, 658 § 32; 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; section revised, 1967, 658 § 33; first sentence stricken out, 1969, 885 § 21.

SECT. 6 revised, 1941, 405; first sentence amended, 1960, 781 § 12; two sentences added at end, 1943, 491; section repealed, 1967, 658 § 34. (See 1939, 454 § 21.)

SECT. 7 revised, 1950, 657; amended, 1963, 432 § 7; repealed, 1967, 658 § 34.

SECT. 8 revised, 1939, 248; repealed, 1967, 658 § 34.

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); first paragraph amended, 1967, 658 § 35; third paragraph revised, 1967, 658 § 36; amended, 1969, 885 § 22; paragraph added, 1966, 498 § 1.

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; sixth sentence revised, 1967, 730 § 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; first sentence of second paragraph stricken out and two sentences inserted, 1967, 794 § 1; 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; revised, 1966, 570 § 1; last paragraph amended, 1964, 273 § 1; section revised, 1967, 658 § 37; first paragraph, seventh sentence revised, 1967, 730 § 3; second paragraph, first sentence stricken out and two sentences inserted, 1967, 794 § 2; third paragraph amended, 1968, 36 § 1; revised, 1968, 687 § 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; 1967, 730 § 4, 794 § 3; 1968, 36 § 3.)

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; first sentence amended, 1960, 781 § 6; second sentence revised, 1967, 730 § 2; 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; repealed, 1967, 658 § 38. (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; section repealed, 1967, 658 § 38. (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; repealed, 1967, 658 § 38.

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; section revised, 1967, 658 § 39. (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; paragraph added, 1966, 498 § 2; section revised, 1967, 658 § 40; amended, 1969, 885 § 23. (See 1941, 729 § 15; 1951, 801 §§ 4B, 6, 7.)

SECT. 5 revised, 1938, 408; amended, 1941, 729 § 6; revised, 1946, 460; amended, 1949, 486; amended, 1967, 658 § 41. (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; 1969, 885 § 24.

SECT. 6, third sentence revised, 1964, 345 § 2. (See 1952, 621.)

SECT. 6A added, 1937, 165 (permitting recipients of old age assistance, so called, to leave the commonwealth without suspension of such assistance); amended, 1941, 729 § 7; revised, 1943, 470; first paragraph amended, 1967, 658 § 42; paragraph added at end, 1945, 458 § 2; 1949, 627. (See 1941, 729 § 15.)

SECT. 7 revised, 1951, 533; repealed, 1967, 658 § 43.

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; repealed, 1967, 658 § 43. (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; 1966, 535 § 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; revised, 1967, 658 § 44. (See 1952, 602 §§ 15–18.)

SECT. 11 added, 1941, 729 § 10 (establishing the old age assistance fund); amended, 1945, 684; revised, 1955, 540 § 1; repealed, 1967, 658 § 45. (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); amended, 1967, 658 § 46.

SECTS. 13–32 added, under caption "Medical Assistance for the Aged", 1960, 781 § 8. (See 1960, 781 §§ 9–11.)

SECT. 13 repealed, 1969, 800 § 2.

SECT. 14 amended, 1967, 658 § 47; repealed, 1969, 800 § 2.

SECT. 15, second sentence stricken out and two sentences inserted, 1965,

586 § 1; first three sentences stricken out and one sentence inserted, 1967, 658 § 48; repealed, 1969, 800 § 2.

SECT. 16 amended, 1967, 658 § 49; repealed, 1969, 800 § 2.

SECT. 17 repealed, 1969, 800 § 2.

SECT. 18 revised, 1964, 591; sentence added, 1965, 657 § 1; repealed, 1969, 800 § 2.

SECT. 19 revised, 1964, 591.

SECT. 20 repealed, 1967, 658 § 50.

SECT. 21 repealed, 1967, 658 § 50.

SECT. 22 repealed, 1967, 658 § 50.

SECT. 23 repealed, 1969, 800 § 2.

SECT. 24 revised, 1965, 657 § 2; amended, 1967, 658 § 51; repealed, 1969, 800 § 2.

SECTS. 25 and 26 repealed, 1967, 658 § 52.

SECT. 27 revised, 1963, 432 § 8; amended, 1965, 827; repealed, 1969, 800 § 2.

SECTS. 28 and 29 repealed, 1967, 658 § 52.

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; paragraph 7 amended, 1967, 658 § 53; repealed, 1969, 800 § 2.

SECT. 31 repealed, 1969, 800 § 2.

SECT. 32 repealed, 1967, 658 § 54.

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 repealed, 1967, 658 § 55.

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; section revised, 1967, 658 § 56.

SECT. 2, first sentence stricken out and three sentences inserted, 1965, 586 § 2; two sentences inserted after first sentence, 1961, 443; third sen-

tence (as appearing in 1954, 741 § 2) revised, 1963, 389; section revised, 1967, 658 § 57.

SECT. 3 amended, 1958, 613 § 3B; repealed, 1967, 658 § 58.

SECT. 4, sentence added at end, 1960, 659 § 1; section revised, 1967, 658 § 59; last sentence amended, 1968, 36 § 2; revised, 1968, 687 § 2. (See 1960, 659 § 2; 1968, 36 § 3.)

SECT. 5, last sentence revised, 1953, 461; sentence added at end, 1961, 267; section revised, 1967, 658 § 60.

SECT. 6 repealed, 1967, 658 § 61.

SECT. 7 amended, 1957, 659 § 1; 1967, 658 § 62; revised, 1969, 885 § 25.

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; section revised, 1967, 658 § 63.

SECT. 9 repealed, 1967, 658 § 64.

SECT. 10 revised, 1963, 432 § 14; amended, 1966, 535 § 9.

SECT. 11 amended, 1966, 535 § 10.

SECT. 12 repealed, 1967, 658 § 64.

SECT. 14, paragraph added, 1966, 498 § 3; section revised, 1967, 658 § 65; 1969, 885 § 26.

SECT. 15 amended, 1956, 602 § 12; revised, 1967, 658 § 66. (See 1956, 602 §§ 17–20.)

SECT. 16 revised, 1967, 658 § 67.

SECTS. 18–20 repealed, 1967, 658 § 68.

SECT. 20, first sentence revised, 1952, 353 § 9; amended, 1967, 658 § 69. (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 118E. — Medical Care and Assistance.

New chapetr inserted, 1969, 800 § 1.

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. 3 amended, 1967, 658 § 70.

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. 12 amended, 1967, 658 § 71.

SECT. 18 amended, 1967, 658 § 72.

SECT. 20 amended, 1967, 658 § 73.

SECT. 23, first sentence amended, 1962, 535; subsection C revised, 1960, 325; subsection D revised, 1969, 859 § 7.

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); section revised, 1966, 473. (See 1958, 588 § 3.)

SECT. 23B added, 1966, 495 (relative to services for mothers bearing children out of wedlock).

SECT. 24, first sentence revised, 1969, 859 § 8.

SECT. 30 repealed, 1961, 396 § 5.

SECT. 31 repealed, 1961, 396 § 5.

SECT. 34 amended, 1967, 658 § 74.

SECT. 37 revised, 1967, 658 § 75.

SECT. 39 amended, 1967, 658 § 76.

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; 1969, 859 § 9; definition of "Delinquent child" amended, 1948, 310 § 3; revised, 1960, 353 § 1.*

SECT. 54 amended, 1966, 374.

SECT. 55, last paragraph revised, 1949, 593 § 6; section revised, 1952, 605 § 3; last paragraph revised, 1969, 838 § 14. (See 1952, 605 §§ 19–21; 1969, 838 § 74.)

SECT. 56 revised, 1943, 244 § 1; seventh sentence stricken out and two sentences inserted, 1964, 308 § 1.

SECT. 57, sentence inserted after first sentence, 1966, 147.

SECT. 58, paragraph inserted after third paragraph, 1941, 264 § 1; section revised, 1948, 310 § 4*; paragraph added at end, 1948, 385; section revised, 1969, 838 § 15; fourth paragraph revised, 1969, 859 § 10. (See 1969, 838 § 74.)

SECT. 58A amended, 1941, 194 § 6; revised, 1941, 327; 1947, 616; repealed, 1948, 310 § 5.*

SECT. 58B added, 1957, 194 § 1 (providing for the imposition of noncriminal fines upon juveniles for violation of the motor vehicle laws); amended, 1969, 838 § 16. (See 1957, 194 § 2; 1969, 838 § 74.)

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; two sentences added at end, 1969, 859 § 11. (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; 1969, 838 § 17. (See 1969, 838 § 74.)

SECT. 68 revised, 1943, 244 § 2; 1948, 310 § 8*; 1955, 609 § 2; amended, 1956, 269; revised, 1969, 838 § 18; third paragraph revised, 1969, 859 § 12. (See 1969, 838 § 74.)

SECTS. 68A–68C added, 1955, 609 § 3 (relating to the detention of wayward and delinquent children and juvenile offenders).

SECT. 68A revised, 1969, 838 § 19. (See 1969, 838 § 74.)

SECT. 68B revised, 1969, 838 § 20. (See 1969, 838 § 74.)

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*See 1948, 310 §§ 30, 31.

SECT. 68C amended, 1969, 838 § 21. (See 1969, 838 § 74.)
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)*; amended, 1969, 838 § 22. (1969, 838 § 74.)
SECT. 72 amended, 1947, 235; revised, 1948, 310 § 10*; amended, 1949, 595; revised, 1964, 308 § 3; amended, 1969, 838 § 23. (1969, 838 § 74.)
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; 1967, 787.
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; amended, 1969, 838 § 24. (See 1969, 838 § 74.)
SECT. 84 added, 1964, 308 § 9 (relative to the form of warrant of commitment to the youth service board); revised, 1969, 838 § 25. (See 1969, 838 § 74.)

Chapter 120. — Department of Youth Services and Massachusetts Training Schools (former title, Youth Service Board and Massachusetts Training Schools).

Title changed, 1969, 838 § 26. (See 1969, 838 § 74.)

For prior changes see Table of Changes contained in Acts and Resolves of 1968.

SECT. 1 revised, 1952, 605 § 4; 1969, 838 § 27. (See 1952, 605 §§ 19–21; 1969, 838 § 74.)
SECT. 2 revised, 1952, 605 § 5; amended, 1955, 770 § 4; revised, 1969, 838 § 28. (See 1952, 605 §§ 19–21; 1955, 770 §§ 117, 123; 1969, 838 § 74.)
SECT. 2A added, 1965, 902 (establishing the positions of first, second and third deputy director in the division of youth service); second sentence revised, 1969, 766 § 6; section repealed, 1969, 838 § 29. (See 1969, 766 § 48; 838 § 74.)
SECT. 3 revised, 1952, 605 § 6; amended, 1969, 838 § 30. (See 1952, 605 §§ 19–21; 1969, 838 § 74.)
SECT. 4 revised, 1952, 605 § 7; amended, 1969, 838 § 31. (See 1952, 605 §§ 19–21; 1969, 838 § 74.)

*(See 1948, 310 §§ 30, 31.)

SECT. 4A added, 1952, 605 § 8 (establishing a division of youth service in the department of education); first sentence revised, 1969, 704 § 49; section repealed, 1969, 838 § 32. (See 1952, 605 §§ 15, 19–21; 1969, 704 § 60; 838 § 74.)

SECT. 5 revised, 1969, 838 § 33. (See 1969, 838 § 74.)

SECT. 6, paragraph (*e*) revised, 1949, 593 § 1; section amended, 1969, 838 § 34. (See 1969, 838 § 74.)

SECT. 6A amended, 1969, 838 § 35. (See 1969, 838 § 74.)

SECT. 7 amended, 1952, 605 § 9; revised, 1969, 838 § 36. (See 1952, 605 §§ 15, 19–21; 1969, 838 § 74.)

SECT. 8, fourth and fifth sentences revised, 1952, 605 § 10; fourth and fifth sentences revised, 1969, 838 § 37. (See 1952, 605 §§ 15, 19–21; 1969, 838 § 74.)

SECT. 9 amended, 1952, 605 § 11; 1969, 838 § 38. (See 1952, 605 §§ 15, 19–21; 1969, 838 § 74.)

SECT. 10, subsection (*a*) amended, 1950, 545; section revised, 1952, 605 § 12; 1969, 838 § 39. (See 1952, 605 §§ 15, 19–21; 1969, 838 § 74.)

SECT. 10A repealed, 1949, 593 § 2.

SECT. 11 revised, 1952, 605 § 13; amended, 1955, 766 § 5; 1957, 532; revised, 1969, 838 § 40. (See 1952, 605 §§ 15, 19–21; 1969, 838 § 74.)

SECT. 12 amended, 1949, 593 § 3; revised, 1952, 605 § 14; 1969, 838 § 41. (See 1952, 605 §§ 15, 19–21; 1969, 838 § 74.)

SECT. 13 amended, 1949, 593 § 4; 1969, 838 § 42. (See 1969, 838 § 74.)

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); amended, 1969, 838 § 43. (See 1953, 619 § 2; 1969, 838 § 74.)

SECT. 14 amended, 1954, 685 § 2; revised, 1969, 838 § 44. (See 1969, 838 § 74.)

SECT. 15 revised, 1969, 838 § 45. (See 1969, 838 § 74.)

SECT. 16 amended, 1969, 838 § 46. (See 1969, 838 § 74.)

SECT. 17 amended, 1969, 838 § 47. (See 1969, 838 § 74.)

SECT. 18 amended, 1969, 838 § 48. (See 1969, 838 § 74.)

SECT. 19 amended, 1969, 838 § 49. (See 1969, 838 § 74.)

SECT. 20 amended, 1969, 838 § 50. (See 1969, 838 § 74.)

SECT. 21 revised, 1969, 838 § 51. (See 1969, 838 § 74.)

SECT. 22 amended, 1956, 731 § 3; revised, 1969, 838 § 52. (See 1969, 838 § 74.)

SECT. 23 amended, 1969, 838 § 53. (See 1969, 838 § 74.)

SECT. 23A amended, 1969, 838 § 54. (See 1969, 838 § 74.)

SECT. 24 revised, 1969, 838 § 55. (See 1969, 838 § 74.)

SECT. 25 revised, 1969, 838 § 56. (See 1969, 838 § 74.)

SECT. 26 amended, 1969, 838 § 57. (See 1969, 838 § 74.)

Chapter 121. — Powers and Duties of the Department of Public Welfare, and the Massachusetts Hospital School.

SECT. 1 amended, 1966, 214 § 2; repealed, 1967, 658 § 77.

SECT. 2 repealed, 1967, 658 § 77.

SECT. 3 revised, 1952, 602 § 11; repealed, 1967, 658 § 77.

SECT. 4 repealed, 1967, 658 § 77.

SECT. 4A added, 1941, 630 § 3 (relative to information concerning recipients of old age assistance and aid to dependent children); revised, 1945, 240 § 2; repealed, 1967, 658 § 77.

SECT. 5 repealed, 1966, 214 § 1.

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; section repealed, 1966, 214 § 1. (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; repealed, 1967, 658 § 77.

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); repealed, 1967, 658 § 77.

SECT. 9 amended, 1941, 351 § 13; last two sentences stricken out, 1956, 715 § 5; section revised, 1958, 613 § 6; repealed, 1966, 214 § 1.

SECT. 9A added, 1934, 167 (relative to the interstate transportation of poor and indigent persons); sentence added at end, 1945, 458 § 3; repealed, 1967, 658 § 77.

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. 14 repealed, 1966, 214 § 1.

SECT. 15 amended, 1941, 351 § 16; repealed, 1948, 310 § 27. (See 1948, 310 §§ 30, 31.)

SECT. 16 repealed, 1960, 313 § 3.

SECT. 20 repealed, 1966, 214 § 1.

SECT. 21 repealed, 1966, 214 § 1.

SECT. 22 repealed, 1966, 214 § 1.

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; repealed, 1969, 751 § 2. (See 1933, 364 § 8.)

SECT. 24 amended, 1933, 364 § 3; repealed, 1969, 751 § 2. (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); repealed, 1969, 751 § 2.

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); repealed, 1969, 751 § 2.

SECT. 25 revised, 1933, 364 § 4; repealed, 1969, 751 § 2. (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; section repealed, 1969, 751 § 2. (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; 1966, 707 § 1; repealed, 1969, 751 § 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; 1966, 138 § 1; 1968, 761 § 8; definition of "Housing board" or "board" revised, 1948, 260 § 4; 1964, 636 § 6A; 1966, 138 § 2; 1968, 761 § 9; definition of "Federal legislation" revised, 1953, 647 § 10; definition of "Low-rent housing" amended, 1953, 668 § 4; definition of "Low-rent housing project" revised, 1966, 705 § 1; 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 "Community renewal project" inserted, 1966, 692 § 1; 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 "Relocation payments" inserted, 1966, 619 § 1; 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; 1967, 150; section repealed, 1969, 751 § 2. (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; 1966, 704 § 1; paragraph added, 1954, 72 § 2; section repealed, 1969, 751 § 2.

SECT. 26L, sentence inserted after second sentence. 1954, 428 § 1; sentence inserted, 1955, 128 § 1; fourth sentence revised, 1949, 688; stricken out, 1968, 271 § 1; sentence added at end, 1961, 496 § 1; section repealed, 1969, 751 § 2. (See 1954, 428 §§ 3, 4; 1955, 128 § 3; 1961, 496 § 2.)

SECT. 26M, sentence added at end, 1954, 428 § 2; 1955, 128 § 2; re-

vised, 1968, 271 § 2; section repealed, 1969, 751 § 2. (See 1954, 428 §§ 3, 4; 1955, 128 § 3.)

SECT. 26N, last sentence revised, 1966, 696; section repealed, 1969, 751 § 2.

SECT. 26O, first paragraph revised, 1960, 780; 1966, 705 § 2; second paragraph revised, 1961, 72; section repealed, 1969, 751 § 2.

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; last paragraph revised, 1968, 230; section repealed, 1969, 751 § 2.

SECT. 26Q, last sentence revised, 1950, 105 § 2; paragraph added at end, 1961, 188 § 2; amended, 1962, 764 § 2; section repealed, 1969, 751 § 2.

SECT. 26R repealed, 1969, 751 § 2.

SECT. 26S, second paragraph amended, 1958, 571; revised, 1962, 784; 1964, 636 § 7; section repealed, 1969, 751 § 2.

SECT. 26T, first paragraph revised, 1960, 491; two paragraphs inserted after first paragraph, 1965, 564; second paragraph amended, 1968, 231; section repealed, 1969, 751 § 2.

SECT. 26U revised, 1955, 327; section repealed, 1969, 751 § 2.

SECT. 26V, paragraph added at end, 1957, 140; revised, 1967, 407; section repealed, 1969, 751 § 2.

SECTS. 26W–Z repealed, 1969, 751 § 2.

SECT. 26AA, paragraph added, 1966, 705 § 3; amended, 1967, 582 § 2; section repealed, 1969, 751 § 2.

SECT. 26BB amended, 1953, 647 § 17; repealed, 1969, 751 § 2.

SECT. 26CC revised, 1950, 486; amended, 1957, 106; revised, 1957, 613 § 2; second sentence revised, 1961, 12; first paragraph revised, 1966, 692 § 2; amended, 1968, 23 § 10; paragraph added, 1966, 619 § 2; amended, 1968, 23 § 11; section repealed, 1969, 751 § 2.

SECT. 26DD amended, 1953, 654 § 94; repealed, 1969, 751 § 2.

SECT. EE, paragraph added at end, 1969, 630; section repealed, 1969, 751 § 2.

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; sentence added, 1966, 705 § 4; revised, 1968, 249 § 1; clause (*g*) added, 1965, 740; amended, 1968, 249 § 2; paragraph added at end, 1950, 631; sentence added at end, 1951, 313; 1954, 629; section repealed, 1969, 751 § 2.

SECT. 26GG revised, 1949, 760 § 4; repealed, 1969, 751 § 2.

SECT. 26HH, last sentence amended, 1961, 493 § 7; second sentence stricken out and four sentences inserted, 1963, 806 § 1; sentence inserted after fifth sentence, 1969, 369 § 1; section repealed, 1969, 751 § 2. (See 1963, 806 § 2.)

SECT. II repealed, 1969, 751 § 2.

SECT. 26JJ revised, 1953, 647 § 18; amended, 1957, 613 § 3; repealed, 1969, 751 § 2.

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; repealed, 1969, 751 § 2.

SECT. LL repealed, 1969, 751 § 2.

SECT. 26MM amended, 1953, 647 § 19; repealed, 1969, 751 § 2.

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; 1966, 28; second sentence stricken out and four sentences inserted, 1969, 369 § 2; 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; stricken out, 1966, 705 § 5; 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; two paragraphs inserted after second paragraph, 1966, 705 § 6; paragraph added, 1967, 635; 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; section repealed, 1969, 751 § 2. (See 1949, 682 § 2; 1952, 550 §§ 6, 7; 1954, 507 § 4; 1957, 372 § 5.)

SECTS. 26OO–26PP repealed, 1969, 751 § 2.

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; section repealed, 1969, 751 § 2.

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; section repealed, 1969, 751 § 2.

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.

SECTS. 26SS–26TT repealed, 1969, 751 § 2.

SECT. 26UU, subdivision (*c*) revised, 1968, 217; subdivision (*e*) revised, 1968, 500; subdivision (*f*) added, 1965, 899 § 2; section repealed, 1969, 751 § 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; 1966, 626, 732; 1967, 572; 1968, 524; 1969, 687; repealed, 1969, 751 § 2. (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.)

SECTS. 26WW–26XX repealed, 1969, 751 § 2.

SECT. 26YY, second sentence revised, 1966, 704 § 2; section repealed, 1969, 751 § 2.

SECT. 26ZZ, second paragraph amended, 1957, 613 § 5; section revised, 1960, 776 § 7; first paragraph, second sentence amended, 1968, 142 § 1;

second paragraph, second sentence amended, 1968, 142 § 2; paragraph added, 1966, 704 § 3; amended, 1968, 153; section repealed, 1969, 751 § 2.

SECTS. 26AAA–26CCC repealed, 1969, 751 § 2.

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; section repealed, 1969, 751 § 2.

SECT. 26EEE, second paragraph, sentence inserted after first sentence, 1962, 643 § 1A; section repealed, 1969, 751 § 2.

SECT. 26FFF, clauses (*b*) and (*c*) stricken out and clauses (*b*), (*c*) and (*d*) inserted, 1962, 643 § 2; clause (*d*) revised, 1967, 825; section repealed, 1969, 751 § 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. 26GGG repealed, 1969, 751 § 2.

SECT. 26GGG½ added, 1968, 766 § 1 (extending state financial assistance to certain urban renewal projects to be redeveloped for residential reuse); repealed, 1969, 751 § 2.

SECT. 26HHH revised, 1962, 643 § 3; third paragraph amended, 1968, 766 § 2; section repealed, 1969, 751 § 2.

SECTS. 26III and 26JJJ added, 1964, 721 (providing for the rehabilitation of dwelling accommodations).

SECT. III repealed, 1969, 751 § 2.

SECT. 26JJJ, paragraph added, 1967, 461; section repealed, 1969, 751 § 2.

SECTS. 26KKK, 26LLL and 26MMM added, 1966, 707 § 2 (providing a rental assistance program for families of low income); repealed, 1969, 751 § 2.

SECT. 27 repealed, 1933, 364 § 7.

SECTS. 28–37 repealed, 1954, 508 § 2. (See 1954, 508 §§ 3–5.)

SECT. 31 amended, 1948, 559.

SECT. 38 repealed, 1966, 214 § 1.

SECT. 39 amended, 1941, 351 § 17; repealed, 1958, 613 § 4.

SECT. 40 amended, 1941, 656 § 13; repealed, 1966, 214 § 1. (See 1941, 656 § 17.)

SECT. 41 revised, 1958, 179; repealed, 1967, 658 § 77.

SECT. 42 amended, 1932, 180 § 22; 1941, 406; 1958. 613 § 7; 1964, 339 § 2; two sentences added at end, 1952, 303; section repealed, 1967, 658 § 77.

SECT. 43 added, 1968, 220 (requiring housing authorities to confer with tenant organizations); repealed, 1969, 751 § 2.

SECT. 44 added, 1968, 596 (prohibiting termination of tenancies without cause and without hearing); section numbers changed from "*Section 43*" to "*Section 44*", 1968, 766 § 3; section repealed, 1969, 751 § 2.

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; 1967, 172

§ 1; 1968, 761 § 10; paragraph defining "mayor" added, 1967, 172 § 2. (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; paragraph inserted after first paragraph, 1968, 356 § 1. (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; amended, 1967, 127 § 1; 1969, 751 § 3. (See 1955, 654 § 5.)

SECT. 8 revised, 1960, 652 § 6.

SECT. 9 revised, 1956, 640 § 3; sentence added at end, 1968, 356 § 2.

SECT. 10, two paragraphs added at end, 1953, 647 § 3; section revised, 1956, 640 § 4; second paragraph, second sentence revised, 1969, 540 § 1. (See 1969, 540 § 2.)

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; paragraph added, 1967, 127 § 2. (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); first sentence amended, 1969, 751 § 4.

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); amended, 1966, 421 § 1; 1968, 761 § 11; clause (*f*) amended, 1966, 421 § 2.

Chapter 121B. Housing and Urban Renewal.

New chapter inserted, 1969, 751 § 1.

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; second paragraph amended, 1968, 492 § 15. (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; definition of "department" revised, 1967, 132 § 2; "mentally ill" and "mentally deficient" defined, 1955, 637 § 1. (See 1967, 132 § 3.)

SECT. 2 revised, 1956, 715 § 7; amended, 1965, 200; 1969, 889 § 4A.

SECT. 3, first sentence stricken out and two sentences inserted, 1956, 715 § 8; first sentence amended, 1969, 889 § 5; second sentence amended, 1969, 889 § 5A.

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; revised, 1966, 735 § 2.

SECT. 11, second paragraph amended, 1967, 865 § 2; paragraph added at end, 1955, 637 § 3.

SECT. 13 revised, 1936, 286.

SECT. 13A, two sentences added at end, 1955, 637 § 4; section repealed, 1966, 735 § 3.

SECT. 13B added, 1957, 608 (providing for the establishment of community clinics for retarded children of pre-school age), revised, 1966, 501 § 1; paragraph added, 1967, 874 § 2.

SECT. 13C added, 1967, 874 § 3 (requiring cities and towns to pay cost of transporting retarded children to clinical schools); revised, 1968, 617 § 2.

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; first sentence amended, 1966, 520; 1969, 889 § 6; second sentence revised, 1954, 598 § 2; 1968, 492 § 16. (See 1946, 324; 1947, 429 § 2.)

SECT. 16A amended, 1938, 486 § 10.

SECT. 19 repealed, 1935, 163.

SECT. 20 revised, 1955, 637 § 5; first paragraph revised, 1967, 618 § 1; seventh paragraph amended, 1965, 146; first sentence revised, 1967, 618 § 2; two sentences inserted after second sentence, 1967, 618 § 2A; eighth

paragraph stricken out, 1967, 618 § 3; 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; third paragraph revised, 1967, 618 § 4; 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; first two sentences stricken out and five sentences inserted, 1969, 667; sentence inserted after second sentence, 1962, 564; revised, 1964, 342 § 2; sentence inserted after fifth sentence, 1957, 482 § 4; last four sentences stricken out and six sentences inserted, 1969, 736. (See 1957, 482 §§ 5, 6.)

SECT. 29 revised, 1938, 486 § 13; clause (*f*) added, 1954, 598 § 5; repealed, 1966, 735 § 4.

SECT. 30 revised, 1938, 486 § 14.

SECT. 31 revised, 1938, 486 § 15.

SECT. 32 revised, 1933, 115; 1938, 486 § 16.

SECT. 33, first sentence amended, 1969, 889 § 7; third sentence stricken out, 1969, 889 § 8.

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; first sentence revised, 1966, 663; fifth sentence amended, 1966, 663.

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. 42 revised, 1966, 735 § 5; 1969, 14.

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. 51A added, 1967, 619 § 1 (authorizing civil commitment of certain mentally ill persons to Bridgewater state hospital).

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; amended, 1969, 889 § 9.

SECT. 63 amended, 1956, 715 § 11; first sentence amended, 1969, 889 § 10.

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; 1969, 889 § 11.

SECT. 69, sentence added at end, 1945, 227.

SECT. 71 amended, 1969, 889 § 12.

SECT. 73 revised, 1947, 194.

SECT. 74, first sentence amended, 1969, 889 § 13; third sentence amended, 1969, 889 § 13A.

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; first sentence amended, 1969, 889 § 14.

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; first sentence amended, 1969, 889 § 15.

SECT. 86A added, 1947, 517 (providing for the reception in certain state institutions under the department of mental health of certain mentally ill children); first paragraph revised, 1956, 589 § 6.

SECT. 87 amended, 1939, 500 § 11; revised, 1945, 454.

SECT. 88A revised, 1945, 25.

SECT. 89 revised, 1941, 216 § 3; amended, 1956, 715 § 14; last sentence revised, 1950, 571; 1954, 685 § 4.

SECT. 89A amended, 1941, 194 § 9.

SECT. 89B amended, 1938, 254 § 1; 1941, 194 § 10; 1950, 733.

SECT. 90, first sentence amended, 1932, 180 § 23.

SECT. 91 amended, 1950, 684 § 9; 1959, 215 § 9. (See 1950, 684 §§ 11, 12.)

SECT. 93 amended, 1950, 684 § 10; 1959, 215 § 10. (See 1950, 684 §§ 11, 12; 1959, 215 §§ 11, 12.)

SECT. 94A added, 1947, 681 (providing for the adjudication of restoration of soundness of mind); third sentence stricken out and three sentences inserted, 1952, 535; section revised, 1959, 293.

SECT. 96 amended, 1941, 351 § 41; first paragraph revised, 1954, 598 § 4; amended, 1958, 613 § 8A; 1968, 492 § 17; 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; amended, 1969, 889 § 16.

SECT. 116 revised, 1943, 185 § 4; repealed, 1952, 608 § 2.

SECT. 117 amended, 1941, 655 § 2; 1955, 770 § 6; 1969, 889 §§ 17–20. (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; repealed, 1969, 889 § 20A.

SECT. 124 amended, 1969, 889 § 21.

SECTS. 125–143 added, 1969, 889 § 1 (establishing a drug rehabilitation program and a narcotic and harmful drug training program within the department of the attorney general for state and local police).

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. 6 amended, 1969, 838 § 58. (See 1969, 838 § 74.)
SECT. 9 amended, 1960, 347; second paragraph revised, 1966, 608.

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; 1966, 165 § 1; amended, 1967, 30. (See 1957, 50 § 2; 1966, 165 § 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; amended, 1967, 619 § 2; 1969, 889 § 22.

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); revised, 1966, 279.

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.

SECTS. 86D and 86E added, 1967, 723 (authorizing day work outside certain prisons).

SECT. 86F added, 1967, 821 § 1 (providing for work release programs in houses of correction).

SECT. 86G added, 1968, 363 (providing for work release programs at Suffolk County House of Correction and Suffolk County Jail).

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; 1968, 627. (See 1955, 770 §§ 117, 123.)

SECT. 97A added, 1968, 624 (permitting transfer of prisoners sentenced to state prison to suitable and appropriate federal institutions).

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); amended, 1969, 889 § 23.

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. 117A added, 1967, 258 § 1 (authorizing sheriff under certain conditions to temporarily place prisoner in a hospital).

SECT. 118 revised, 1938, 456; amended, 1941, 351 § 43; revised, 1941, 510 § 2; amended, 1958, 613 § 8C.

SECT. 119 revised, 1967, 258 § 2.

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; sentence added, 1965, 884 § 3; revised, 1967, 379. (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; third sentence stricken out and two sentences inserted, 1967, 221; third and fourth sentences stricken out and sentence inserted, 1968, 205. (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; amended, 1966, 261; 1969, 184. (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); amended, 1969, 291.

SECT. 150 revised, 1969, 194.

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; second paragraph revised, 1969, 838 § 59. See 1945, 180. (See 1948, 310 §§ 30, 31; 1954, 567 § 10; 1969, 838 § 74.)

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).

SECT. 165 amended, 1968, 329.

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; revised, 1967, 28.

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; amended, 1968, 628 § 1; paragraph (*g*) added, 1933, 291 § 1; same paragraph repealed, 1941, 598 § 3; paragraph (*g*) inserted after paragraph (*f*), 1969, 807 § 2; 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. 8B added, 1969, 37 § 2 (placing mink ranches under the supervision of the department of agriculture).

SECT. 10 amended, 1934, 340 § 10. (See 1934, 340 § 18.)

SECT. 13 amended, 1934, 340 § 11; revised, 1967, 347 § 7. (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; sentence added at end, 1968, 436.

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. 31, second sentence revised, 1967, 17.

SECT. 31A revised, 1943, 144.

SECTS. 32–38 revised, 1951, 506.

SECTS. 36 and 37 stricken out and new section 36 inserted, 1966, 606.

SECT. 36A added, 1967, 18 (requiring keeping of records by apiary inspectors).

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.

SECT. 44, first sentence revised, 1969, 849 § 75. (See 1969, 849 § 79.)

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; 1967, 14; 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; section revised, 1968, 97 § 1; amended, 1969, 546 § 30; third paragraph amended, 1969, 807 § 3; sixth paragraph stricken out, 1969, 546 § 31. 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. (See 1969, 546 § 34.)

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; 1968, 97 § 2; amended, 1968, 628 § 2; 1969, 807 § 4. (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 "Agents") revised, 1967, 347 § 8; paragraph (defining "Contagious disease") revised, 1966, 54; paragraph (defining "Director and Division") revised, 1967, 347 § 9; 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); repealed, 1966, 397.

SECT. 9 amended, 1943, 332 § 10.

SECT. 10 amended, 1934, 340 § 13. (See 1934, 340 § 18.)

SECT. 12A repealed, 1966, 398.

SECT. 13 repealed, 1966, 399.

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. 14B, fourth paragraph revised, 1967, 347 § 10; eighth and ninth paragraphs revised, 1967, 347 § 11.

SECT. 14C added, 1968, 510 (providing for slaughtering of cholera-exposed or affected hogs).

SECT. 15 revised, 1941, 162; amended, 1962, 255; revised, 1963, 579 § 1; amended, 1969, 159.

SECT. 21 amended, 1963, 29.

SECT. 26A revised, 1938, 168; amended, 1941, 173; revised, 1966, 55.

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; first sentence amended, 1966, 52.

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; 1966, 91 § 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; amended, 1966, 91 § 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; amended, 1966, 91 § 3.

SECT. 36H added, 1966, 94 (authorizing the director of livestock disease control to waive compliance of certain provision of law relative to brucellosis or Bang's disease in bovine animals).

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. 42 revised, 1966, 53.

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. 17, subsections (8) and (9) added, 1968, 438 § 1.
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); second sentence amended, 1969, 406 § 1; third sentence stricken out and two sentences inserted, 1965, 375; fourth sentence amended, 1969, 406 § 2.
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; third paragraph, third sentence stricken out and eight sentences inserted, 1969, 737 § 1; fourth paragraph amended, 1969, 737 § 2. (See 1969, 737 § 4.)
SECT. 38A added, 1969, 737 § 3 (relating to visible identification of lobster and edible crab fishermen and their equipment).
SECT. 39 amended, 1959, 150; 1964, 524 § 10.
SECT. 40 revised, 1951, 194; amended, 1954, 248.
SECT. 41 revised, 1963, 300 § 1; 1966, 610; 1967, 392.
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; section revised, 1967, 51. (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; fifth paragraph revised, 1967, 878; 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. — Inland Fisheries and Game and Other Natural Resources (former title, Powers and Duties of the Division of Fisheries and Game).

Chapter stricken out and new chapter 131 (with new title) inserted 1967, 802 § 1.

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

SECT. 4, clause (15) added, 1968, 718.
SECT. 11, second paragraph, last sentence stricken out and two sentences inserted, 1968, 530; next to last sentence revised, 1969, 652.
SECT. 13, paragraph added at end, 1968, 550.
SECT. 28, first paragraph, clause (2) amended, 1969, 17.
SECT. 33 revised, 1969, 280.
SECT. 40, sentence inserted before next to last sentence, 1968, 444 § 2.

SECT. 40A added, 1968, 444 § 1 (protecting the inland wetlands of the commonwealth).

SECT. 57, last sentence revised, 1968, 214.

SECT. 71 revised, 1969, 157.

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; first paragraph revised, 1967, 52.

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; first three sentences stricken out and two sentences inserted, 1968, 80.

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).
SECT. 38A added, 1969, 458 (directing the department of natural resources to construct trails for horseback riding, hiking and snowmobiling).
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; first sentence amended, 1968, 501 § 3. (See 1954, 419 § 6; 1968, 501 § 7.)

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); revised, 1968, 501 § 4. (See 1954, 419 § 6; 1968, 501 § 7.)
SECT. 11 added, 1960, 517 (establishing a conservation program for cities and towns); third sentence stricken out and two sentences inserted, 1966, 179.
SECT. 12 added, 1969, 627 (protecting the Appalachian trail).

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. 2 revised, 1969, 498.
SECT. 4, paragraph (1) amended, 1964, 97; 1968, 64; revised, 1969, 152; paragraph (7) amended, 1964, 456; paragraph (8) added, 1968, 448.
SECT. 6, clause (2) revised, 1968, 340; 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 (40) revised, 1969, 267; clause (44) added, 1965, 370; clause (45) added, 1967, 311; clause (46) added, 1968, 392.
SECT. 7, first paragraph revised, 1964, 384 § 1.
SECT. 13 revised, 1968, 24 § 4. (See 1968, 24 § 7.)
SECT. 14, first paragraph revised, 1963, 265; 1964, 293; amended, 1969, 213; second paragraph revised, 1968, 24 § 5. (See 1968, 24 § 7.)
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; 1968, 45; 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; 1966, 511. (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; revised, 1967, 124; sentence inserted after second sentence, 1968, 395; 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; seventh paragraph amended, 1955, 336; revised, 1965, 505; 1966, 275; 1968, 268; amended, 1968, 365; 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; first paragraph, second sentence revised, 1967, 253; 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; first paragraph revised, 1967, 523; third sentence revised, 1968, 361.

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; 1968, 435; 1969, 305. (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; 1953, 310; 1965, 570; 1968, 197 § 1A; 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 inserted before last paragraph, 1968, 305; 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, 542 § 7; fifth sentence revised, 1966, 571; 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; first paragraph, first sentence revised, 1966, 14 § 26, 698 § 1; second sentence amended, 1955, 421 § 1; three sentences in lines 59–73 revised, 1957, 374 § 1; sentence in lines 84–89 revised, 1966, 585; 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; 1966, 14 § 27, 698 § 87.)

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; fifth paragraph, sentence added, 1967, 454; 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.

SECT. 25 revised, 1968, 574 § 1.

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. 25D added, 1966, 706 (eliminating price discrimination against Massachusetts consumers of alcoholic beverages).

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; second sentence revised, 1967, 323; 1968, 24 § 6, 188 § 1, § 2; sentence added at end, 1968, 437. (See 1968, 24 § 7.)

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); third paragraph stricken out and two paragraphs inserted, 1967, 556.

SECT. 34C added, 1966, 317 § 2 (prohibiting the transportation of alcoholic beverages by minors); sentence inserted after first sentence, 1967, 377.

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. 1 revised, 1966, 195.
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; first paragraph amended, 1966, 104; first three sentences revised, 1968, 464 § 2; paragraph added at end, 1968, 464 § 3. (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. 41–46 repealed, 1969, 59 § 1.

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.)

SECTS. 46A–46R revised, 1966, 729.

SECT. 46A, definition of "Applicant" sentence added, 1967, 896 § 3; definition of "Employment agency" revised, 1967, 896 § 1; 1968, 412 § 1; subsection (*a*) of definition of "Fee" amended, 1967, 896 § 2.

SECT. 46B, sentence added, 1967, 896 § 3A; revised, 1968, 412 § 2.

SECT. 46D, sixth sentence revised, 1969, 59 § 2.

SECT. 46L revised, 1967, 896 § 4.

SECT. 46O, paragraph (*a*) revised, 1967, 896 § 5; paragraph (*b*) amended, 1967, 896 § 6; paragraphs (*e*) and (*f*) added, 1967, 896 § 7.

SECT. 46Q, first paragraph, sentence added at end, 1969, 67; 371.

SECT. 46R, first paragraph amended, 1967, 896 § 8.

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. 54A added, 1967, 600 § 2 (prohibiting operation of a junkyard within one thousand feet of federally aided highway).

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; sentence added at end, 1968, 32.

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. 59A added, 1967, 600 § 3 (relative to rules governing location of screens and fences).

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. 67A added, 1966, 93 (providing that junk dealers and motor vehicle dealers shall remove, and forward to the registrar of motor vehicles, identification and registration number plates from junked motor vehicles).

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; third sentence revised, 1967, 190. (See 1941, 158, §§ 2, 3; 1956, 689 § 9.)

SECT. 97, sentence inserted after second sentence, 1969, 790 § 1.

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. 100A added, 1968, 164 § 1 (limiting charges for insuring the life or health of certain borrowers).

SECT. 102 revised, 1969, 790 § 2.

SECT. 103 revised, 1962, 351 § 1.

SECT. 105 repealed, 1969, 221.

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; first sentence revised, 1967, 196. (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; last sentence revised, 1969, 168. (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; last sentence revised, 1968, 737 § 1; section revised, 1969, 799 § 1.

SECT. 122 revised, 1957, 688 § 5; 1959, 296 § 2.

SECT. 122A revised, 1957, 688 § 6; 1959, 296 § 3.

SECT. 122B added, 1968, 737 § 2 (further regulating the sale of ammunition); revised, 1969, 799 § 2.

SECT. 123 revised, 1957, 688 § 7; 1959, 296 § 4; 1968, 737 § 3; 1969, 799 § 3.

SECT. 125 amended and sentence added at end, 1957, 688 § 8; first sentence revised, 1969, 799 § 4.

SECT. 126 amended, 1957, 688 § 9; revised, 1958, 49.

SECT. 127 revised, 1957, 688 § 10.

SECT. 128 amended, 1957, 688 § 11; first sentence amended, 1968, 737 § 4; second sentence revised, 1969, 799 § 5.

SECTS. 128A and 128B added, 1968, 737 § 5 (further regulating the purchase and sale of firearms).

SECT. 128A revised, 1969, 799 § 6.

SECT. 129 amended, 1957, 688 § 12; revised, 1968, 737 § 6.

SECT. 129A repealed, 1945, 254.

SECTS. 129B–129D added, 1968, 737 § 7 (regulating issuance of firearms license and identification card). (See 1968, 737 § 18.)

SECT. 129B revised, 1969, 799 § 7.

SECT. 129C revised, 1969, 799 § 8.

SECT. 129D revised, 1969, 799 § 9.

SECT. 130, sentence added at end, 1945, 132; section revised, 1951, 373 § 1; 1957, 688 § 13; 1959, 296 § 5; amended, 1967, 802 § 2; revised, 1968, 737 § 8; 1969, 799 § 10. (See 1968, 737 § 18.)

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; first sentence revised, 1969, 799 § 11; 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. 131E revised, 1968, 737 § 9; first and second sentences revised, 1969, 799 § 12.

SECT. 131 F revised, 1959, 296 § 8; paragraph added at end, 1969, 799 § 12A.

SECT. 131G added, 1964, 447 (authorizing certain non-residents to carry firearms in or through the commonwealth); revised, 1965, 86.

SECT. 131H added, 1967, 802 § 3 (relative to the distribution of fines recovered in prosecution of fish, bird and mammal laws); first paragraph revised, 1969, 799 § 13.

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; third sentence amended, 1966, 535 § 11. (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. 145B added, 1969, 207 (relating to the vaccination of dogs against rabies).

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; 1969, 18. (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; sentence added at end, 1968, 281. (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. 167, three sentences added, 1967, 234.

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. 173A added, 1967, 627 (providing for non-criminal disposition of violations of dog control laws).

SECT. 174 amended, 1953, 319 § 21. (See 1953, 319 §§ 39, 40.)

SECT. 174 added, 1967, 313 (regulating killing of certain dogs by carbon monoxide fumes).

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; revised, 1968, 77.

SECTS. 180A–180D added, under caption, 1935, 378 (providing for the licensing and bonding of certain theatrical booking agents, personal agents and managers).

SECT. 180A revised, 1946, 566 § 1; paragraph added at end, 1948, 256; section revised, 1954, 630.

SECT. 180B revised, 1946, 566 § 2.

SECT. 180C revised, 1946, 566 § 3.

SECTS. 180A–180D stricken out and sections 180A–180G inserted, 1960, 666.

SECT. 181. Affected by 1935, 454 § 8.

SECT. 181A added, 1948, 534 (requiring certain entertainers and persons appearing under assumed names to file their true names with the commissioner of public safety); amended, 1961, 292.

SECT. 181B added, 1949, 132 (requiring the posting of the schedule of admission prices to travelling entertainments).

SECT. 183A amended, 1935, 102 § 1; 1936, 71 § 1. (See 1935, 102 § 2.)

SECT. 183B repealed, 1936, 71 § 2.

SECT. 183D added, 1951, 216 (requiring common victuallers and others to post minimum charges).

SECT. 184 amended, 1934, 328 § 18.

SECT. 185 repealed, 1963, 195.

SECT. 185A amended, 1936, 279; paragraph added at end, 1941, 247.

SECT. 185D amended, 1967, 126.

SECT. 185F revised, 1969, 596.

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. 198, first sentence stricken out and two sentences inserted, 1968, 51 § 1.

SECT. 202 revised, 1936, 169 § 3; 1948, 550 § 25; 1949, 297 § 10; amended, 1969, 59 § 2A.

Chapter 140A. — Regulation of Certain Credit Transactions.

New chapter inserted, 1966, 587 § 1. (See 1966, 587 § 7.)

SECT. 1, clause (1) revised, 1968, 354 § 1; clause (3), second sentence revised, 1967, 673 § 1. (See 1967, 673 § 4.)

SECT. 5, clauses (*f*) and (*g*) revised, 1967, 673 § 2. (See 1967, 673 § 4.)

SECT. 7, second sentence stricken out and three sentences inserted, 1967, 673 § 3. (See 1967, 673 § 4.)

Chapter repealed, 1969, 517 § 2.

Chapter 140B. — Control of Certain Junkyards.

New chapter inserted, 1967, 600 § 1.

Chapter 140C. Consumer Credit Cost Disclosure.

New chapter inserted, 1969, 517 § 1.

Chapter 141. — Supervision of Electricians.

SECT. 1, first paragraph amended, 1943, 308; section revised, 1962, 582 § 1. (See 1962, 582 §§ 3, 4.)

SECT. 2, third paragraph revised, 1966, 9; 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; revised, 1967, 317; 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; definition of "Certificate of a plumbing corporation or certificate of a plumbing partnership" inserted after definition of "Certificate", 1969, 731 § 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. 3B added, 1969, 731 § 2 (relative to requirements for plumbing corporation or partnership certificates).

SECT. 4, first sentence revised, 1947, 382; second sentence revised, 1962, 488; paragraph added at end, 1946, 502; revised, 1954, 627 § 30; 1967, 282. (See 1954, 627 §§ 65, 67.)

SECT. 4A added, 1969, 731 § 3 (authorizing the installation of certain plumbing and plumbing repairs by certain plumbers).

SECT. 5 revised, 1954, 200; sentence added at end, 1963, 431 § 4; section revised, 1965, 645 § 1; last sentence revised, 1966, 209.

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; 1966, 614 § 5; 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; last sentence revised, 1967, 436 § 1, 606 § 1; section repealed, 1968, 232. (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; 1968, 499 § 1; 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; first sentence amended, 1968, 499 § 2; 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; amended, 1968, 499 § 3.

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; paragraph inserted after first paragraph, 1964, 312 § 2; paragraph added, 1966, 161.

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); first sentence revised, 1966, 614 § 6; second sentence revised, 1968, 406. (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); sentence inserted after first sentence, 1967, 735 § 1; first sentence revised, 1969, 303; second paragraph revised, 1967, 142; paragraph added at end, 1968, 319. (See 1965, 464 § 2; 1967, 735 § 2.)

SECT. 3S added, 1967, 260 (requiring owners of multiple dwellings to post their names and addresses).

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; 1966, 614 § 7. (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. 16A added, 1966, 252 (providing, that the furnishing of safety inspection or advisory services by an insurer shall not subject such insurer to liability for damages as a result of any act or omission in the course of such services).

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; 1966, 614 § 8. (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; 1966, 614 § 9. (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. 54A added, 1966, 239 (requiring certain officials not to accept or approve certain plans and specifications unless they bear the seal of a registered architect or a registered professional engineer).
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; last sentence revised, 1966, 157.
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); second sentence stricken out and four sentences inserted, 1968, 373 § 5; third sentence revised, 1969, 177 § 1. (See 1968, 373 § 6.)
SECTS. 71H–71O added, under caption, 1968, 565 § 1 (creating a recreational tramway board).
SECT. 74 revised, 1941, 553 § 1. (See 1941, 553 § 9.)
SECT. 75 revised, 1941, 553 § 2; amended, 1950, 112; 1968, 227 § 1. (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; 1968, 227 § 2. (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).
SECT. 90 added, 1967, 339 (requiring certain bold face type in exculpatory provisions of contracts to repair or remodel dwellings).

Chapter 144. — Tenement Houses in Cities.

SECT. 1 revised, 1966, 707 § 5.
SECT. 94, second paragraph stricken out, 1966, 707 § 6.
SECT. 95 revised, 1966, 707 § 7.
SECTS. 95A, 95B and 95C added, 1966, 707 § 8 (relative to the service of all lawful process on non-resident owners of tenement houses in cities).

Chapter 145. — Tenement Houses in Town.

SECT. 1 revised, 1966, 707 § 9.
SECT. 17A added, 1934, 168 (relative to the erection of garages in the yards of certain tenement houses).
SECT. 59, second sentence stricken out, 1966, 707 § 10; sentence added at end, 1948, 550 § 26.
SECT. 60 revised, 1966, 707 § 11.
SECTS. 60A, 60B and 60C added, 1966, 707 § 12 (relative to the service of all lawful process on non-resident owners of tenement houses in towns).

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; first sentence stricken out and four sentences inserted, 1968, 373 § 1. (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 (*a*) amended, 1969, 749 § 2; subdivision (*d*) added, 1956, 365.
SECT. 4D added, 1969, 434 § 1 (authorizing the department of public safety to make drug analyses and to issue certificates of the results which shall be prima facie evidence thereof). (See 1969, 434 § 2.)
SECT. 4E added, 1969, 749 § 3 (establishing the functions and duties of the narcotics unit of the state police criminal information bureau); revised, 1969, 889 § 23B.
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); first two sentences stricken out and five sentences inserted, 1969, 386.
SECT. 10C added, 1956, 231 (authorizing the appointment as special police officers of certain employees of the department of public health); first two sentences stricken out and five sentences inserted, 1969, 388.
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); first two sentences stricken out and five sentences inserted, 1969, 387.
SECT. 10F added, 1965, 381 (providing that police appointing authorities may appoint parking control officers); revised, 1969, 320.
SECT. 10G added, 1965, 565 (authorizing the appointment as special police officers of employees of colleges, universities and other educational institutions).

SECT. 10H added, 1968, 176 (authorizing the appointment as special police officers certain employees of the civil defense agency).

SECT. 10I added, 1969, 420 (authorizing the appointment of certain Middlesex County Sanatorium employees as special police officers by the commissioner of public safety).

SECT. 11 revised, 1967, 85.

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; amended, 1968, 704.

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. 17C amended, 1969, 872 § 2.

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. 17F added, 1969, 435 § 1 (providing extra pay for certain police heads for duty on certain holidays).

SECT. 17G, 1969, 872 § 1 (providing overtime compensation for regular city, town and metropolitan district commission police).

SECT. 19, sentence added after the first sentence, 1939, 256 § 2. (See 1939, 256 § 3.)

SECT. 21A added, under caption, 1967, 430 (authorizing employment of police cadets).

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.)

SECT. 25, first paragraph, sentence added at end, 1968, 738 § 3.

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. 28, paragraph added at end, 1968, 22.

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. 9A added, 1969, 903 (requiring the board of fire prevention to regulate the keeping, storage, manufacture, sale, use, launching, operation and flying of model rocket engines).

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. 10D, fifth sentence stricken out and four sentences inserted, 1968, 373 § 3.

SECT. 10E, second sentence stricken out and four sentences inserted, 1968, 373 § 4.

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 appear-

ing 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. 20B added, 1967, 532 § 1 (relative to competency to conduct blasting operations); sixth sentence stricken out and four sentences inserted, 1968, 373 § 2. (See 1967, 532 § 2.)

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 antifreeze 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; paragraph O added, 1966, 390; paragraph P added, 1969, 55. (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. 28B added, 1969, 190 (requiring notice by certain establishments to fire departments of the use of canine guards).

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; amended, 1966, 403; clause (9) added, 1956, 213; clause (10) added, 1966, 637; stricken out, 1967, 366.

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); revised, 1967, 178.

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.)

SECT. 57 added, 1969, 86 (prohibiting the installation of certain siding without an electrical permit).

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 "Apprentice" inserted, 1967, 296 § 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. 22A added, 1969, 448 § 1 (prohibiting professional strikebreaking).

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; first paragraph, first sentence amended, 1967, 296 § 2; third sentence amended, 1967, 296 § 3; paragraph added at end, 1937, 346; same paragraph revised, 1938, 413; 1946, 591 § 46. (See 1954, 627 §§ 65, 67.)

SECT. 27, first sentence amended, 1967, 296 § 4; third sentence amended, 1967, 296 § 5; 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; first paragraph, first sentence amended, 1967, 296 § 6; third paragraph, Statement of Compliance amended, 1967, 296 § 7.

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. 27G added, 1968, 537 (requiring payment of determined wages for contracts for moving of furniture and fixtures entered into by commonwealth).

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; section amended, 1969, 838 § 60. (See 1947, 677 §§ 2, 3; 1955, 643, § 12; 1960, 430 § 2, 614 § 3; 1969, 838 § 74.)

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; 1969, 838 § 61. (See 1960, 614 § 3, 762 § 2; 1969, 838 § 74.)

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; amended, 1967, 535 § 1; paragraph added, 1967, 535 § 2; paragraph added, 1967, 899.

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; paragraph (6) added, 1967, 884.

SECT. 44K revised, 1957, 590 § 3; 1967, 535 § 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); sentence added at end, 1969, 336.

SECT. 52, first sentence amended, 1968, 167; 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. 53 amended, 1968, 331 § 1.

SECT. 53A added, 1968, 331 § 2 (limiting weight permitted to be lifted by female employees).

SECT. 55 revised, 1945, 87.

SECT. 56 amended, 1932, 110 § 1; revised, 1935, 200; first sentence stricken out and two sentences inserted, 1939, 377; first sentence amended, 1941, 574, 610 § 1; 1947, 161; revised, 1947, 368; amended, 1948, 196; revised, 1961, 44; sentence inserted after first sentence, 1967, 357 § 1; first paragraph, next to last sentence revised, 1966, 183; sentence added at end, 1941, 610 § 1; revised, 1967, 357 § 2; 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; first paragraph amended, 1968, 323 § 1; 1969, 201; second para-

graph amended, 1968, 323 § 2. (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; second paragraph, second sentence revised, 1969, 107; paragraph added at end, 1962, 107 § 2; paragraph added, 1967, 267. (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; amended, 1966, 43.

SECT. 62A added, 1967, 165 (allowing certain minor vocational agricultural students to perform certain work).

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; amended, 1967, 95; revised, 1968, 323 § 3.

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; amended, 1968, 323 § 4.

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; 1968, 158; revised, 1969, 114.

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); revised, 1967, 261.

SECT. 129C added, 1969, 680 (providing penalties for permitting certain linemen to work on certain live wires without certain help).

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. 147H amended, 1966, 535 § 12.
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; amended, 1966, 319.
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); sentence added, 1966, 350.
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. 168A added, 1969, 883 (requiring employers entering into certain farm labor contracts to give notice thereof to the department of labor and industries).
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; 1966, 458; first sentence revised, 1968, 558; 1969, 785. [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); third sentence revised, 1969, 171; 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); revised, 1967, 774.

SECTS. 178G–178N added, 1965, 763 § 2 (providing for the election of representative bargaining agents with political subdivisions of the commonwealth).

SECT. 178G, definition of "Employee" revised, 1966, 156.

SECT. 178H, paragraph (5) added, 1967, 746.

SECT. 178I, first paragraph, third sentence revised, 1968, 633; two sentences stricken out and one sentence inserted, 1969, 128 § 2; sentence added, 1967, 514 § 1; second paragraph amended, 1967, 514 § 2; second sentence amended, 1969, 341.

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; amended, 1968, 513 § 1; paragraph added at end, 1968, 513 § 2. (See 1964, 576 § 10.)

SECT. 2, subsections (2) and (3) revised, 1964, 576 § 2; subsection (2) amended, 1968, 513 § 3; subsection (3) amended, 1968, 513 § 4; 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); amended, 1968, 513 § 5; revised, 1969, 133 § 1. (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); amended, 1968, 513 § 6; revised, 1969, 133 § 2. (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 repealed, 1969, 448 § 2.

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; revised, 1966, 679 § 1; amended, 1966, 679 § 4. (See 1949, 777 §§ 2, 4; 1955, 762 § 4; 1956, 740 § 4; 1958, 620 § 3; 1962, 134 §§ 7, 8, 9; 1964, 644 §§ 7–11; 1966, 679 §§ 9, 10.)

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 (16) revised, 1969, 108; clause (18) added,

1962, 153; clause (19) added, 1967, 718 § 1. (See 1961, 576 § 2; 1967, 718 § 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; revised, 1967, 718 § 2; paragraph defining "Agricultural and farm work" inserted, 1967, 718 § 2A. (See 1967, 718 § 10).

SECT. 2A added, 1967, 718 § 3 (establishing a minimum wage for farm workers); amended, 1967, 718 §§ 6 and 8. (See 1967, 718 § 10.)

SECT. 5, last sentence amended, 1962, 479.

SECT. 7, first two sentences stricken out and three sentences inserted, 1957, 202; fifth sentence amended, 1969, 397 § 1; 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; second paragraph revised, 1966, 679 § 2; amended, 1966, 679 § 5; 1969, 397 § 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; 1966, 679 §§ 9, 10.)

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; revised, 1966, 679 § 3; amended, 1966, 679 § 6; paragraph (2A) added, 1967, 718 § 4; amended, 1967, 718 §§ 7 and 9; paragraph (5) added, 1965, 335; revised, 1966, 22. (See 1949, 777 §§ 2, 4; 1955, 762 § 4; 1956, 740 § 4; 1958, 620 § 3; 1962, 134 §§ 7, 8, 9; 1964, 644 §§ 7–11; 1966, 679 §§ 9, 10; 1967, 718 § 10.)

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); revised, 1967, 329.

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; revised, 1969, 614 § 1; 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; 1969, 614 § 6.)

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 (*e*) revised, 1966, 560 § 1; subsection (*g*) amended, 1962, 414 § 2; revised, 1964, 454; subsection (*j*) revised, 1962, 414 § 3; subsection (*p*) added, 1964, 358; subsection (*q*) added, 1968, 239. (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 (*d*), paragraph (2) revised, 1966, 560 § 2; subsection (*e*), paragraph (6) revised, 1961, 614 § 2; subsection (*f*) revised, 1961, 614 § 3; subsection (*h*), paragraph (3) added, 1966, 362; 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; 1957, 643 § 3; 1962, 468 § 2.)

SECT. 15, subsection (*a*) amended, 1950, 232; subsection (*b*) revised, 1948, 603 § 6; subsection (*c*) revised, 1943, 373; subsection (*e*) added, 1968, 533; amended, 1969, 174.

SECT. 18, first paragraph revised, 1966, 560 § 3.

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; clause (*a*) amended, 1967, 480 §§ 1 and 2; paragraph added at end, 1958, 437 § 1; 1965, 636; revised, 1966, 528; last paragraph amended, 1968, 576. (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; 1966, 382; clause (4) amended, 1967, 480 § 3; subsection (*c*) amended, 1959, 533; clause (4) amended, 1968, 323 § 5; first paragraph revised, 1968, 625; subsection (*d*) amended, 1945, 356; revised, 1951, 763 § 9; subsection (*e*) revised, 1951, 763 § 9; 1953, 401; amended, 1956, 719 § 4; revised, 1958, 677; amended, 1969, 614 § 2; subsection (*f*) added, 1951, 763 § 10. (See 1951, 763 § 22; 1956, 719 § 8; 1963, 447 § 3; 1969, 614 § 6.)

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; 1967, 480 §§ 4 and 5; 1969, 614 §§ 3 and 4; 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; amended, 1969, 614 § 5. (See 1951, 763 § 22; 1956, 719 § 8; 1963, 438 § 2; 1965, 649 § 2; 1969, 614 § 6.)

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; fourth paragraph amended, 1966, 560 § 4. (See 1951, 763 § 22.)

SECT. 48, second paragraph revised, 1966, 560 § 5.

SECT. 53A added, 1957, 512 (relative to the expenditure of certain moneys credited the commonwealth under the federal social security act); first paragraph revised, 1969, 602.

SECT. 54 revised, 1966, 560 § 6.

SECT. 58, subsection (*d*) revised, 1966, 560 § 7.

SECT. 58A added, 1966, 560 § 8 (establishing a contingent fund for the administration of the division of employment security).

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; 1969, 216; subsection 7 revised, 1963, 469; subsection 8 added, 1950, 697 § 2; amended, 1966, 405; 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 1 amended, 1969, 877; 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; subsection 12 added, 1966, 410; second sentence revised, 1968, 218.

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; 1969, 90; subsection 7 added, 1963, 197 § 2; subsection 8 added, 1965, 213 § 2; subsection 9 added, 1969, 314; paragraph added at end of section, 1947, 424; 1957, 426 § 3; two paragraphs added, 1966, 361.

SECT. 4A added, 1969, 523 § 1 (invalidating and prohibiting certain restrictive covenants and conditions relating to real property.)

SECT. 5 revised, 1950, 479 § 4; amended, 1957, 426 § 4; first paragraph amended, 1969, 751 § 10; second paragraph amended, 1961, 570; revised, 1963, 613 § 2; first sentence stricken out and three sentences inserted, 1967, 483; second and third sentences amended, 1968, 719; fifth sentence amended, 1967, 525; six sentences inserted after tenth sentence, 1968, 727; paragraph amended, 1969, 751 § 11; paragraph added, 1965, 569; amended, 1969, 751 § 12.

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.)

The following references are to chapter 151D, as so inserted.

SECT. 2, first paragraph amended, 1968, 195.

SECT. 3, subsection (*c*) amended, 1969, 331.

SECT. 3A added, 1966, 386 § 3 (relative to health and welfare trust fund agreements for visual services).

SECT. 10 amended, 1964, 467; 1968, 326.

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; 1969, 755 § 1; 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); revised, 1968, 235.

SECT. 7C added, 1966, 443 (requiring preliminary conferences in workmen's compensation cases).

SECT. 7D added, 1968, 21 (permitting admission of medical reports of certain deceased physicians in workmen's compensation cases).

SECT. 7E added, 1968, 468 § 1 (providing for award increases to claimants whose compensation payments have been unreasonably delayed). (See 1968, 468 § 2.)

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; revised, 1968, 492 § 18.

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; paragraph added at end, 1969, 755 § 2.

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; sentence added at end, 1969, 567; 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; first two sentences revised, 1966, 578; fourth sentence revised, 1966, 442.

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; revised, 1967, 482 §§ 1 and 4; 1969, 529 § 1. (See 1946, 321 § 4; 1956, 735 § 4; 1963, 460 § 4; 1967, 482 § 7; 1969, 529 § 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; revised, 1967, 482 §§ 2 and 5; 1969, 529 § 2. (See 1946, 321 § 4; 1956, 735 § 4; 1963, 460 § 4; 1967, 482 § 7; 1969, 529 § 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; revised, 1967, 482 §§ 3 and 6; 1969, 529 § 3. (See 1946, 321 § 4; 1963, 460 § 4; 1967, 482 § 7; 1969, 529 § 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; amended, 1966, 584. (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. 51A added, 1969, 833 § 1 (fixing rate of compensation as of date of final decision in certain cases).

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; third sentence revised, 1967, 513. (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; sentence added, 1967, 512. (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; first paragraph amended, 1966, 401; second sentence amended, 1969, 863; 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; first sentence revised, 1967, 597 § 23.

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; amended, 1969, 392 § 27. (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. 8, sentence added at end, 1969, 245 § 1. (See 1969, 245 § 3.)

SECT. 9 amended, 1938, 327 § 1; revised, 1943, 295; first sentence re-

vised, 1953, 32; section revised, 1962, 750 § 9; first paragraph amended, 1963, 59; section revised, 1964, 484 § 1; first paragraph, first sentence amended, 1969, 142 § 1; paragraph added at end, 1969, 142 § 2. (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; 1969, 392 § 28. (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. 2 amended, 1969, 829 § 1. (See 1969, 829 § 2.)
SECT. 3 amended, 1969, 392 § 29.
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. (See 1965, 685 § 57.)
SECT. 3 amended, 1965, 685 § 1A; revised, 1969, 392 § 1. (See 1965, 685 § 57.)
SECT. 4 amended, 1965, 685 § 1B. (See 1965, 685 § 57.)

SECT. 5 amended, 1969, 392 § 2.
SECT. 6, last sentence stricken out, 1965, 685 § 2. (See 1965, 685 § 57.)
SECT. 7 amended, 1969, 392 § 3.
SECT. 8 revised, 1965, 685 § 3. (See 1965, 685 § 57.)
SECT. 9, clause (*l*) revised, 1969, 392 § 4; section amended, 1969, 329 § 5; clause (*o*) stricken out and clauses (*o*) and (*p*) inserted, 1969, 392 § 6.
SECT. 9A added, 1969, 392 § 7 (specifying when a corporation may be a partner).
SECT. 11, subsection (*b*) amended, 1965, 685 § 4; subsection (*c*) amended, 1965, 685 § 5; subsection (*d*) amended, 1965, 685 § 6. (See 1965, 685 § 57.)
SECT. 12, first paragraph amended, 1965, 685 § 7; second paragraph amended, 1965, 685 § 8; section revised, 1969, 392 § 8. (See 1965, 685 § 57.)
SECT. 13, subsection (*c*) amended, 1965, 685 § 9. (See 1965, 685 § 57.)
SECT. 17, sentence inserted after first sentence, 1965, 685 § 10. (See 1965, 685 § 57.)
SECT. 23 revised, 1965, 685 § 11. (See 1965, 685 § 57.)
SECT. 24 amended, 1969, 392 § 9.
SECT. 25 amended, 1969, 392 § 10.
SECT. 26, first paragraph revised, 1965, 685 § 12; amended, 1969, 392 § 11. (See 1965 685 § 57.)
SECT. 27 revised, 1965, 685 § 13. (See 1965, 685 57.)
SECT. 29 amended, 1965, 685 § 13A. (See 1965, 685 § 57.)
SECT. 31 revised, 1965, 685 § 14. (See 1965, 685 § 57.)
SECT. 32, first and second sentences revised, 1965, 685 § 15. (See 1965, 685 § 57.)
SECT. 36 amended, 1965, 685 § 16. (See 1965, 685 § 57.)
SECT. 37 revised, 1969, 392 § 12.
SECT. 39 revised, 1965, 685 § 17. (See 1965, 685 § 57.)
SECT. 41 amended, 1965, 685 § 18. (See 1965, 685 § 57.)
SECT. 42, paragraph added at end, 1969, 392 § 13.
SECT. 43 amended, 1965, 685 § 19; revised, 1969, 392 § 14. (See 1965, 685 § 57.)
SECTS. 47–49 revised, 1965, 685 § 20. (See 1965, 685 § 57.)
SECT. 50 amended, 1965, 685 § 20A. (See 1965, 685 § 57.)
SECT. 51, clause (*a*) amended, 1965, 685 § 21. (See 1965, 685 § 57.)
SECT. 53, last sentence revised, 1965, 685 § 22. (See 1965, 685 § 57.)
SECT. 55 amended, 1965, 685 § 22A. (See 1965, 685 § 57.)
SECT. 59 revised, 1965, 685 § 23; 1969, 392 § 15. (See 1965, 685 § 57.)
SECT. 61 amended, 1965, 685 § 24. (See 1965, 685 § 57.)
SECT. 62 amended, 1965, 685 § 25. (See 1965, 685 § 57.)
SECT. 63 amended, 1965, 685 § 26. (See 1965, 685 § 57.)
SECT. 65, sentence added at end, 1969, 392 § 16.
SECT. 67, two paragraphs added, 1965, 685 § 27; first paragraph revised, 1969, 392 § 17; paragraph added at end, 1969, 392 § 18. (See 1965, 685 § 57.)
SECT. 71 revised, 1965, 685 § 28. (See 1965, 685 § 57.)
SECT. 72, first sentence amended, 1967, 198.
SECT. 74, first paragraph amended, 1965, 685 § 29. (See 1965, 685 § 57.)
SECT. 75, sentence added, 1965, 685 § 30. (See 1965, 685 § 57.)

SECT. 78, subsection (*b*) amended, 1965, 685 § 31; subsection (*c*) amended, 1965, 685 § 32; revised, 1969, 392 § 19; subsection (*d*) amended, 1965, 685 § 32A; 1969, 392 § 20; subsection (*e*) amended, 1965, 685 § 33. (See 1965, 685 § 57.)

SECT. 79, subsection (*c*) amended, 1965, 685 § 33A; 1969, 392 § 21; subsection (*d*) amended, 1965, 685 § 34. (See 1965, 685 § 57.)

SECT. 80 amended, 1965, 685 § 35. (See 1965, 685 § 57.)

SECT. 81 amended, 1965, 685 § 36. (See 1965, 685 § 57.)

SECT. 82, subsection (*b*) amended, 1965, 685 § 37; subsection (*e*) amended, 1965, 685 § 38. (See 1965, 685 § 57.)

SECT. 83, subsection (*d*) amended, 1965, 685 § 38A; subsection (*f*) amended, 1965, 685 § 39. (See 1965, 685 § 57.)

SECT. 85, sentence added at end, 1969, 392 § 22.

SECT. 86 amended, 1965, 685 § 40. (See 1965, 685 § 57.)

SECT. 95 amended, 1965, 685 § 41. (See 1965, 685 § 57.)

SECT. 97 amended, 1965, 685 § 42. (See 1965, 685 § 57.)

SECT. 98 amended, 1965, 685 § 43. (See 1965, 685 § 57.)

SECTS. 99–102 revised, 1965, 685 § 44. (See 1965, 685 § 57.)

SECT. 99, paragraph (b) amended, 1969, 392 § 23.

SECT. 100, clause (*b*) amended, 1967, 197.

SECT. 103 amended, 1965, 685 § 45. (See 1965, 685 § 57.)

SECT. 104 amended, 1965, 685 § 46. (See 1965, 685 § 57.)

SECT. 107 amended, 1965, 685 § 47; last sentence revised, 1966, 347 § 1. (See 1965, 685 § 57.)

SECT. 108 amended, 1965, 685 § 48; first sentence revised, 1969, 392 § 24. (See 1965, 685 § 57.)

SECT. 109 amended, 1965, 685 § 49. (See 1965, 685 § 57.)

SECT. 109A added, 1969, 392 § 25 (relating to further requirements for certain annual reports).

SECT. 110 repealed, 1965, 685 § 50. (See 1965, 685 § 57.)

SECT. 111, first three sentences stricken out, 1969, 392 § 26.

SECT. 112, last sentence stricken out, 1965, 685 § 51. (See 1965, 685 § 57.)

Sect. 113 amended, 1965, 685 § 52. (See 1965, 685 § 57.)

SECT. 114, subsection (*b*) amended, 1965, 685 § 53; 1966, 347 § 2; subsections (*f*), (*g*) and (*h*) inserted, 1965, 685 § 54. (See 1965, 685 § 57.)

SECT. 115 added, 1969, 245 § 2 (relating to the authority of corporate officers with respect to real estate). (See 1969, 245 § 3.)

Chapter 157. — Co-operative Corporations.

SECT. 3, second sentence revised, 1949, 378 § 1.

SECT. 3A added, 1949, 378 § 2 (authorizing the forming of corporations to conduct a housing business on the co-operative plan).

SECT. 4 revised, 1949, 378 § 3; first sentence revised, 1958, 26.

SECT. 6 amended, 1949, 378 § 4; paragraph 2 revised, 1964, 290; paragraph 4 revised, 1949; 378, § 5.

SECT. 7 amended, 1962, 750 § 31; 1957, 698 § 5.

SECT. 8 amended, 1962, 750 § 32.

SECT. 9 amended, 1949, 378 § 6; 1957, 698 § 6.

SECT. 13 amended, 1954, 23.

SECT. 16, last sentence amended, 1932, 180 § 31.

Chapter 158. — Certain Miscellaneous Corporations.

SECT. 1 amended, 1962, 750 § 33.
SECT. 9 revised, 1962, 750 § 34.
SECT. 16, first sentence revised, 1969, 644.
SECT. 17 revised, 1966, 526.
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; clause added, 1951, 681; revised, 1951, 726; amended, 1966, 535 § 13.
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; section revised, 1967, 684. (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; amended, 1966, 97.
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. 8, third sentence revised, 1968, 456.
SECT. 9, first sentence revised, 1969, 349; second sentence revised, 1969, 669; third sentence revised, 1968, 325.
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; first paragraph amended, 1966, 531; second paragraph, first sentence revised, 1969, 97; third paragraph, second sentence revised, 1969, 96. (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 "Interstate license" stricken out and definition of "Interstate license or registration" inserted, 1968, 106; definition of "Irregular route common carrier" revised, 1941, 653 § 2; definition of "Regular route common carrier" revised and paragraph defining "Regu-

lar 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; 1966, 196 § 1; third paragraph revised, 1941, 592 § 2; fifth paragraph revised, 1966, 196 § 2; paragraph added at end, 1951, 384 § 1. (See 1951, 384 § 2.)

SECT. 5, third paragraph amended, 1959, 543 § 2; revised, 1966, 424.

SECT. 6, fifth paragraph amended, 1951, 664 § 4; stricken out, 1955, 353 § 1; sixth paragraph revised, 1967, 516.

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; third paragraph amended, 1968, 769.

SECT. 6B added, 1962, 626 (establishing a maximum charge for towing away motor vehicles during snow removal operations).

SECT. 6C added, 1968, 177 (requiring regulation of maximum charges for towing motor vehicles).

SECT. 6D added, 1969, 238 (relating to the purchase by common or contract carriers of certain commodities for immediate resale).

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; revised, 1968, 289 § 1; 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; paragraph added, 1967, 43; paragraph added at end, 1968, 289 § 2.

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; first paragraph revised, 1969, 598; 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; last paragraph, first sentence stricken out and two sentences inserted, 1967, 42.

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. 19A added, 1967, 499 (prohibiting common carriers from engaging in transportation except on a cash basis under certain conditions).

SECT. 21, first paragraph amended, 1951, 664 § 7; second paragraph amended, 1950, 194; revised, 1967, 515.

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. 138A added, 1967, 843 (requiring manual warning devices at certain railroad crossings).

SECT. 142 amended, 1938, 29; revised, 1947, 584 § 1; second and third sentences revised, 1951, 461 § 1; section revised, 1964, 346 § 1; last sentence revised, 1967, 691. (See 1947, 584 § 2; 1951, 461 § 2; 1964, 346 § 2.)

SECT. 144 revised, 1945, 301.

SECT. 147 revised, 1947, 498; third sentence revised, 1968, 196; last sentence stricken out and two sentences inserted, 1965, 886.

SECT. 147A added, 1967, 700 (providing for luminous paint on railroad crossing signs).

SECT. 155, two sentences inserted after first sentence, 1967, 692.

SECT. 163 revised, 1967, 701.

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. 94A added, 1968, 284 (providing penalties for throwing litter on premises of public transportation facilities).
SECT. 95 revised, 1967, 685.
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; 1968, 23 § 12.
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. 1, definition of "Commuters" revised, 1969, 578 § 3; definition of "Sixty-four cities and towns" amended, 1967, 87 § 1.
SECT. 3, paragraph (*i*) revised, 1965, 882.
SECT. 5, subsection (*b*) revised, 1966, 636; subsection (*e½*) inserted after subsection (*e*), 1969, 574 § 1; subsection (*i*) amended, 1967, 81 § 1. (See 1969, 574 § 2.)
SECT. 6, second sentence stricken out and two sentences inserted, 1968, 282; sentence added, 1965, 323 § 1. (See 1965, 323 § 2.)
SECT. 7, second paragraph revised, 1967, 81 § 2; paragraph added, 1965, 509 § 1.
SECT. 8 amended, 1969, 897.
SECT. 8A added, 1967, 24 § 1 (increasing amount of financial assistance to railroads providing passenger service to Boston); amended, 1968, 445 § 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.
SECT. 28A added, 1967, 24 § 2 (relative to further financial assistance to railroads providing passenger service to Boston); first sentence revised, 1968, 445 § 2.

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; revised, 1967, 58.

SECT. 6, paragraph (*e*) revised, 1947, 48; 1964, 331.

SECT. 13 revised, 1950, 237; 1953, 85; 1967, 681.

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; 1966, 340. (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; revised, 1966, 146. (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. 56D amended, 1968, 16.

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. 72A revised, 1968, 152.

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. 76C added, 1969, 645 (authorizing the department of public utilities to establish rules and regulations).

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. 99A added, 1966, 240 (relative to the rights in property held as tenants in common by electric companies).

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. 116A added, 1966, 351 (facilitating the disconnection of gas and electric services at the scene of fire, explosion or other disaster).

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. 14A added, 1969, 192 (requiring telephone companies to issue a uniform emergency telephone number to certain public safety agencies).

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.

SECTS. 21A–21G added, 1969, 882 (requiring certain precautions by those working in proximity of overhead high voltage lines.)

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; stricken out, 1969, 884 § 1.

SECTS. 22A–22N added, 1969, 884 § 1 (relative to poles and overhead wires and associated structures).

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).

SECT. 44 added, 1968, 738 § 2 (regulating service observing by telephone companies).

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; first paragraph amended, 1966, 296; second paragraph, second sentence revised, 1969, 791; 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, 1854, 250; paragraph added, 1967, 220.

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; first sentence revised, 1968, 265; sentence inserted after first sentence, 1969, 116.

SECT. 17 repealed, 1933, 334 § 2.

SECT. 18 amended, 1943, 110 § 1; 1955, 432 § 7; revised, 1961, 493 § 11; 1968, 224 § 6. (See 1955, 432 § 4.)

SECT. 18A added, 1961, 269 (regulating the advertising by banks of anticipated interest or dividend rates); amended, 1968, 224 § 7.

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); second sentence revised, 1967, 809; sentence added, 1967, 348.

SECT. 59 added, 1961, 607 (relative to the sale of negotiable checks, drafts and money orders).

SECT. 60 added, 1966, 245 (authorizing mobile branch banking).

SECT. 61 added, 1966, 348 (relative to the making by certain banking institutions of student loans insured by the federal commissioner of education).

SECT. 62 added, 1968, 357 (providing that certain contracts for financing education entered into by minor students not voidable).

Chapter 167A. — Bank Holding Companies.

New chapter inserted, 1957, 751 § 1. (See 1957, 751 §§ 2-5.)

SECT. 1, paragraph (*d*) revised, 1966, 633 § 1.

SECT. 2, clause (2) revised, 1966, 633 § 2; clause (5) revised, 1966, 633 § 3.

SECT. 4A added, 1969, 899 (relative to plans of acquisition in respect of stock of trust companies).

SECT. 5, paragraph (*a*) amended, 1966, 633 § 4.

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; first paragraph revised, 1966, 341 § 1. (See 1957, 1 § 7.)

SECT. 10, first paragraph, provision 2 revised, 1962, 163 § 1; 1966, 225; 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; amended, 1969, 337 § 1; paragraph 2 amended, 1956, 175; 1963, 253 § 2; 1969, 751 § 13.

SECT. 22, first paragraph revised, 1959, 177 § 2; 1963, 253 § 3; amended, 1969, 337 § 2; second paragraph amended, 1963, 253 § 4.

SECTS. 22A and 22B added, 1962, 169 § 2 (authorizing the establishment of new types of deposit accounts).

SECT. 22A amended, 1966, 206 § 1.

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; sentence added, 1967, 312.

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; 1966, 218 § 1; paragraph 6, fifth sentence amended, 1962, 50 § 5; 1966, 218 § 2; paragraphs 4, 5 and 6 stricken out and one paragraph inserted, 1969, 278 § 1; paragraph 6A inserted, 1964, 219; first sentence revised, 1966, 218 § 3; fifth sentence revised, 1969, 278 § 2; paragraph 7 revised, 1961, 327; first two sentences revised, 1966, 218 § 4; third sentence revised, 1969, 278 § 3; paragraph 8, first sentence revised, 1963, 341 § 1; 1965, 263 § 1; third sentence amended, 1960, 256; revised, 1969, 278 § 4; paragraph 9 revised, 1969, 278 § 5; paragraph 10, second and third sentences revised, 1963, 269; second sentence amended, 1968, 182; fifth sentence revised, 1969, 322; 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; amended, 1969, 278 § 6.

SECT. 37, first sentence revised, 1956, 689 § 7; section revised, 1960, 272; 1965, 810 § 1; fourth sentence revised, 1969, 169. (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; 1969, 321; paragraph 6, first two paragraphs revised, 1963, 272; first paragraph amended, 1966, 218 § 5; third paragraph amended, 1966, 218 § 6; paragraph 7 added, 1960, 257; first sentence revised, 1963, 341 § 2; 1965, 263 § 2; second paragraph, third sentence revised, 1968, 183; 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; 1966, 206 § 2; 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; 1968, 465 § 2; paragraph 6 added, 1966, 295 § 1; clause (*a*) revised, 1967, 271 § 1; clause (*f*) added, 1967, 271 § 2; clause (*g*) added, 1969, 338 § 3.

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 2 revised, 1968, 430 § 1; paragraph 3, clause (*a*) revised, 1965, 268 § 2; amended, 1969, 218 § 1; paragraph 3 amended, 1966, 227 § 1, 288 § 1; paragraph 4 added at end, 1964, 232 § 3; revised, 1966, 227 § 2; subdivision (*b*) revised, 1968, 204; paragraph 5 added, 1969, 824.

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; 1969, 218 § 2.

SECT. 49, paragraph 1 revised, 1965, 268 § 4; amended, 1969, 218 § 3; paragraph 1A inserted, 1965, 268 § 5; revised, 1969, 218 § 4; paragraphs 3 and 4 stricken out, 1966, 295 § 2; paragraphs 6 and 7 inserted, 1966, 288 § 2; paragraph 6 revised, 1968, 430 § 2; 1969, 338 § 1; paragraph 7 revised, 1967, 433 § 1; 1968, 430 § 3; paragraph 8 added, 1969, 338 § 2.

SECT. 50, paragraph 1 revised, 1969, 218 § 5; paragraph 2 amended, 1969, 218 § 6; paragraph 3 amended, 1969, 218 § 7; paragraph 7 revised, 1969, 218 § 8.

SECT. 51 amended, 1961, 493 § 17; first paragraph amended, 1966, 288 § 3; first sentence revised, 1969, 130.

SECT. 53, paragraph 2, sentence added at end, 1962, 80 § 1.

SECT. 56A added, 1969, 99 (authorizing savings banks to execute and deliver guaranties incidental to investment securities transfers).

SECT. 58, paragraph 1 amended, 1965, 74.

SECT. 59 revised, 1968, 224 § 1.

SECT. 60, paragraph 1 amended, 1962, 169 § 9; third sentence revised, 1968, 224 § 2; paragraph 2 revised, 1959, 89; 1967, 283; paragraph 4, last sentence revised, 1968, 224 § 3.

SECT. 60A added, 1962, 169 § 10 (relative to the payment of dividends on special notice account deposits and on systematic savings account deposits); paragraph 1, second sentence amended, 1968, 224 § 4.

SECT. 61, paragraph 3 revised, 1967, 301; 1968, 224 § 5.

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; paragraph added at end, 1969, 235.

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, second sentence revised, 1969, 178 § 1; 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. 11, third sentence stricken out, 1967, 179.

SECT. 12, second sentence revised, 1957, 1 § 5; 195, 326; 1967, 157 § 1; paragraph added, 1967, 157 § 2.

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; para-

graph (*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; stricken out and paragraphs (*c*) and (*d*) inserted, 1968, 267; subsection 3A added, 1968, 184 § 1; 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; last paragraph amended, 1968, 184 § 2. (See 1952, 257 § 3.)

SECT. 19 revised, 1963, 327; amended, 1968, 184 § 3.

SECT. 23, subsection 4 revised, 1963, 126; 1964, 221; last sentence revised, 1968, 186; 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; 1967, 227 § 1; subsection 3A inserted, 1959, 174; revised, 1963, 146; amended, 1965, 306; last sentence revised, 1966, 169; clause (*a*) revised, 1968, 185; subsection 4 revised, 1955, 146; 1958, 96; 1959, 108 § 2; 1960, 54; 1962, 125 § 1; amended, 1964, 227; revised, 1967, 227 § 2; subsection 4A inserted, 1965, 307; revised, 1967, 227 § 3; 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. 25 amended, 1968, 184 § 4.

SECT. 25A added, 1960, 24 § 1 (authorizing co-operative banks to make loans to depositors in anticipation of dividends); amended, 1968, 184 § 5; paragraph added at end, 1968, 184 § 6.

SECT. 26, first paragraph revised, 1966, 167 § 1; 1968, 163; subsections 1 and 2 revised, 1955, 432 § 10; subsection 2, first sentence revised, 1962, 218; subsection 3 revised, 1960, 111; 1967, 280 § 1; subsection 3A added, 1967, 280 § 2; subsection 5 amended, 1961, 493 § 20; subsection 6 revised, 1963, 100; amended, 1968, 187; subsection 8 added, 1963, 279; fourth sentence revised, 1965, 814; 1968, 236; subsections 9 and 10 added, 1969, 220. (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. 32A added, 1967, 228 (authorizing cooperative banks to rent safe deposit boxes).

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; first sentence amended, 1969, 752; second sentence amended, 1966, 167 § 2.

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; fifth sentence revised, 1968, 173; 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, 722 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. 20 amended, 1969, 319.

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; amended, 1967, 433 § 2, 641; sentence inserted after first sentence, 1962, 73; last sentence stricken out and two sentences inserted, 1960, 25; sentence added at end, 1969, 395. (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; third paragraph revised, 1968, 144.

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; same paragraph, clause (*b*) revised, 1967, 334 § 1; clause (*d*) added, 1967, 231 § 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; first sentence revised, 1967, 208; 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; amended, 1968, 411 § 1; paragraph 2 of subdivision (A) revised, 1954, 122 § 2; 1960, 151 § 2; 1964, 223; amended, 1968, 411 § 2; paragraph 3 of subdivision (A) revised, 1962, 275 § 2; paragraph 3A of subdivision (A) inserted, 1965, 784; amended, 1968, 411 § 3; paragraph 5 of subdivision (A) amended, 1952, 91; 1953, 159 § 1; 1961, 493 § 22; 1964, 242; 1966, 194; paragraph 6 of subdivision (A) amended, 1953, 159 § 2; revised, 1954, 122 § 3; amended, 1956, 91; 1966, 203; 1969, 236; 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; re-

vised, 1959, 92; 1964, 213 § 1; paragraph 3 of subdivision (B) revised, 1952, 105 § 1; first sentence revised, 1954, 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; stricken out, 1967, 231 § 2; paragraph 4 of subdivision (B) stricken out, 1952, 105 § 2; subdivision (B) revised, 1967, 334 § 2; subdivision (C) added, 1963, 318 § 3; subdivision (D) added, 1967, 231 § 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; third paragraph amended, 1969, 324.

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. 7, last sentence revised, 1966, 200 § 1.

SECT. 9 amended, 1962, 750 § 48.

SECT. 11, paragraph (*a*) revised, 1966, 200 § 2.

SECT. 12A added, 1966, 173 § 1 (relative to voting rights of a stockholder of a trust company).

SECT. 13, first paragraph, third sentence revised, 1967, 233.

SECT. 17 revised, 1964, 300; amended, 1966, 177 § 1; paragraph added, 1966, 177 § 2.

SECT. 18 revised, 1966, 186.

SECT. 21, subsection D amended, 1965, 279.

SECT. 22A added, 1966, 173 § 2 (relative to the date for determining stockholders having right to notice of meetings).

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. 38, subsection A, clause (1) amended, 1968, 610 § 1; clause (2)

amended, 1968, 610 § 2; subsection C revised, 1968, 610 § 3; subsection F added, 1968, 610 § 4.

SECT. 48, clause 8 amended, 1962, 238; clause 18 added, 1963, 143.

SECT. 50 revised, 1968, 350.

SECT. 51 revised, 1963, 376; first paragraph revised, 1969, 337 § 3; second paragraph revised, 1964, 279.

SECT. 55, subsection A, paragraph (4) revised, 1965, 262 § 1; amended, 1966, 220 § 1; subsection C revised, 1966, 220 § 2; 1969, 100; paragraph added, 1965, 262 § 2.

SECT. 58, paragraph added, 1966, 633 § 5.

SECT. 61 revised, 1962, 105.

SECT. 64, first paragraph amended, 1964, 304.

SECT. 76 revised, 1966, 168; 1968, 441.

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. 11, paragraph added at end, 1969, 424 § 1.

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; 1968, 391 § 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; revised, 1968, 391 § 2. (See 1943, 227 §§ 13, 14.)

SECT. 3 amended, 1963, 848 § 3; revised, 1968, 391 § 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; second sentence revised, 1968, 327.

SECT. 11, first paragraph amended, 1934, 92 § 1; revised, 1943, 207 § 3; 1945, 605 § 2; 1947, 539; 1959, 447; third paragraph amended, 1933, 5. (See 1943, 207 § 4; 1945, 605 § 3.)

SECT. 12 amended, 1943, 183 § 1. (See 1943, 183 § 2.)

SECT. 12A added, 1943, 183 § 2 (relating to the computation of reserves required of certain domestic liability insurance companies with respect to certain policies of liability insurance).

SECT. 14 amended, 1939, 395 § 2; revised, 1941, 635 § 3, 693; third paragraph revised, 1956, 522; paragraph inserted after paragraph contained in line 14, 1943, 54 § 1; revised, 1945, 593 § 1; paragraph contained in lines 22–26 revised, 1943, 288; seventeenth paragraph revised, 1943, 54 § 2; 227 § 2. (See 1945, 593 § 2.)

SECT. 14A added, 1949, 735 § 2 (relative to contributions to the expenses of the Committee on Valuation of Securities of the National Association of Insurance Commissioners, and the assessment upon domestic life insurance companies therefor).

SECT. 15 revised, 1960, 202.

SECT. 16, second paragraph amended, 1939, 395 § 3.

SECT. 17, second paragraph revised, 1956, 285.

SECT. 18, first paragraph amended, 1957, 453 § 1; revised, 1962, 392 §2; amended, 1963, 259 § 2; revised, 1964, 154.

SECT. 19A amended, 1934, 137 § 2; revised, 1941, 364 § 1; sentence inserted after third sentence, 1966, 95 § 1; fourth sentence revised, 1968, 252.

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.

SECTS. 22C and 22D added, 1968, 640 § 1 (regulating the cancellation of certain insurance policies). (See 1968, 640 § 2.)

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; amended, 1966, 337; second, third and fourth paragraphs revised, 1969, 311 § 1.

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; amended, 1969, 311 § 2.

SECT. 36B added, 1954, 247 (to permit accident and health insurance companies to cover their employees for accident and health insurance); amended, 1969, 311 § 3.

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; stricken out, 1968, 391 § 4.

SECT. 48, first paragraph revised, 1946, 471 § 2; amended, 1965, 260 § 2; revised, 1968, 391 § 5; 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, 1963, 848 § 5; stricken out, 1968, 391 § 6; three paragraphs added, 1966, 95 § 2.

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. 48B, paragraph inserted after first paragraph, 1966, 84.

SECTS. 48B and 48C stricken out, 1968, 391 § 7.

SECT. 49, first paragraph revised, 1954, 320 § 1; second paragraph amended, 1963, 848 § 7; 1968, 391 § 8; 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; revised, 1966, 95 § 3; 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; revised, 1967, 676 § 1; stricken out, 1968, 391 § 9.

SECT. 54, clause (*a½*) 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; stricken out, 1968, 391 § 10.

SECT. 63, paragraph 1 revised, 1959, 128; paragraph 2 amended, 1968, 391 § 11; clause (*d*) added, 1947, 266 § 1; paragraph 3 amended, 1947, 266 § 2; paragraph 3A added, 1948, 70; revised, 1961, 129; 1968, 465 § 1; paragraph 4 revised, 1947, 266 § 3; paragraph 5A added, 1947, 266 § 4; paragraph 6 revised, 1947, 266 § 5; 1968, 246 § 1; paragraph 7 revised, 1945, 188; first sentence amended, 1951, 129; second sentence revised, 1969, 459 § 1; 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; first two sentences revised, 1967, 201; paragraph 14B added, 1951, 154; paragraph 14C added, 1956, 373; clause (*b*) revised, 1965, 269 § 2; 1968, 384 § 1; paragraph revised, 1969, 266; paragraphs 14D and 14E added, 1958, 296; paragraph 14F added, 1965, 300; clause (*a*), subdivision (2) revised, 1968, 384 § 2; section amended, 1967, 676 § 2.

SECT. 64, first paragraph revised, 1953, 110; first sentence revised, 1969, 279; second paragraph amended, 1936, 213; second paragraph revised, 1969, 459 § 2; third paragraph revised, 1943, 207 § 2; 1947, 269 § 2; 1952, 395; last sentence revised, 1967, 583 § 1; fourth paragraph revised, 1967, 583 § 2; 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; amended, 1967, 254 § 1; 1968, 246 § 2.

SECT. 66, first paragraph amended, 1963, 848 § 8; 1966, 451; first two sentences revised, 1967, 419 § 1; second sentence revised, 1967, 530 § 3;

amended, 1968, 391 § 12; sentence added, 1967, 254 § 2; third sentence revised, 1968, 246 § 3; 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; first sentence revised, 1968, 133 § 1; fourth sentence revised, 1968, 561 § 1. (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; 1967, 254 § 3; fifth sentence stricken out and two sentences inserted, 1954, 68; sixth sentence revised, 1957, 152; section revised, 1968, 133 § 2; third sentence revised, 1968, 561 § 2.

SECT. 66C added, 1967, 419 § 2 (regulating investments of life insurance companies); first paragraph amended, 1968, 391 § 13; fifth paragraph amended, 1968, 391 § 14.

SECT. 66D added, 1967, 530 § 2 (regulating the acquisition of capital stock by life insurance companies).

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; amended, 1968, 391 § 15; 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; clause Twelfth amended, 1969, 425 § 1. (See 1951, 478 § 2; 1969, 425 § 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. 102A, first paragraph amended, 1966, 80.

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; subdivision 8, second paragraph revised, 1966, 96; paragraph C amended, 1954, 681 § 18; paragraph D added, 1966, 386 § 1. (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; 1968, 264; 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; subdivision (F) added, 1966, 386 § 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. 110D added, 1967, 593 (providing for extension of coverage in accident and health policies after insured leaves group).

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. 111G added, 1969, 143 (authorizing the inclusion of the spouse and certain dependent children in certain policies providing medical expense benefits).

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; revised, 1969, 147. (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; first two paragraphs revised, 1968, 643 § 2; third paragraph amended, 1951, 251; 1962, 509; 1963, 430; revised, 1963, 828; 1964, 292; paragraph added at end, 1968, 660. (See 1935, 459 § 5.)

SECT. 113C, paragraph added at end, 1968, 643 § 3.

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); first paragraph revised, 1968, 643 § 4.

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. 113L added, 1968, 643 § 5 (requiring compulsory insurance coverage for damages caused by uninsured motorists).

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. 118, paragraph added at end, 1968, 391 § 16.

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 (*a*) amended, 1967, 769 § 5; 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. 132B, provision 4, sentence added at end, 1968, 391 § 17.

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; second and third paragraphs revised, 1967, 161 § 1; sixth paragraph revised, 1967, 161 § 2; three paragraphs added after ninth paragraph, 1967, 161 § 3; seventh and eleventh paragraphs stricken out, 1968, 391 § 18.

SECTS. 132G and 132H added, 1968, 391 § 21 (permitting life insurance companies to do variable annuity business and to grant life company powers to variable annuity companies).

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; stricken out, 1968, 164 § 2.

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); paragraph added, 1966, 604; section repealed, 1968, 391 § 19.

SECT. 134C added, 1969, 156 § 1 (providing for assignment of interests under group life insurance).

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; amended, 1969, 747 § 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; amended, 1968, 391 § 20. (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; fourth paragraph revised, 1966, 83.

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).

SECTS. 160C and 160D added, 1967, 560 (authorizing insurance companies and agents to do business with companies authorized to do business in Mexico).

SECTS. 160A–160E added, under caption, 1968, 129 (providing for domestication of certain foreign insurance companies); amended, 1968, 696 §§ 1–5; section numbers corrected, 1968, 696 § 6, so as to read "SECTS. 161A to 161E added, under caption, 1968, 129." (See 1968, 696 §§ 6, 7.)

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; paragraph added at end, 1968, 108.

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. 176A added, 1966, 423 § 1 (relative to return premiums received by or credited to insurance agents and brokers).

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 inserted after first paragraph, 1969, 144; 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); first paragraph, sentence added at end, 1969, 248 § 1; second paragraph amended, 1969, 248 § 2.

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).

SECT. 193J, paragraph (*d*) added, 1966, 98.

SECT. 193K added, 1968, 314 (prohibiting discrimination under provisions of any policy of insurance, certificate or service contract).

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. 11, paragraph added at end, 1969, 424 § 2.

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 175C. — Urban Area Insurance Placement Facility.

New chapter inserted, 1968, 731 § 1.

SECT. 1, definition of "Basic property insurance" revised, 1969, 528 § 1.

SECT. 2, subsection (1) revised, 1969, 528 § 2.

SECT. 3, paragraph added at end, 1969, 528 § 3. (See 1969, 528 § 6.)

SECT. 4, second paragraph amended, 1969, 528 § 4. (See 1969, 528 § 7.)

SECT. 8 added, 1969, 528 § 5 (authorizing the commissioner to make certain assessments).

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; 1968, 328 § 1; two sentences added, 1966, 229.
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; same paragraph revised, 1967, 53; last paragraph stricken out, 1968, 432 § 1.
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; paragraph inserted after first paragraph, 1968, 432 § 10; fourth paragraph amended, 1953, 636 § 4; stricken out and two paragraphs inserted, 1956, 406; six paragraphs added at end, 1968, 432 § 2; fifth and sixth paragraphs revised, 1968, 492 § 19; section amended, striking out all after the third paragraph and twelve paragraphs added at end, 1969, 874 § 1. (See 1953, 636 § 9.)
SECT. 6, first two sentences revised, 1953, 287 § 4.
SECT. 8, first paragraph, sentence inserted before first sentence, 1969, 874 § 2; 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. 11, fourth paragraph amended, 1968, 432 § 3.
SECT. 13 revised, 1953, 287 § 7.
SECT. 16, first paragraph stricken out and three paragraphs inserted, 1968, 432 § 4.
SECT. 17 revised, 1953, 636 § 5; amended, 1968, 492 § 20. (See 1953, 636 § 9.)
SECT. 26 revised, 1968, 432 § 5.
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, definition of "Non-profit medical service plan" revised, 1968, 432 § 8; definition of "Participating optometrist" inserted, 1965, 442 § 1; definition of "Participating physician" amended, 1969, 880 § 1; definition of "Visual service" 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; third paragraph amended, 1968, 432 § 11.

SECT. 4 revised, 1950, 472; 1959, 130; 1960, 307 § 1; first paragraph revised, 1965, 442 § 2; amended, 1968, 432 § 9.

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; section revised, 1968, 432 § 6.

SECT. 11 revised, 1968, 432 § 7.

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. 1, definition of "Associated physician" amended, 1969, 880 § 2.

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.

SECT. 4, first paragraph revised, 1968, 241.

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. 2 amended, 1969, 421 § 2.

SECTS. 2A–2B added, 1969, 421 § 3 (providing for the establishment of credit counseling corporations).

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; 1969, 421 § 4.

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; sentence added at end, 1969, 421 § 5.

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; first paragraph amended, 1966, 39 § 1; second paragraph amended, 1966, 39 § 2; 1969, 472.

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. 17D added, 1967, 324 (authorizing payroll deductions for income protection insurance for teachers).

SECT. 17E added, 1968, 180 (authorizing certain payroll deductions for school nurses).

SECT. 17F added, 1968, 433 (authorizing certain payroll deductions for state employees).

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. 4A added, 1969, 374 (providing for service of process on foreign corporations in criminal cases).

SECT. 5 amended, 1962, 750 § 59.

SECT. 6 amended, 1962, 750 § 60.

SECT. 12 amended, 1953, 351; revised, 1963, 371; amended, 1968, 291.

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. 5B added, 1966, 574 (providing for the recording of certain affidavits relating to the titles to real estate).

SECT. 6 revised, 1967, 381; 1969, 497.

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); revised, 1966, 664; amended, 1967, 210. (See 1962, 551 § 2.)

Chapter 183A. — Condominiums.

New chapter inserted, 1963, 493 § 1.

SECT. 1, definition of "Building" revised, 1967, 868; 1969, 564.

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. 8A added, 1967, 611 (providing that grantee of real estate notify assessor of name and address of purchaser).

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. 17B added, 1969, 423 (further regulating the hiring of attorneys in certain mortgage transactions).

SECT. 19 amended, 1956, 258 § 1; three paragraphs added at end, 1956, 305.

SECT. 23, second sentence revised, 1969, 666 § 1.

SECT. 23A added, 1963, 523 § 1 (establishing limitations on proceedings relating to building restrictions). (See 1963, 523 § 2.)

SECT. 23B added, 1969, 523 § 2 (invalidating exclusive provisions in real property instruments based on race, creed, color, religion or national origin).

SECT. 24 added, 1956, 348 § 1 (protecting certain titles to land against certain defects in deeds or instruments after ten years from the record-

ing 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).

SECT. 26, first paragraph revised, 1969, 666 § 2; second paragraph amended, 1969, 666 § 3.

SECT. 27 amended, 1969, 666 § 4.

SECTS. 31–33 added, 1969, 666 § 5 (protecting conservation and preservation restrictions and providing for public restriction tract indexes at the registries).

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; first sentence revised, 1966, 699 § 1; 1969, 845 § 1. (See 1946, 427 § 3, 544 § 5; 1951, 742 §§ 4, 5; 1953, 567; 1955, 733 §§ 4, 5; 1963, 742 § 2; 1966, 699 § 1; 1969, 845 § 12.)

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. 15A added, 1969, 115 § 1 (invalidating waiver of notice provisions in leases and agreements pertaining to residential properties).
SECT. 15B added, 1969, 244 § 1 (invalidating certain provisions in leases of residential properties).
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.)
SECT. 17 added, 1967, 420 § 2 (further regulating the recovery of possession of leased premises in cases of violation of standards of fitness for human habitation).
SECT. 18 added, 1969, 701 § 1 (prohibiting retaliatory action against tenants for reporting suspected sanitary violations).

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. 20 amended, 1969, 479 § 2. (See 1969, 479 § 3.)
SECT. 22, sentence added at end, 1962, 273.

Chapter 192. — Probate of Wills and Appointment of Executors.

SECT. 1A added, 1934, 113 (requiring that the attorney general be made a party in certain proceedings relative to the probate of wills).

SECT. 1B added, 1945, 338 § 1 (providing for a guardian ad litem when the surviving spouse of the deceased is under disability).

SECTS. 1C–1D added, 1969, 479 § 1 (exempting real estate from operation of the omitted child statute and providing for certain safeguards pertaining thereto). (See 1969, 479 § 3.)

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; revised, 1966, 325; 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. 1 revised, 1969, 493 § 1. (See 1969, 493 § 2.)

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; definitions of "Commissioner" and "Department" stricken out, 1969, 377 § 1. (See 1969, 377 § 19.)
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; section revised, 1969, 377 § 2. (See 1969, 377 § 19.)
SECT. 8, paragraph (*b*) revised, 1957, 359 § 2; amended, 1969, 377 § 3; paragraph (*c*) amended, 1969, 377 § 4; paragraph (*c*) (1) revised, 1957, 359 § 3; 1959, 470 § 4; amended, 1969, 377 § 5; paragraph (*d*) amended, 1969, 377 § 6. (See 1969, 377 § 19.)
SECT. 9 paragraph (*a*) amended, 1969, 377 § 7; paragraph (*b*) amended, 1969, 377 § 8; paragraph (*c*) revised, 1957, 359 § 4; amended, 1969, 377 § 9; paragraph (*d*) revised, 1969, 377 § 10; paragraph (*e*) revised, 1957, 554 § 1; paragraph (*f*) amended, 1969, 377 § 11. (See 1957, 554 § 2; 1969, 377 § 19.)
SECT. 10 amended, 1953, 654 § 98; paragraph (*e*) revised, 1957, 359 § 5; paragraph (*f*) added, 1966, 555; section revised, 1969, 377 § 12. (See 1969, 377 § 19.)
SECT. 11, paragraph (*a*) amended, 1969, 377 § 13. (See 1969, 377 § 19.)
SECT. 12, paragraph (*a*) amended, 1969, 377 § 14; paragraph (*b*) amended, 1969, 377 § 15. (See 1969, 377 § 19.)
SECT. 13, first sentence stricken out, 1953, 654 § 99; section revised, 1969, 377 § 16. (See 1969, 377 § 19.)
SECT. 14 amended, 1959, 236 § 2.
SECT. 15 amended, 1969, 377 § 17. (See 1969, 377 § 19.)

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. 38, three paragraphs added at end, 1969, 422.
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); revised, 1966, 465; amended, 1967, 442. (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. — Uniform Common Trust Fund Act (former title, Collective Investment of Small Trust Funds).

Chapter stricken out and new chapter 203A inserted, 1969, 417 § 1. (See 1969, 417 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1968.

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; 1969, 80.

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; 1968, 81 § 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; amended, 1968, 81 § 2.

SECT. 39 revised, 1958, 438; third and fourth sentences stricken out and sentence inserted, 1965, 54; third sentence amended, 1968, 81 § 3.

SECT. 40 revised, 1946, 197 § 3; amended, 1965, 11 § 2; revised, 1968, 81 § 4.

SECT. 42 amended, 1946, 197 § 4; revised, 1965, 11 § 3; amended, 1968, 81 § 5.

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. 1 amended, 1967, 585 § 1. (See 1967, 585 § 2.)

SECT. 2 revised, 1937, 76 § 1. (See 1937, 76 § 2.)

SECT. 5 revised, 1964, 344; 1969, 162.

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); revised, 1967, 674 § 1. (See 1958, 162 § 2; 1967, 674 § 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; section revised, 1968, 370.

SECT. 33 revised, 1933, 360.

Chapter 210. — Adoption of Children and Change of Names.

SECT. 1, sentence inserted after first sentence, 1941, 44; revised, 1966, 370.

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. 6B added, 1969, 249 (permitting a decree of adoption nunc pro tunc under certain circumstances).

SECT. 7, first sentence revised, 1965, 252; sentence added at end, 1950, 737 § 5; section revised, 1967, 114.

SECT. 8 revised, 1958, 121 § 1; 1969, 27 § 1. (See 1958, 121 §§ 2, 3; 1969, 27 § 3.)

SECT. 9 revised, 1967, 113.

SECT. 11A revised, 1950, 737 § 6.

SECT. 13, first paragraph amended, 1948, 247; revised, 1966, 342 § 1; paragraph added at end, 1943, 155 § 2.

SECT. 14 revised, 1966, 342 § 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; 1967, 650.

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; 1966, 699 § 2; 1969, 845 § 2. (See 1946, 544 § 5; 1951, 742 §§ 4, 5; 1955, 733 §§ 4, 5; 1956, 333; 1957, 246 §§ 1, 2; 1963, 755 § 2; 1966, 699 § 11; 1969, 845 § 12.)

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; revised, 1967, 850.

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; section revised, 1966, 695 § 1. (See 1954, 668 § 2; 1956, 472 § 2; 1961, 535 §§ 2–6; 1966, 695 § 2.)

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); second paragraph amended, 1967, 541.

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; 1966, 699 § 3; 1969, 845 § 3. (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; 1966, 699 § 11; 1969, 845 § 12.)

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. 34A added, 1967, 439 (providing for service of contempt citations for non support be served by certified mail); second and third sentences revised, 1968, 562.

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; 1969, 773; paragraph in lines 17–20 revised, 1932, 107; 1936, 241; 1956, 159; 1966, 300; sixth paragraph revised, 1967, 120; 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; 1968, 484; 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); second sentence stricken out, 1967, 841 § 1. (See 1967, 841 § 3.)

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. 8A added, 1967, 708 (providing for an executive clerk to chief judge of probate courts).

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; amended, 1968, 669 § 1.

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; 1967, 820; 1968, 669 § 2. (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; 1966, 699 § 4; amended, 1967, 841 § 2; revised, 1969, 845 § 4. (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; 1966, 699 § 11; 1967, 841 § 3; 1969, 845 § 12.)

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; 1966, 699 § 5; 1969, 845 § 5. (See 1951, 713 § 3; 1955, 638 § 3; 1956, 671 § 3; 1969, 845 § 12.)

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; 1967, 644. (See 1937, 408 § 9.)

SECT. 41 amended, 1937, 408 § 7; 1941, 503; revised, 1959, 286; section stricken out, 1963, 819 § 5. (See 1937, 408 §§ 8, 9.)

SECT. 42 amended, 1957, 575; sentence added at end, 1963, 819 § 6.

Chapter 218. — District Courts.

For act further extending to June 30, 1949, the operation of certain provisions of law (1923, 469, as amended) authorizing certain justices of district courts to sit in criminal cases in the superior court, see 1948, 230.

For legislation limiting the number of special justices of certain district courts, see 1941, 664.

SECT. 1, first paragraph under caption *"Franklin"* revised, 1932, 87 § 1; section amended, 1939, 451 § 59; first paragraph under caption

* **Void for non-acceptance.**

"*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; first paragraph under caption "*Worcester*" revised, 1969, 859 § 13; second paragraph under caption "*Barnstable*" revised, 1969, 277 § 1; third paragraph under caption "*Berkshire*" revised, 1969, 181 § 1; fifth paragraph under caption "*Berkshire*" revised, 1969, 181 § 2; fifth paragraph under caption "*Hampden*" revised, 1969, 859 § 14; fifth paragraph under caption "*Suffolk*" revised, 1949, 273 § 1; sixth paragraph under caption "*Worcester*" revised, 1968, 342 § 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; first sentence revised, 1967, 703 § 1; second paragraph amended, 1966, 699 § 6; second sentence revised, 1969, 845 § 6. (See 1941, 664 §§ 2, 3; 1947, 588 §§ 2, 3; 1951, 762 § 4; 1956, 738 §§ 1A, 13, 14, 744 §§ 2, 3; 1963, 810 § 23; 1969, 845 § 12.)

SECT. 8 revised, 1936, 282 § 1. (See 1936, 282 § 3; 1966, 699 § 11.)

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; amended, 1968, 192; revised, 1968, 578; third sentence revised, 1950, 444; amended, 1955, 723; revised, 1960, 504 § 1; amended, 1963, 286; revised, 1963, 567; 1965, 813; amended, 1966, 534, 597, 710 § 1; 1967, 812 § 1; 1968, 103, 130; revised, 1969, 901; second paragraph revised, 1938, 222 § 1; amended, 1949, 800; 1951, 541 § 1; revised, 1957, 601 § 2; 1964, 474; 1967, 548 § 1, 812 § 2; 1969, 860 § 1; paragraph inserted after second paragraph, 1963, 778; amended, 1965, 470; 1966, 533; revised, 1967, 548 § 2, 812 § 3; amended, 1968, 667; revised, 1969, 860 § 2; paragraph inserted after third paragraph, 1964, 692; revised, 1965, 896; paragraph added at end, 1941, 309 § 1; revised, 1960, 772; 1962, 595; 1966, 241; 1968, 481; revised, 1969, 860 § 2A; another paragraph added at end, 1948, 642 § 1; two paragraphs added, 1967, 548 § 3; eighth paragraph revised, 1969, 860 § 3; paragraph added at end, 1969, 398 § 1; second sentence amended, 1969, 725. (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. 19A added, 1967, 549 § 1 (increasing number of assistant clerks in certain district courts).

SECT. 19B added, 1969, 419 § 1 (providing for trial by jury of six in the Central District Court of Northern Essex of any civil actions entered in any district court in Essex County). (See 1969, 419 § 2.)

SECT. 21 amended, 1953, 168; revised, 1960, 160; 1963, 810 § 3; 1964, 496 § 1; amended, 1967, 21 § 1. (See 1964, 496 § 2; 1967, 21 § 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; section revised, 1969, 496. (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. 36 revised, 1967, 350 § 1.

SECT. 37 amended, 1945, 250 § 1; 1958, 48 § 2; revised, 1967, 225.

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. 43D added, 1967, 852 § 3 (providing that the chief justice of the district courts make rules relative to claims for compensation of victims of violent crimes). (See 1967, 852 § 4.)

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; 1966, 697 § 1; 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; caption preceding section revised, 1969, 859 § 14A; two sentences added at end, 1969, 859 § 15. (See 1965, 659 § 7.)

SECT. 58 revised, 1936, 282 § 2; sentence added at end, 1955, 343; section revised, 1963, 810 § 10; 1969, 859 § 16; first paragraph, last sentence revised, 1969, 860 § 4. (See 1936, 282 § 3; 1963, 810 § 21.)

SECT. 59, paragraph added at end, 1948, 248 § 1; section revised, 1969, 859 § 16A.

SECT. 60, first sentence amended, 1962, 722 § 9; section revised, 1964, 308 § 11; 1965, 659 § 6; 1969, 859 § 17. (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; amended, 1967, 441; revised, 1967, 604, 834; sentence added at end, 1968, 366; section amended, 1968, 475; revised, 1968, 585, 677, 764; 1969, 38, 841; amended, 1969, 881. (See 1935, 71 § 2; 1946, 264 § 2; 1953, 138 § 2; 1955, 633 § 2.)

SECT. 63, revised, 1935, 341; 1969, 81.

SECT. 65, last sentence stricken out, 1949, 621.

SECT. 70, sentence added at end, 1969, 859 § 18.

SECT. 74 revised, 1963, 810 § 11.

SECT. 75 revised, 1946, 609 § 1; 1951, 749 § 1; 1955, 748 § 1; 1962, 680 § 1; 1963, 810 § 12; 1966, 699 § 7; 1969, 845 § 7. (See 1946, 609 § 3; 1951, 749 § 2A; 1954, 347, 527; 1955, 748 §§ 1A, 1B, 2; 1962, 680 §§ 2, 3; 1963, 810 § 22; 1966, 699 § 11; 1969, 845 § 12.)

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; 1966, 539 § 1; 1969, 854 § 1. (See 1946, 512 § 3, 609 § 3; 1963, 774 §§ 2, 3; 1964, 479 § 1; 1966, 539 § 2; 1969, 854 § 2.)

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; 1966, 699 § 8; revised, 1969, 845 § 8. (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; 1966, 699 § 11; 1969, 845 § 12.)

SECT. 76A added, 1969, 859 § 19 (relative to the compensation of the justices of the Worcester and Springfield juvenile courts).

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.)

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* Void for non-acceptance.

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; 1966, 699 § 9, 703 § 1; 1967, 725 § 1, 782 § 1; 1969, 845 § 9. (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; 1966, 699 § 11; 1969, 845 § 12.)

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); second paragraph revised, 1969, 845 § 11. (See 1969, 845 § 12.)

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; revised, 1966, 699 § 10; amended, 1966, 703 § 2; 1967, 725 § 2, 782 § 2; revised, 1969, 845 § 10. (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; 1966, 699 § 11; 1969, 845 § 12.)

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; definition of "Court class" revised, 1969, 859 § 20; paragraph (1) amended, 1960, 801 § 1, 816; 9161, 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; 1966, 718 §§ 1, 2; 1967, 818 §§ 1, 2, 3, 833; 1968, 199 §§ 1, 2, 229 §§ 1, 2, 273 § 1, 613; 1969, 860 §§ 5, 6; 859 § 21, 902 §§ 1, 2; paragraph (2), salary schedule revised, 1962, 423 § 1; paragraph (2) amended, 1960, 801 § 2; revised, 1963, 841 § 4; salary schedule revised, 1966, 536 § 1; 1969, 853 § 1. (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; 1966, 536 § 2; 1969, 853 § 2.)

SECT. 80, sentence added at end, 1935, 366 § 2; section amended, 1936, 229 § 1; 1937, 378 § 2; revised, 1941, 447 § 3; amended, 1946, 498 § 2; revised, 1948, 667 § 5; 1949, 799; 1951, 768 § 3A; amended, 1957, 559 § 1; revised, 1959, 609 § 2; amended, 1960, 801 § 3; revised, 1963, 306 § 1; amended, 1963, 841 § 4A; two paragraphs added at end, 1969, 753 § 1. (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; 1969, 867 § 2. (See 1945, 486 § 3; 1951, 788 § 2; 1969, 867 § 3.)

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. 1 revised, 1968, 223.

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; 1968, 459. (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; third paragraph revised, 1966, 532 § 1; sixth paragraph revised, 1969, 31; paragraph inserted after sixth paragraph, 1967, 764 § 1. (See 1943, 336 § 3; 1958, 327 § 2; 1963, 502 § 2, 746 § 2; 1966, 532 § 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. 46D added, 1969, 421 § 1 (providing that credit counseling corporations shall not be deemed to be illegally practicing law).

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; fourth paragraph revised, 1968, 482; 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; sentence added, 1966, 463 § 3; amended, 1969, 525. (See 1935, 182 §§ 5, 6;

1938, 347 § 3; 1941, 448 § 3; 1945, 388 § 3; 1946, 593 § 2; 1963, 766 §§ 2, 3; 1966, 463 § 5.)

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. 86 revised, 1967, 316.

SECT. 88 amended, 1947, 179; 1957, 85; revised, 1958, 56; 1969, 261.

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. 91C added, 1967, 138 (relative to appointment of stenographer for auditors and masters' 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; 1966, 429, 653 § 1; 1967, 675, 879; last paragraph revised, 1968, 209 § 1; section amended, 1968, 666 § 5, 692; 1969, 888 §§ 1, 2. (See 1946, 262 §§ 4, 5; 1949, 774 § 5; 1962, 781 § 3; 1963, 790 §§ 3, 4; 1968, 209 § 2; 1969, 888 § 3.)

SECT. 94A added, 1946, 262 § 3 (relative to the salaries of the clerk and assistant clerks of the superior court for civil business in the county of Suffolk); repealed, 1949, 774 § 4. (See 1946, 262 §§ 4, 5; 1949, 774 § 5.)

Chapter 222. — Justices of the Peace, Notaries Public and Commissioners.

SECT. 3 amended, 1961, 18 § 2.

SECT. 8 amended, 1947, 256 § 1.

SECT. 8A added, 1952, 184 § 1 (relative to printing or typing names of persons whose signatures appear on certain instruments filed in probate courts). (See 1952, 184 § 4.)

SECT. 11 added, 1953, 191 (relative to the acknowledgment of written instruments by persons serving in or with the armed forces of the United States); revised, 1961, 207.

Chapter 223. — Commencement of Actions, Service of Process.

SECT. 2 revised, 1934, 387 § 2; last sentence of first paragraph revised, 1943, 296 § 2; 1954, 616 § 2; amended, 1955, 158; 1958, 369 § 1A; section

revised, 1960, 210; 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; amended, 1967, 767 § 1. (See 1967, 767 § 4.)

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. 16A added, 1969, 346 (requiring certain information to appear on certain summonses commencing actions at law).

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 223A. — Jurisdiction of Courts of the Commonwealth over Persons in Other States and Countries.

New chapter inserted, 1968, 760.

SECT. 3 amended, 1969, 623.

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; last sentence revised, 1967, 666 § 1. (See 1947, 506 §§ 3, 3A; 1949, 427 § 11; 1958, 238 § 10; 1962, 306 § 2; 1965, 683 § 2; 1967, 662 § 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); amended, 1968, 324.

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. 6C added, 1968, 763 (providing for the computation and addition of interest by the clerks of court to damages recovered in actions of contract).

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. 64 amended, 1966, 432.

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; 1969, 761 § 1. (See 1947, 386 § 2; 1952, 533 § 2; 1969, 761 § 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. 85F added, 1966, 450 (providing that the negligence of an operator of a motor vehicle shall not be imputed to the owner for the sole reason that he was a passenger).

SECT. 85G added, 1969, 453 (providing civil liability of parents for injuries or damages resulting from wilful acts of their minor children between seven and sixteen years of age).

SECT. 85H added, 1969, 467 (providing that failure to return leased property creates presumption of conversion by lessee).

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; third paragraph, first sentence revised, 1967, 778; third, fourth and fifth sentences stricken out and four sentences inserted, 1967, 767 § 2; fourth paragraph, sentence inserted after first sentence, 1967, 767 § 3. (See 1958, 369 § 4; 1967, 767 § 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, first sentence revised, 1967, 852 § 2; 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; revised, 1967, 139. (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.)

SECTS. 140B–140C added, 1967, 259 (providing that payments by insurance companies be inadmissible at trial on issue of liability).

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; 1966, 88; 1967, 743. (See 1933, 300 § 4; 1934, 387 § 5; 1943, 296 § 6, 350 §§ 3, 4; 1946, 212 § 3; 1954, 606 § 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, form 8 repealed, 1938, 350 §2; first paragraph revised, 1956, 313.

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. 20B added, 1968, 418 (protecting confidential communications between patients and psychotherapists).

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); revised, 1967, 194. (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; first sentence revised, 1968, 372.
SECT. 79F added, 1952, 476 (relating to proof of the existence of a public way); revised, 1965, 303; 1967, 266.
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).
SECT. 79H added, 1967, 265 § 1 (providing for admissibility of medical reports of deceased attending and examining physician in actions of tort for injury or death). (See 1967, 265 § 2.)

Chapter 234. — Juries.

SECT. 1 amended, 1935, 257 § 11; 1936, 25; revised, 1949, 347 § 1; 1969, 148 § 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. 3 revised, 1969, 683.
SECT. 4, first paragraph revised, 1949, 347 § 3; second sentence amended, 1969, 148 § 2; sentence inserted after third sentence, 1969, 283; last sen-

tence 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; 1967, 285. (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. 23A added, under caption, 1966, 638 (providing for the recognition by the courts of Massachusetts of money judgments of foreign states).

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. 2A added, 1969, 701 § 2 (providing a defense for certain tenants in summary process actions).

SECT. 3 revised, 1960, 463 § 1. (See 1960, 463 § 2.)

SECT. 5 revised, 1946, 175 § 1; paragraph added at end, 1969, 366. (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); revised, 1967, 420 § 1; sentence added at end, 1969, 355.

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; revised, 1967, 26 § 1. (See 1967, 26 § 2.)

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; amended, 1969, 276 § 1. (See 1935, 410 §§ 2, 3; 1941, 338 § 2; 1947, 264 § 2; 1959, 187 § 3; 1969, 276 § 2.)

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.)

SECT. 24, sentence added at end, 1969, 290.

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; section stricken out, 1966, 284 § 4. (See 1943, 410 § 2; 1957, 765 §§ 18, 21; 1966, 284 § 5.)

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; section stricken out, 1966, 284 § 4. (See 1957, 765 §§ 18, 21; 1966, 284 § 5.)

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; section stricken out, 1966, 284 § 4. (See 1957, 765 §§ 18, 21; 1966 284 § 5.)

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); stricken out, 1966, 284 § 4. (See 1966, 284 § 5.)

SECT. 12E added, 1968, 394 § 1 (limiting liability of owner of credit card or other like credit device). (See 1968, 394 § 2.)

SECT. 13 revised, 1939, 509 § 1; amended, 1941, 285; revised, 1957, 765 § 13; stricken out, 1966, 284 § 4. (See 1957, 765 §§ 18, 21; 1966, 284 § 5.)

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; stricken out, 1966, 284 § 4. (See 1957, 765 §§ 18, 21; 1966, 284 § 5.)

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; stricken out, 1966, 284 § 4. (See 1957, 765 §§ 18, 21; 1966, 284 § 5.)

SECTS. 13D–13F repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 13G revised, 1957, 160, 765 § 16; stricken out, 1966, 284 § 4. (See 1957, 765 §§ 18, 21; 1966, 284 § 5.)

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.)

SECTS. 13I–13J added, 1967, 822 (relative to procedure for repossession and disposition of consumer goods subject to security interest).

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. 31A, first sentence revised, 1968, 330.

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); first paragraph, first sentence amended, 1968, 60; fifth paragraph, first two sentences revised, 1968, 190.

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. 1, definition of "Annual finance charge formula", inserted, 1966, 284 § 1A; revised, 1968, 354 § 2; stricken out and definitions of "Amount financed" and "annual percentage rate" inserted, 1969, 517 § 3; definition of "Cash sale price" stricken out and definition of "Cash price" inserted, 1969, 517 § 4; definition of "Finance charge" revised, 1969, 517 § 5; definition of "Official fees" inserted, 1969, 517 § 7; definition of "Principal balance" inserted, 1966, 284 § 1B; stricken out; 1969, 517 § 6; definition of "motor vehicles" amended, 1967, 464 § 1; definition of "Recording Charges" stricken out, 1969, 517 § 7. (See 1966, 284 § 5; 1968, 354 § 5.)

SECT. 2, sixth sentence revised, 1969, 792 § 1.

SECT. 3, first sentence stricken out and two sentences inserted, 1969, 517 § 8; first sentence amended, 1969, 792 § 2; sentence inserted after second sentence, 1969, 792 § 3.

SECT. 9, first paragraph amended, 1969, 517 § 9; third paragraph amended, 1966, 284 § 1C; clause (13) revised, 1967, 464 § 2; paragraph stricken out and three paragraphs inserted, 1969, 517 § 10. (See 1966, 284 § 5.)

SECT. 10 revised, 1967, 823; eighth sentence stricken out and two sentences inserted, 1968, 216.

SECT. 14, second paragraph revised, 1969, 517 § 11.

SECT. 14A added, 1966, 284 § 1D (prohibiting false, misleading or deceptive statements in any advertisement by a seller or sales franchise company of its finance charges); last sentence revised, 1966, 587 § 6; stricken out, 1969, 517 § 12. (See 1966, 284 § 5, 587 § 7.)

SECT. 16 amended, 1966, 284 § 2. (See 1966, 284 § 5.)

SECT. 17 revised, 1962, 293; amended, 1969, 517 § 13.

SECT. 20 amended, 1969, 517 § 14.

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).

SECT. 20A stricken out and sections 20A and 20B inserted, 1966, 284 § 3. (See 1966, 284 § 5.)

SECT. 20A, subsection C amended, 1969, 517 § 15; subsection F added, 1967, 464 § 3.

SECT. 25 added, 1969, 517 § 16 (relative to conflicts between this chapter and chapter 140C).

Chapter 255C. — Insurance Premium Finance Agencies.

New chapter inserted, 1964, 727 § 1. (See 1964, 727 §§ 2, 3.)

SECT. 1, definition 6 added, 1966, 587 § 2; revised, 1968, 354 § 3; 1969, 517 § 17. (See 1966, 587 § 7; 1968, 354 § 5.)

SECT. 3, first paragraph revised, 1969, 793 § 1; fifth paragraph revised, 1969, 793 § 2.

SECT. 5, paragraph inserted after second paragraph, 1966, 423 § 2.

SECT. 6, first paragraph, sentence added at end, 1969, 793 § 3.

SECT. 7 revised, 1969, 517 § 18.

SECT. 11 amended, 1967, 612; revised, 1969, 793 § 4.

SECT. 13, paragraph added, 1966, 587 § 3; section revised, 1969, 517 § 19. (See 1966, 587 § 7.)

SECT. 14 revised, 1967, 256.

SECT. 20, fourth sentence revised, 1967, 370

SECT. 21, two sentences added, 1966, 133; section amended, 1969, 517 § 20.

SECT. 23 added, 1969, 517 § 21 (relative to conflicts between this chapter and chapter 140C).

Chapter 255D. — Retail Installment Sales and Services.

New chapter inserted, 1966, 284 § 1. (See 1966, 284 § 5.)

SECT. 1, definition of "Annual finance charge formula" revised, 1968, 354 § 4; stricken out and definitions of "Amount financed" and "annual percentage rate" inserted, 1969, 517 § 22; definition of "Cash sale price" stricken out and definition of "Cash price" inserted, 1969, 517 § 23; definition of "Deferred payment price" inserted after definition of "Commissioner," 1969, 517 § 24; definition of "Finance charge" revised, 1969, 517 § 25; definition of "Official fees" revised, 1969, 517 § 26; definitions of "Principal balance" stricken out, 1969, 517 § 27; definition of "Services" revised, 1967, 775 § 1; definitions of "Time balance" and "Time sale price" stricken out, 1969, 517 § 27. (See 1938, 354 § 5.)

SECT. 2, sixth sentence stricken out and two sentences inserted, 1969, 794 § 1.

SECT. 3, first sentence stricken out and two sentences inserted, 1969, 517 § 28; first sentence amended, 1969, 794 § 2; sentence inserted after second sentence 1969, 794 § 3.

SECT. 9, subsection A amended, 1969, 517 § 29; subsection B amended, 1969, 517 § 30; subsection C, clause (11) revised, 1967, 775 § 2; paragraph added at end, 1968, 543 § 1; revised, 1969, 517 § 31; subsection D, first paragraph amended, 1969, 517 § 32; clause (6) revised, 1969, 517 § 32; last paragraph revised, 1967, 775 § 3; subsection E amended, 1969, 517 § 33; subsection F amended, 1967, 775 § 4.

SECT. 10, clause (1) amended, 1969, 517 § 34; clause (4) amended, 1969, 517 § 35; clause (9) revised, 1968, 543 § 2.

SECT. 11, subsection B amended, 1969, 517 § 36; subsection C revised, 1968, 543 § 3; amended, 1969, 517 § 37.

SECT. 13, subsection B amended, 1969, 517 § 38; subsection C revised, 1967, 775 § 5; subsection D added, 1969, 378.

SECT. 14, subsection A, clause (2) revised, 1969, 517 § 39; subsection B revised, 1969, 517 § 40.

SECT. 15, first paragraph revised, 1968, 543 § 4.

SECT. 16, subsection B, clause (6) revised, 1969, 517 § 41.

SECT. 17, Subsection B, clause (1) amended, 1969, 517 § 42; clause (2) revised, 1967, 775 § 6; amended, 1969, 517 § 43; clause (3) amended, 1967, 775 § 7.

SECT. 18, subsection A amended, 1969, 517 § 44; subsection B revised, 1969, 517 § 45.

SECT. 21, subsection C, two sentences inserted after first sentence, 1967, 775 § 8; second sentence revised, 1968, 543 § 6; clause (3) amended, 1969, 517 § 46.

SECT. 22A added, 1968, 715 (relating to loan transactions made in avoidance of laws pertaining to retail instalment sales).

SECT. 23, second sentence stricken out, 1969, 517 § 47; last sentence revised, 1966, 587 § 4; amended, 1967, 775 § 9. (See 1966, 587 § 7.)

SECT. 26, subsection A, second sentence revised, 1967, 416 § 1; subsection C, first sentence stricken out and two sentences inserted, 1967, 416 § 2; second sentence amended, 1969, 517 § 48.

SECT. 27, subsection A, last sentence revised, 1967, 775 § 10; subsection revised, 1969, 517 § 49; subsection B amended, 1969, 517 § 50; clause (6), second paragraph revised, 1967, 775 § 11; clause revised, 1969, 517 § 51; subsection C, paragraph 1, clause (e) revised, 1967, 775 § 12; subsection D revised, 1969, 517 § 52; subsection E added, 1966, 587 § 5; revised, 1969, 517 § 53; subsection F added, 1969, 788. (See 1966, 587 § 7.)

SECT. 29, subsection A amended, 1969, 517 § 54; subsection B amended, 1967, 775 § 13; subsection C revised, 1967, 775 § 14.

SECT. 31, paragraph added at end, 1968, 543 § 5; section revised, 1969, 517 § 55.

SECT. 32 added, 1968, 543 § 7 (clarifying notice requirements relating to retail installment sales and services).

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 258A. — Compensation of Victims of Violent Crimes.

New chapter inserted, 1967, 852 § 1. (See 1967, 852 § 4.)

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. 2B added, 1968, 612 (further limiting time within which certain tort actions may be commenced).

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; amended, 1968, 94 § 1; paragraph added at end, 1943, 409 § 4. (See 1933, 318 § 9; 1934, 291 § 6; 1937, 385 § 10; 1955, 235 § 2; 1968, 94 § 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; third paragraph amended, 1968, 496.

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; stricken out, 1967, 350 § 2.

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); amended, 1966, 116.

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; first sentence revised, 1966, 613; 1967, 678. (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; revised, 1967, 297.

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; second and third paragraphs revised, 1967, 651 § 1; paragraph inserted after fourth paragraph, 1956, 7 § 2; eighth paragraph revised, 1955, 744 § 1; 1956, 632 § 1; 1958, 500; 1967, 651 § 2; eleventh paragraph stricken out, 1956, 632 § 2. (See 1934, 324 § 2; 1954, 556 § 10; 1955, 418 § 3, 744 § 2.)

SECT. 43, sentence added at end, 1969, 294.

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; first sentence revised, 1969, 859 § 22.
SECT. 53B added, 1952, 235 (providing for payment of witness fees to state police officers); revised, 1954, 393; 1957, 605; 1959, 567; first sentence revised, 1969, 859 § 23.
SECT. 53C added, 1955, 223 § 1 (granting compensatory time off to certain police officers in certain criminal cases); revised, 1967, 286. (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. 14, paragraph added, 1967, 89.
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. 13C added, 1967, 226 (establishing penalty for committing an assault and battery to collect a loan).

SECT. 13D added, 1969, 359 (providing penalty for assault and battery on a police officer or firefighter on duty).

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); revised, 1969, 473.

SECT. 22A added, 1955, 763 § 2 (providing a mandatory prison sentence for persons convicted of rape).

SECT. 23 revised, 1966, 291.

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.

SECT. 35 added, 1968, 139 (imposing penalty for throwing or dropping objects from bridges or overpasses onto public ways and certain other places).

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. 14, sentence added, 1966, 330.

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); revised, 1966, 408.

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; first sentence revised, 1967, 849; two sentences added, 1966, 191 § 2; second sentence amended, 1967, 662.

SECT. 30 revised, 1945, 282 § 2; paragraph (1) amended, 1968, 737 § 10; paragraph (2) revised, 1966, 153 § 1; paragraph (4) added, 1967, 817 § 1. (See 1945, 282 § 5.)

SECT. 33 revised, 1945, 282 § 3; amended, 1967, 236. (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); revised, 1969, 51; revised and sections 37B–37C added, 1969, 832.

SECTS. 44–46 repealed, 1945, 282 § 1. (See 1945, 282 § 5.)

SECT. 47 amended, 1945, 282 § 4; revised, 1966, 153 § 2. (See 1945, 282 § 5.)

SECT. 49 revised, 1966, 269 § 1.

SECT. 52 amended, 1934, 270 § 3.

SECT. 53A revised, 1956, 297.

SECT. 54 revised, 1958, 58. (See 1933, 59 § 3.)

SECT. 60A added, 1967, 817 § 2 (providing that the unlawful taking of a trade secret constitutes larceny).

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; 1968, 40.

SECT. 94 amended, 1939, 451 § 65.

SECT. 98 revised, 1960, 169.

SECT. 98A added, 1966, 280 (relative to the penalty for destroying public park or playground equipment).
SECT. 100 revised, 1961, 316.
SECT. 101 amended, 1957, 688 § 21.
SECT. 102 revised, 1957, 688 § 22.
SECT. 102B added, 1969, 431 (making the possession or control of certain devices which when ignited and thrown will explode a criminal offense).
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. 120, first sentence amended, 1969, 463 § 2.
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; 1969, 362.
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. 138A added, 1969, 56 (providing criminal penalty for wilful damaging of machinery and equipment used for transmission of water for agricultural purposes).
SECT. 139 revised, 1961, 73 § 4.
SECT. 140 added, 1966, 269 § 2 (making the sale of certain master keys which fit more than one motor vehicle a crime); amended, 1968, 90.
SECT. 141 added, 1966, 468 (penalizing the turning back or readjusting of the speedometer or odometer of motor vehicles for the purpose of misrepresenting to purchasers the number of miles traveled by such vehicles).

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. 6B added, 1969, 293 (providing criminal penalty for false statements by process servers regarding service of process).
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. 13B added, 1969, 460 (providing criminal penalty for intimidation of persons giving information to public agencies conducting criminal investigations).

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. 32A added, 1966, 289 (prohibiting interference with fire fighting operation); revised, 1968, 82.

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 "County employee" revised, 1969, 350 § 1; definition of "Municipal employee" revised, 1966, 734 § 2; definition of "Special municipal employee" revised, 1965, 351; definition of "State employee" revised, 1969, 350 § 2.

SECT. 2, clause (*d*) revised, 1964, 287.

SECT. 7, paragraph added, 1968, 446.

SECT. 8A added, 1964, 314 (prohibiting members of state commissions or boards from being appointed by the other members thereof to certain positions).

SECT. 15A added, 1967, 887 § 1 (prohibiting members of county commissions to be appointed to other positions by other members of said commissions).

SECT. 19, paragraph (*b*) revised, 1965, 395.

SECT. 21A added, 1967, 887 § 2 (prohibiting members of municipal com-

missions to be appointed to other positions by other members of said commissions).

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; amended, 1966, 158.

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; first sentence amended, 1968, 737 §§ 11, 13; 1969, 799 § 14; paragraph added at end, 1968, 737 § 12; revised, 1969, 799 § 16; three paragraphs added at end, 1968, 737 § 14; fourth paragraph stricken out, 1969, 799 § 15; paragraph added at end, 1969, 441. (See 1936, 227 § 2; 1937, 250 § 2; 1968, 737 § 18.)

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. 10C added, 1969, 342 (providing criminal penalty for use of chemical mace or similar device or instrument in the commission of a crime).

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. 11E added, 1968, 737 § 15 (further regulating the sale of firearms); revised, 1969, 799 § 17. (See 1969, 799 § 18.)

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; third sentence revised, 1968, 737 § 16.

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); second sentence revised, 1968, 737 § 17.

SECT. 13 revised, 1968, 122.

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); amended, 1967, 116.

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.

SECT. 18 added, 1966, 318 (regulating the sale, possession and use of substances having the property of releasing toxic vapors).

SECT. 19 added, 1967, 154 (regulating sale of certain glue and cement to minors).

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. 6C added, 1968, 602 (prohibiting giving of chances or offering of prizes by gasoline stations).

SECT. 7 revised, 1968, 115.

SECT. 7A added, 1969, 810 (authorizing certain organizations to conduct raffles and bazaars).

SECT. 10 revised, 1957, 390 § 1; 1965, 549 § 1; 1967, 189. (See 1957, 390 § 2; 1965, 549 § 2.)

SECT. 10A added, 1967, 119 (providing for arrest of violators of gaming and gambling laws without a warrant); revised, 1967, 372.

SECT. 17 revised, 1968, 116.

SECT. 17A added, 1958, 246 (making it a criminal offense to use the telephone for certain gaming purposes); revised, 1962, 440.

SECT. 17B added, 1966, 352 (permitting the attorney general and the district attorneys in certain circumstances to demand telephone company records).

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; 1966, 535 § 14; 1967, 658 § 78.

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. 12 amended, 1969, 59 § 3.

SECT. 15 amended, 1969, 301.

SECT. 20 amended, 1966, 265 § 2.

SECT. 21 amended, 1966, 265 § 3.

SECT. 21A added, 1966, 265 § 1 (authorizing registered physicians or pharmacists to furnish drugs or articles for the prevention of pregnancy or conception).

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; 1966, 418 § 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. 31 amended, 1967, 364 § 1.

SECT 32 amended, 1967, 364 § 2

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. 40 revised, 1969, 463 § 1.

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); revised, 1968, 310.

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. 63, first sentence revised, 1966, 343.

SECT. 64 amended, 1951, 119 § 1; 1956, 715 § 23; revised, 1957, 315.

SECT. 66 amended, 1939, 451 § 67; 1951, 119 § 2; revised, 1969, 782.

SECT. 67 amended, 1959, 313 § 12.

SECT. 68 revised, 1967, 367.

SECT. 69 amended, 1959, 313 § 13.

SECT. 73 revised, 1958, 352; 1966, 312.

SECT. 77 amended, 1968, 59.

SECT. 78A added, 1969, 223 (regulating the sale of foals under five months).

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; 1968, 738 § 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; repealed, 1968, 738 § 4.

SECT. 101 amended, 1956, 48 § 4; repealed, 1968, 738 § 5.

SECT. 102 amended, 1956, 48 § 2; repealed, 1968, 738 § 6.

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; 1969, 859 § 24. (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. 2 revised, 1968, 206 § 1.
SECT. 3 revised, 1968, 206 § 2.
SECT. 4 revised, 1943, 488 § 1. (See 1943, 488 §§ 2, 3.)
SECT. 7 added, 1968, 721 § 1 (relating to punishment for certain criminal conspiracies).

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. 2C amended, 1967, 802 § 4.
SECT. 3 amended, 1934, 340 § 15; 1957, 660 § 3; revised, 1964, 557 § 4; amended, 1965, 325; paragraph (*a*) revised, 1967, 347 § 12. (See 1934, 340 § 18; 1957, 660 §§ 6, 7.)
SECT. 3A added, 1934, 247 (concerning the service of search warrants); amended, 1962, 328; revised, 1964, 557 § 5.
SECT. 7 amended, 1934, 235 § 2; 1957, 660 § 4; revised, 1964, 557 § 6. (See 1957, 660 §§ 6, 7.)
SECT. 8 amended, 1959, 313 § 20.
SECT. 9 amended, 1947, 359; 1964, 111.
SECTS. 10A–10D added, under caption, 1937, 208 § 1 (making uniform the law as to extraterritorial arrest on fresh pursuit and authorizing this commonwealth to co-operate with other states in connection therewith). (See 1937, 208 § 2.)
SECTS. 11–20 and caption "FUGITIVES FROM JUSTICE" stricken out and new sections 11–20R inserted, under caption "PROCEDURE ON INTERSTATE RENDITION", 1937, 304 § 1. (See 1937, 304 §§ 2, 3.)
SECT. 21 amended, 1953, 319 § 32. (See 1953, 319 §§ 39, 40.)
SECT. 22 amended, 1959, 313 § 21.
SECT. 25 revised, 1967, 338; 1968, 698.
SECT. 28 amended, 1949, 184.

SECT. 33A added, 1945, 205 (providing that certain persons held in custody shall be permitted to communicate by telephone with relatives and others); amended, 1946, 277; sentence added at end, 1958, 113; section revised, 1960, 269; last sentence revised, 1963, 212.

SECT. 34 amended, 1959, 313 § 22.

SECT. 37A added, 1932, 180 § 43 (relative to the assignment of counsel to appear, on behalf of a person accused of a capital crime, at his preliminary examination); amended, 1959, 313 § 23. [For prior legislation, see G. L. chapter 277 §§ 48, 49, repealed by 1932, 180 § 44.]

SECT. 44 amended, 1959, 313 § 24.

SECT. 47 revised, 1967, 380.

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.)

SECT. 61 amended, 1959, 313 § 25.

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The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, September 9, 1970.

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 the 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.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

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